

recurring. Local authorities have not, as far as these Estimates are concerned, been rendered any greater assistance than heretofore. We have the same sum provided for municipal subsidies and a like amount for the roads boards grants.

The Premier: Who increased it last year?

Hon. FRANK WILSON: We did. We promised it before we went out. They had a written promise.

The Premier: You knew you were going out.

Hon. FRANK WILSON: The Acting Premier, Mr. Gregory, increased the subsidy and the hon. member knows it. The avenues of taxation have been practically exhausted. The bleeding process, forecasted by the Attorney General in an evil moment which had to be applied to the fat man has become no idle joke. The burden of the taxation is being placed upon the shoulders of the few. The citizens have done their part according to the Premier's own evidence, for trade has increased and wherever we look in the private enterprise of our people we can see evidences of that stern determination to succeed which go to build up a mighty nation, but I am sorry to say that my friends opposite, the Premier and his colleagues, have lamentably failed in that administration which, in the words of the Premier, must go to build up the country's progress and prosperity. Let me in conclusion just read the closing remarks of the Premier when delivering his Budget Speech on the 13th December, 1911. He was very full of the importance of his office and desirous, I believe, of doing his best. He was impressed on that occasion, at any rate, with a determination to be fair to all sections of the community. He said—

We (referring to his party and the Government) do not represent, nor will we legislate for any one section, but will at all times endeavour to do justice to all sections of the community. We stand here, in fact, by the will of the people, pledged to do our utmost for the advancement of Western Australia as a whole, from the educational, commercial, legislative, and administrative point of view. Our one object is that

it shall not be possible for the finger of derision or accusation of neglect to be pointed at us, for in everything we shall strive to do our duty, not failing to realise, however, that the foremost step is to build up our finances upon a solid foundation so that in this important connection we may best serve the interests of the citizens of the present day, whilst at the same time having proper regard to those of future generations. "For forms of Government let fools contest; whate'er is best administered is best."

Comment is needless.

Progress reported.

House adjourned at 10.15 p.m.

Legislative Council,

Wednesday, 30th October, 1912.

	PAGE
Leave of absence	2792
High School Act Amendment Bill Select Com., Extension of Time	2792
Motions: Town Hall site and Government House Grounds	2793
University site	2795
Bills: Pearlberg, Recom.	2795
Statutes Compilation Act Amendment, Com. ...	2796
Industrial Arbitration, Com.	2805

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

LEAVE OF ABSENCE.

On motion by Hon. J. F. CULLEN, leave of absence for six sittings granted to Hon C. A. Piesse, on the ground of ill-health.

HIGH SCHOOL ACT AMENDMENT BILL, SELECT COMMITTEE.

Extension of Time.

On motion by Hon. A. SANDERSON the time for bringing up the report of the select committee was extended for one week.

MOTION—TOWN HALL SITE AND GOVERNMENT HOUSE GROUNDS.

Hon. C. SOMMERS (Metropolitan) : I move—

That in view of the early departure from Western Australia of His Excellency the Governor, it is expedient that Government House and portion of its grounds should be exchanged for the present Town Hall site, in order to enable the Perth City Council to utilise same for a town hall.

In submitting this motion to the House—

Hon. Sir J. W. Hackett : Treat it as formal.

Hon. C. SOMMERS : I hope to give some reasons why the House should seriously consider it. I would like to preface my remarks by saying that I would never have thought of submitting such a motion but for the fact, and unfortunately for us, that the Governor intends to leave this State in the not distant future, for New South Wales. Of course it would have been improper to have moved such a motion during the Governor's term of office, but as the building will shortly be vacated, I have no hesitation in asking members to give the subject consideration. We are not under any obligation to the incoming Governor, therefore I feel that we are at perfect liberty at the present time to review the position. There is not the slightest doubt about the fact that there is a necessity for a new town hall. The present site is altogether inadequate in every respect. The position is too noisy, the building is too small, and the citizens and members of the city council have exercised their minds considerably as to where they might find a new and suitable site. Seeing that St. George's Terrace, Barrack Street, and William street are recognised as the financial centre of the State, it follows that the Government House site being practically opposite the present post office it is sufficiently central. This position offers many advantages for the erection of a town hall, and I must say that Government House as it now stands is sufficient in itself almost for municipal purposes. It would be necessary per-

haps to erect what might be termed a civic hall. There is not the slightest doubt about the need for a hall for public purposes in the true sense of the term in Perth. We know that if it is necessary to hold a big public meeting great difficulty is always experienced in securing a hall for the purpose. I venture to say, even the Premier himself, if he wanted to make some great public announcement outside Parliament House, would have great difficulty in getting a hall. During the recent election campaign for the Metropolitan Province I myself had great difficulty in securing a hall of any sort. The town hall was let for a picture show, and other public halls were always booked well ahead and it is therefore rather a reproach that we have no hall available for public purposes. Government House is situated in a central position and it has beautiful grounds. My proposal is that the Government should value the present town hall site and having fixed the value to the satisfaction of both sides, they should then value Government House and a portion of the land sufficient only for the erection of additions, and I am sure then that we would have a place which would be worthy of the City and which would give satisfaction to the citizens. We would also have a park for the public use extending from Barrack street to the Christian Brothers' College and from St. George's terrace practically to the river, all Crown land which could be declared a Class A reserve and which the public could make full use of. The question would then arise as to what we would do with the new Governor.

Hon. R. G. Ardagh : Why have a new Governor at all ?

Hon. C. SOMMERS : We could provide a better house for the new Governor than any civilian has at the present time in the State, and to my mind one of the sites on which this new residence could be built is that on which the Observatory stands, or a portion of it and probably on that position we could build a residence worthy of the State and give satisfaction to His Majesty's representative,

at, a cost I think of not more than £15,000.

Hon. R. D. McKenzie: The land is wanted for the University.

Hon. C. SOMMERS: You cannot put the University everywhere.

Hon. J. W. Kirwan: What is the area?

Hon. C. SOMMERS: I do not think it would be sufficiently large for the University, but if we were to build a new residence for the Governor on it we could beautify it to such an extent that His Majesty's representative would be proud of it and, as I said, at an outlay of not more than £15,000. We all know that at the present time the money market is particularly tight and that this is not the time for any Government to spend large sums of money. My scheme will mean hardly any expenditure at all. The city council has had an offer from the Government of the drill hall site on the north side of the railway line with a sum of £20,000, and if the council accepted that offer it would be seen that the Government would have to spend a considerable sum of money, and we all know that the Treasury is not too full at the present time. Under my scheme all we would have to do would be to bring about an exchange of lands and we would have to face the expenditure of say £15,000 for the erection of a new residence for the Governor. At the present time there are a magnificent ball room and supper rooms attached to Government House and these could be used for a time for civic purposes, but later of course it would be absolutely necessary to build a larger public hall than that. I suggest that if this scheme is approved the new hall should be built fronting St. George's-terrace and running back to the existing buildings. The administrative offices could be there, the large public hall could be on the first floor and the remainder of the magnificent building existing at the present time could be made use of by the city council. There are many uses to which the present building could be put and if there happened to be a little too much room at the present time, the difficulty could easily be got over.

Hon. J. W. Kirwan: Where would you put the new Governor?

Hon. C. SOMMERS: I have already stated, in a new building to be erected on a site such as that on which the Observatory stands.

Hon. J. D. Connolly: The Observatory is to be closed on the 1st January.

Hon. C. SOMMERS: If that is so all the more reason why we should make use of that particular site. It is a commanding site from which there is a magnificent view of the river and it is opposite the park and Parliament House. I cannot imagine a more suitable site and I commend this idea to the consideration of hon. members. I know that Government House is a beautiful piece of architecture and for that reason I do not believe that it can be put to better use than to give it to the citizens. It will never be closed in or shut away. It will be in the centre of what will be a park which at the present time is used by very few people. Under my scheme the grounds will be thrown open to the public and the building will be seen in all its beauty. If it were converted to municipal use it would be sufficiently close to the business part of the city to be central, and yet sufficiently far removed from the trams and traffic to ensure the absence of interference with entertainments by reason of street noises. The decision of the Governor to leave the State has come upon us somewhat suddenly, and we know that in the past there has been a certain amount of difficulty in discussing this subject because of the residence of the Governor in our midst. But the fact of this change coming about leaves us free to discuss this matter without any reflection on His Majesty's representative. I would again impress upon members that the adoption of this scheme would simply involve an exchange of properties. The Government must have the present town hall site for public purposes, and they have a right to have it: but the town hall also is entitled to a good site.

Hon. R. G. Ardagh: The drill hall site is a better one.

Hon. C. SOMMERS: I do not think there could be a better site than this.

Hon. W. Kingsmill: What about Irwin-street?

Hon. C. SOMMERS: It would not be as suitable. It must be remembered also that there are beautiful buildings already erected on this site, and these could be made available for civic purposes by a few alterations.

Hon. Sir E. H. Wittenoom: They would spoil the building.

Hon. C. SOMMERS: I do not think so. I have sufficient faith in the architects to believe that any alterations would be carried out so as to preserve a harmonious whole. Now is a fitting time for this change to be brought about, and then whoever comes here as the next Governor will know that he is to have a new house on another site.

Hon. J. W. Kirwan: And what is your estimate of the cost of a new house?

Hon. C. SOMMERS: My estimate is £15,000, but even if the cost runs to £20,000 it would still be a considerable saving to the Government at the present time. The cost of my scheme to the State would be very little in ready cash, and that is a very great consideration at this moment. I hope that the motion will not be discussed further to-day, but that members will think it over and approach it with an open mind at a later date, either to-morrow or some day next week. I have much pleasure in moving the motion.

Hon. J. D. CONNOLLY (North-East): I formally second the motion.

On motion by Hon. J. D. Connolly, debate adjourned.

BILL—PEARLING.

Recommittal.

On motion by the COLONIAL SECRETARY Bill recommitted for the purpose of further considering Clauses 6, 98, and 111.

Hon. W. Kingsmill in the Chair: the Colonial Secretary in charge of the Bill.

Clause 6—When ship to be deemed engaged in pearling:

On motion by the COLONIAL SECRETARY, clause amended by striking out Subclause 2; and the clause as amended agreed to.

Clause 98—Appeal from order forbidding use of gear:

The COLONIAL SECRETARY moved an amendment—

That all the words after "magistrate" in line 5 down to "prescribe" in line 10, inclusive, be struck out and the following inserted in lieu:—"or some person appointed by a magistrate for the purpose, and shall be tested in such manner as the magistrate or person before whom it is taken may direct or approve; and the magistrate may, after having seen or been informed of the result of such testing, confirm the order or reverse it or make an order allowing the gear, tackle, or other article to be used after the making of such alterations or repairs as he may prescribe."

The amendment proposed no alteration whatever in the sense of the clause, but the clause had been drafted in the Assembly by a layman and suffered from an excessive use of personal pronouns. The Parliamentary Draftsman had drafted the amendment in order to more clearly express the intention of the legislature.

Amendment passed; the clause as amended agreed to.

Clause 111—Minimum penalty:

The COLONIAL SECRETARY moved an amendment—

That after "section" in Subclause 6 the following words be inserted:—"except Subsection 3 hereof."

It was not necessary that this clause should apply to any offence against any provision in the Fifth Schedule, because the punishments were outlined in the clause itself. But it was necessary that attempts to commit an offence as mentioned in Subclause 3, should be punishable in accordance with the Fifth Schedule.

Amendment passed; the clause as amended agreed to.

Bill again reported with further amendments.

BILL — STATUTES COMPILATION ACT AMENDMENT.

In Committee.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

MOTION—UNIVERSITY SITE.

Debate resumed from the 1st October on the motion of the Hon. J. F. Cullen, "That in the opinion of this House, the University Senate, having accepted the Government offer of the Crawley Estate in exchange for endowment lands of corresponding value, should now, with the consent of the Government, negotiate with the Trustees of King's Park for an exchange of the Crawley Estate for land of corresponding value on the highest available part of King's Park, as the most suitable site for the University of Western Australia," and on the amendment of the Hon. J. D. Connolly that all the words after "University," in line one, be struck out, and "of Western Australia should be placed in a more suitable position than that proposed at Crawley" be inserted.

Hon. Sir J. W. HACKETT (on amendment): I am sure that the House will welcome my rising if for no other reason than that it takes us a step nearer towards purging the Notice Paper of this motion which has been offending me.

Hon. J. F. Cullen: That is a cruel word, "purging."

Hon. Sir J. W. HACKETT: Well, say, in allowing us to get a step towards a conclusion.

The PRESIDENT: That was the original motion. An amendment has been moved by the Hon. J. D. Connolly, and the debate is now on that amendment.

Hon. Sir J. W. HACKETT: I presume the amendment really includes the whole question and that I can travel all round and backwards and forwards.

Hon. J. F. Cullen: The hon. member has spoken on the main question already.

Hon. Sir J. W. HACKETT: Yes, and I am sorry I did, because it was one of the most awkward moments of my life. It was the first time in my recollection that I have had to turn my back on my antagonist, but it was in obedience to the wishes of the Chair; and if to-day I turn

my back on the hon. member, I hope he will accept it as no sign of cowardice.

Hon. M. L. Moss: It is all right so long as he does not use the dagger of the assassin.

Hon. Sir J. W. HACKETT: That is what my friend Mr. Connolly has done by moving this amendment. I have several difficulties in this matter. In the first place I have been wholly unable to reconcile the reasons given for or against the motion. As well as I recollect, Mr. Sommers and Mr. Connolly strongly supported the seizing of Crawley as a public park; on the other hand Mr. Patrick and Mr. Cullen will not hear of such a purpose in connection with Crawley. Their idea is that the place should be distinguished in Australia by the formation of docks and wharves and generally by busy enterprises of all kinds.

Hon. J. F. Cullen: It is only a matter of time.

Hon. Sir J. W. HACKETT: The hon. member may hold that opinion.

The PRESIDENT: The hon. member must address the Chair.

Hon. Sir J. W. HACKETT: I have great difficulty. It is the make of the Chamber. I have also some doubt as to the original purpose for which Crawley was purchased. Ministers who were in that Government will not agree, but I understand that for the most part it was looked upon as a park. Sir Newton Moore, as well as I remember, was Premier of the Government that negotiated the purchase.

Hon. R. D. McKenzie: Mr. Wilson was Premier at the time.

Hon. Sir J. W. HACKETT: At any rate Sir Newton Moore, in speaking to me about it, more than once strongly urged that the University Senate should take Crawley, of course by fair means, for that purpose. Not once, nor twice, he pressed on me the great advantages Crawley possessed as a site for a University, and he urged that we should spare no pains and not a little money to get possession of it.

Hon. R. D. McKenzie: The University Bill had not been passed when we purchased Crawley Estate

Hon. Sir J. W. HACKETT: I am speaking of private conversations with Sir Newton Moore. At all events it shows we have a clear sheet before us. There are just as many on one side as the other. What I want to point out is that in this instance I find myself in a position I do so often occupy in the House of agreeing with both sides.

Hon. M. L. Moss: You generally come to the ground in those circumstances.

Hon. Sir J. W. HACKETT: Perhaps; but still I pick myself up again; I have not suffered seriously in these encounters. What Mr. Connolly says must be assented to by every member of the House. Mr. Cullen moves that an exchange should be effected, but Mr. Connolly moves an amendment to the effect that the University of Western Australia should be placed in a more suitable position than that proposed at Crawley. I entirely agree with that, and I cannot understand how any member can fail to accept it, unless Mr. Connolly places a meaning on it which forces one to opposition. I hold no brief for Crawley, I am simply guided by the best interests of the country and the needs of the position, but in this case, if a better site can be found, let it be brought out at once. That is where the party opposed to the use of Crawley break down; there is no better site, so far as I know; but if my knowledge be imperfect I claim that Mr. Connolly, before he proceeds with his amendment, should put before us this better site which no doubt he has in his mind. If not, we have been only wasting our time and hurting our eyesight by reading this motion and the amendment. We want an alternative, and if there is no alternative we must fall back on the next best, and I certainly claim that with the exception of King's Park no part of the public estate within easy reach of Perth answers the demands of the situation so conveniently as that at Crawley—from all points of view. I shall ask members to look at a few of them. I maintain that Crawley, though not the best conceivable site, comes nearer to what we want than any of the reserves of the Crown available for our use. I think King's Park would

be better; I entirely agree with Mr. Cullen in that.

Hon. W. Kingsmill: What about West Subiaco?

Hon. Sir J. W. HACKETT: West Subiaco is desired by the Government to carry out a certain purpose of their policy.

Hon. W. Kingsmill: It does not belong to the Government.

[Hon. J. F. Cullen interjected.]

The PRESIDENT: I must ask hon. members to make no interruptions.

Hon. Sir J. W. HACKETT: I hope that will not be rigidly enforced; it is rather a help to me occasionally; it shows whether one is omitting points or not. The Government should be allowed an opportunity to carry out their policy. Speaking personally, as I have always done, even with the Government with which Mr. Kingsmill was associated, I have given on all occasions to the Government in power support in order that whatever their policy may be they may be allowed the freest and an unembarrassed course with which to carry it out.

Hon. W. Kingsmill: I did not notice it.

Hon. Sir J. W. HACKETT: The hon. member is most ungrateful; he got generous support, beyond what he deserved.

Hon. W. Kingsmill: I had to fight for it.

Hon. Sir J. W. HACKETT: The hon. member would not be Walter Kingsmill if he did not fight. He got support, if anything, greater than that now accorded to His Majesty's advisers. West Subiaco was required for that special purpose, and I think it not at all suitable for the home of a university such as we propose to build up here if we are only allowed a little latitude and are not embarrassed at every turn. West Subiaco to begin with—I have gone over every acre of it, because it is no light task shouldering responsibilities such as these, and I did my best to give effect to my sense of responsibility—in the first place West Subiaco is absolutely invisible from road, river or railway. Hon. members do not probably quite grasp that if the University were placed there it could not be seen until one really came within a few

hundred yards of it. In the next place the surface of the land is entirely unfitted for architectural purposes. Members can go into these matters in detail, but for the purpose of aspect or prospect, or for the purpose of convenience, it is entirely outside the question, except for one argument which may be urged in its favour, and that is the small argument that it is on the railway line between Perth and Fremantle. But there are many in the House who will live to see the other side of the river as thickly peopled as the north side, and when that time comes the convenience of West Subiaco will be measured with a very different idea. I am one of those who believe that within the next thirty or forty years the whole of the metropolitan area, except reserves on water and land, will be covered with houses, and if we are to sacrifice any great institution to the fancied convenience of the moment we may never cease to regret it. West Subiaco is to my mind not suitable. I did not vote for it, and I would not vote for it again. There was one other site suggested by Mr. Connolly, and with that I agreed at first; that was the seizing of Parliament House.

Hon. J. D. Connolly: Hear, hear!

Hon. Sir J. W. HACKETT: I did at one time, and I could not blind my eyes to this important fact that State Parliaments in this Federation are decreasing and universities are increasing; the one is growing greater and the other is growing less. This building would be no use to the University Senate; it would have to be taken down; if they got it they would have to sell it and go elsewhere. Then the steep slopes do not lend themselves to building purposes in the least. It would be a most costly business establishing a university on the site of Parliament House, in addition to which, and this is perhaps one of the most important things of all, the area is altogether too small. I believe the majority of the House assent to the proposition that there should be at least 100 acres available for university purposes; if we can double that so much the better, but it should be at least 100 acres, and we cannot get that within very easy reach of Perth

without spreading out the area of population too widely. That being so, I think Parliament House is out of the question, even if the members of Parliament were prepared to surrender the building for university purposes. Probably if Mr. Sommers succeeds in his motion he will bring in a second motion dealing with these buildings, and he will go round cancelling public buildings and putting others in their places. What I want the House to look at in regard to this is what we need in the way of land surface measured in acres for university purposes. Now I drew up a memorandum some time ago as to what would be required for a university; for this University cannot be a paltry collection of examination rooms, and some other important adjuncts. It is to represent the latest idea, so far as Australia can conceive it, in the way of a university. A university up to date, of modern type, would require provision to be made for general buildings, grand hall, library, museum, lecture and examination halls, administration quarters, school of medicine, laboratory, dissecting theatre, lecture and examination rooms, provision for biology, bacteriology, materia medica, etc. The hon. member smiles.

Hon. W. Kingsmill: I am smiling approval.

Hon. Sir J. W. HACKETT: Of course he is smiling approval. He comes from a university whose entire area is covered by half a dozen acres.

Hon. J. F. Cullen: They turned out good material.

Hon. Sir J. W. HACKETT: I should think so, but they ought to have turned out much better. If our University does no better than that of my friend, Mr. Kingsmill, I shall say it is a failure, and wash my hands of the whole thing. The hon. member smiles; so closely is he in touch with the modern idea of a university that he smiles at the description of what is necessary for such an institution. We will require, in addition to what I have mentioned for mining and engineering, large suite of buildings, facilities for physics, metallurgy, assaying, practical mining and its technology, such I hope

as is to be seen at Ballarat. Then there will be required for the agricultural faculty, space and elaborate apparatus. Then there are needed residences of vice-chancellor, and professors and lecturers, room for gardens for teaching botany, etcetera, playing grounds, cricket, football, tennis, etcetera, gymnasium, provision for colleges, ultimately probably amounting to half a dozen, each with five or six or more acres, for I hold that universities to fulfil their perfect mission must combine the triple alliance of examination hall, lecture room, and the college. One hundred acres distributed in that way will not go very far; therefore, all these proposals, such as that for taking the paddock at the top of the hill for the University are too ridiculous, too monstrous, to need much consideration. The same thing would apply to this site; there is not room enough. There is room enough in King's Park, but this House and another place have practically determined that that shall not be touched, or at all events, not while we are here to protect it. Where, then, are we to go? Clearly there is only the one place, and that place is Crawley. We are told it is unhealthy. I take it that anything over ten feet or so above the sea level may be considered as perfectly healthy. I would only take what there is in Crawley and the ground adjoining it rising twenty feet and upwards.

Hon. J. F. Cullen : About 50 acres.

Hon. Sir J. W. HACKETT : Yes, sufficient for residential purposes. The other buildings can be put elsewhere. Of course we could add more at a later period by purchase; at all events that much is there now if the House will accept it. I would like to make one remark about that memorandum signed by the doctors. The story is an amusing one, and hon. members know it. There is no truer saying than that a man at forty is either a fool or a physician. I think several members of the House are over forty; I am myself.

Hon. J. W. Kirwan : What is the story ?

Hon. Sir J. W. HACKETT : I will give it to my honourable friend in private.

Hon. J. W. Kirwan : I think we might hear it here in Parliament, as it has been referred to.

Hon. Sir J. W. HACKETT : Oh no. I say that every member of the House is absolutely as well qualified as any doctor, though he be the most capable in the country, each member is as well capable of forming a judgment for himself as to whether or not the site is healthy. He can test his opinion by reference to those who live there, and who are unanimous on the question. He can test his opinion by his own knowledge of the condition of healthfulness all along the Swan, from Fremantle to Midland Junction, where it will be found the great bulk of the population lives below the 20-foot mark. It must be remembered we are only adding a very small percentage to the population which live at the 20-foot mark or thereabouts. Let members inquire into this, and I think they will come to a different opinion from that which seems to prevail in certain quarters. Then we are told the access is impossible. A University such as this is going to be a most modern establishment, and that being so, it ought not to be necessary to confine all the teaching to the shores of Crawley. On the contrary, if I have anything to say in the matter I shall strongly urge that professors and lecturers shall extend their labours from Fremantle to Midland Junction and all parts of the country, while Crawley shall be a sort of central sun pouring out its rays and illuminating everything. In all directions we can send out our lecturers.

Hon. J. F. Cullen : By boat on the river, I presume?

Hon. Sir J. W. HACKETT : I will come to that. The access to Crawley is among the most perfect in Australia. Not only shall we have that tram extended which the Premier, on behalf of the Government, has promised; not only will the Subiaco area be provided for by the Nedlands tram, not only do we expect an extension from Claremont or Karrakatta to bring the Fremantle students right up to Crawley; not only shall we have all that, but we have this one advantage, this advantage which overweighs a great deal of

disadvantage, that we can boat. We can run our motor boats from Barrack-street or elsewhere, probably in a quarter of an hour, calling at various places on the way, and reaching Crawley in that time.

Hon. J. F. Cullen: Where are these motor boats docked just now?

Hon. M. L. Moss: The only place to call in at on the way will be the Swan brewery.

Hon. Sir J. W. HACKETT: There are many places where they would call. Mill Point at South Perth is almost cut off from communication because it is so far from the nearest ferry. A ferry running from Barrack-street, calling at Mill Point and running to Crawley, could be down there in a quarter of an hour—time just sufficient to enable one to look over one's books and collect one's thoughts before beginning the work of the day. I say there are those in this House who will see the whole of the Swan river, whether it be Perth water, or Melville water, or Rocky Bay, or Freshwater Bay crossed and recrossed by lines of ferry boats, north and south, east and west.

Hon. J. D. Connolly: You will require to spend half a million on the river, providing channels through the shallow water.

Hon. Sir J. W. HACKETT: For motor boats we shall not have to spend anything beyond the cost of a few small jetties. There is this advantage at Crawley beach, that the whole of it gives on to deep water. Follow the picnic parties; they will show you the good landings. I allude to this access because it would bring the population from the other side of the river, a population which King's park or the Observatory site would almost debar unless special provision were made. I want to dwell specially on the fact that lectures will be given in all parts of the metropolitan area which can be reached easily by professors and lecturers. I will not say anything more beyond this one remark in closing, that really the party to decide this question are the University Senate. The Government have appointed a Senate. If the Senate are wanting in common sense, if their decisions warrant their extinction, let us take the proper steps.

Hon. R. D. McKenzie: A good number of them are applying for billets in the University.

Hon. Sir J. W. HACKETT: Not two are applying, so far as I know.

Hon. R. D. McKenzie: Rumour says there are four of them.

Hon. Sir J. W. HACKETT: Rumour, I am afraid, is a lying jade again.

Hon. V. Hamersley: I heard there were six.

Hon. Sir J. W. HACKETT: Officially I know nothing about those applications. I think you will find your speculation is largely in error. At all events we will shut out these four, or six, as the case may be, and I say test the Senate by their actions; and if you give them responsibility give them also the sense of responsibility. Unless you do this you can certainly expect no good work from them, or any other body placed in similar circumstances. The more the question is looked into, I think, the clearer will it become that Crawley is the best site available. There may be other sites having advantages over Crawley, but I unhesitatingly say that nothing of the sort has been indicated up to the present. I certainly favour Crawley in default of a better proposal.

Hon. J. F. CULLEN (South-East): As my speaking will not close the debate, and as I have to catch a train and will be away for a few days, I think the best plan will be for me to make a few remarks and then seek an opportunity of pairing on the question. I would like half an hour in which to do justice to my friend Sir Winthron Hackett, but I will not so doubt the intelligence of this House as to presume that it would be necessary to deal with various small matters that have been cited by those in opposition to my motion. I would like at this stage to say I hope my motion will be carried, but if there are not sufficient members to my way of thinking, I hope the amendment will be carried. Of course, my motion can first be tested.

Hon. J. D. Connolly: The amendment will be put first.

Hon. J. F. CULLEN: The question will be so put that those in favour of my

motion can support it. They can vote for the retaining of the words. If that is defeated, I hope they will support the amendment. I followed with the greatest care all the speeches on this question, and I think that this House has shown it is rising to the grave importance of selecting a site for the University. The idea that, having appointed a senate to govern the University, it would be slighting that senate's judgment regarding the site for this House to offer an opinion, I am sure would not be seriously entertained for a moment. The work of the Senate is to govern the University. The fixing of the site for that University is a question for the wisdom, not only of Parliament, but of the whole country which is to support the University and furnish it with its students. I will not follow the small objections and difficulties that have been cited. I want to deal with two great issues, first we are all agreed that, if it were available, King's Park is the best site of all. The whole House are agreed upon that. There is no site which can be compared with the site of King's Park.

Hon. J. D. Connolly: What do you mean by available?

Hon. J. F. CULLEN: If there were no objections to utilising it for university purposes, I mean apart from the Senate maintaining its integrity, the judgment of everybody whose judgement is of weight will be in favour of that as the best possible site the University could have. My second position is that the University's claim is paramount. It is far above any question of recreation ground or park purposes. The university is paramount. What will this University mean? It will be the greatest institution of the greatest State in the Commonwealth. This is not only the most spacious State, but its destiny is in front amongst the States of the Commonwealth. This is the gateway of the Commonwealth. Some people do not see it as yet, but they will have their eyes opened when the Trans-Australian Railway begins to do its pregnant work of uniting Australia, and bringing all other parts of it into touch with the real gateway of the Commonwealth. The University is the greatest institution of the State.

Parliament House is very important, for it is the place for making laws for the government of the people. Government House is important as the residence of the gentleman who forms the link between the State and the rest of the Empire, but I submit the University is paramount—the crowning edifice of the education system of the people. Is there any site too good for the University? I will say no site is too good. The hon. member said that, if the University were granted a piece of King's Park, the board would be flooded with other applications from bowling clubs, polo clubs, and so on. I can hardly conceive of the hon. member's mind descending to such a thing. A polo club, and any sporting club has its place, but does the House put it in the category with the University. Such a thing should not be thought of. What would be thought of any such preposterous application from a twopenny source? A board which recognises the paramount importance of a University site to be troubled because petty little appeals come from other sources! Would not the immediate answer be that the University is paramount? This University will leave its most important buildings until last, its great hall and other costly buildings, but modestly as we begin, these buildings will increase, and in time become a magnificent foundation worthy of the finest site that the State can give them, and worthy of the highest aspirations of the State. If we begin to build in the wrong place, we can never cure the mistake. I can quite understand the Senate saying that they will begin by putting up temporary buildings. That does not matter, but when we come to planning permanent buildings which will stand for centuries, it is a very vital question where we make a beginning. We cannot lift and transplant them. We want the best site, and I say that Parliament should be allowed to come to the assistance of the Senate in selecting the best site. Even if the University desired to monopolise 100 acres of King's Park it could not be put to a better use, but the University will not monopolise 100 acres. Go to any properly equipped university, and see the position. Take the Sydney

University with its affiliated colleges, its hospital, as well as its medical school and laboratories, the immense hospital where actual practice is available, almost at the doors of the University.

Hon. Sir J. W. Hackett: That is not supported by the University.

Hon. J. F. CULLEN: It is part and parcel of the university scheme, planned and built with that object. I am speaking of the Prince Alfred Hospital. The University of Sydney has its engineering and law schools and everything necessary for a modern university, and the grounds constitute one of the finest parks in New South Wales. They are open to the public. They are utilised by the public. One cannot go through those grounds on a fine afternoon without seeing scores and scores of women and children enjoying the lovely grassy slopes and the beautiful plantations of these university grounds. I say, even if the University were to monopolise 100 acres, it should have that area, but the University will make that 100 acres the most attractive, the most ornamental, the most beautiful part of the King's Park, and will make it the centre for all visitors to run to amongst the first items of their sight-seeing when they come to this State. I would like every member before voting on this question to dismiss the old fetish idea, the small fetish idea, that we must not touch King's Park. We are not laying vandal hands on King's Park. We are seeking to ornament, to beautify King's Park by giving part of it to the highest use to which it can be put, and we are throwing into King's Park that area of which Sir Winthrop Hackett spoke so enthusiastically—Crawley. Of course there would be room to take off a little bit for docks and wharves and give as much to the park as would be required on the other site. I will not answer the hon. member's straining at arguments for utilising Crawley—the fact that the buildings would be practically hidden there, that for residential purposes it is miasmatic and full of mosquitoes, and that for view, the river will in no distant future be filled with ship-ping, and the frontage of Crawley will be turned to wharves.

Hon. Sir J. W. Hackett: That is your imagination.

Hon. J. F. CULLEN: It is bound to come. I appeal to Sir Winthrop Hackett on his great services to the State, not to allow the petty view of this greatest question of all betray him into a blunder when on the other hand he should be helping to crown all his great services in founding a university on the best site the State can offer and I appeal to members to vote for the future, to vote for the great destiny of this institution. The University is to be our highest institution. Let us give it the best site.

Hon. W. KINGSMILL (on amendment): I certainly should not have exercised my right to speak on this amendment, had it not been for certain remarks which fell from my distinguished friend Sir Winthrop Hackett. I must say that, so far as his personal remarks are concerned, I do not intend to deal with them. As to my fitness as former leader of the House, and on the generous treatment meted out to me, more than generous treatment, allegedly by the hon. member and others, or whether I have been considered as a graduate of the Adelaide University in my personal capacity, with regard to the derogatory remarks made, I have nothing to say.

Hon. J. F. Cullen: They were only in jest.

Hon. Sir J. W. Hackett: I wish to say no word was uttered in derogation of my hon. friend. Quite the contrary. I complimented him and the university on possessing him.

Hon. W. KINGSMILL: The hon. member is strangely misleading in the way he expresses his kindly sentiments. I must apologise for having misunderstood him, but I think other members will say I may possibly be excused for having misunderstood him. The remarks he made about my University I cannot pass over without some little comment, and may I be allowed to hope that when this University does make a start it will at least be as wisely governed as the University of which I have the honour to be a graduate. That University started very modest-

ly indeed; as do most things in that State of South Australia from which I come, the State which is perhaps rightly called the Scotland of Australia probably because the Government of that State generally manage to get a good deal more for sixpence than the Government of any other State which any hon. member could name. I may be pardoned for alluding to the scope of the proposed University because that has a good deal to do with the site which may be chosen. The scope of this proposed University of Western Australia was alluded to at considerable length, and with great fervency and with a light and prophetic touch by my friend, and so I may be pardoned for referring to it. May I be pardoned also for making some little comparison with the University of Adelaide of which I have already spoken. That University started with practically no Government endowment. It was supported to a very great extent by private endowment. It had no organiser appointed by directly flouting at least two Acts of Parliament to carry out work which was the especial province of the Senate. It had not that advantage. On the contrary, its beginnings were small ones both as regards site, buildings, and finance. Yet, I think the achievements of the Adelaide University, leaving my humble and unworthy self out of the question, may be favourably compared with those of other universities which are of the same age, and belonging to a community of the same size. To return to the question of site, I have already expressed my views pretty fully about the proposition to place this University at Crawley. With regard to the manner in which Crawley is to be obtained for a university site, I shall have a few words to say when dealing with the Bill now before the House. With regard to the suitability of this site, I have only to reiterate what I have already said on the healthfulness of this site. Whether it is healthy or not is a minor consideration. At all events, the bulk of those who have reported on it think it will not be healthy, and that from a health point of view it is not suited for the requirements of a univer-

sity; but the damning point in my opinion about the selection of Crawley, in spite of what the hon. member said, is the fact of its inaccessibility. Consider for a moment a modern university, a university created under the auspices of a democratic government in a democratic country, a great many of whose students are working men and women, imagine sentencing these working men and women to attend classes which in many instances can be attended only at night in so inaccessible a place as Crawley! The idea is absurd in the extreme. Imagine starting a school of medicine at Crawley! The undergraduates of the medical classes would have to go to the Perth Hospital for their practical teaching. Again, imagine if the system in New South Wales was adopted here, putting the hospital at Crawley, which is described by Mr. Cullen as miasmatic!

Hon. Sir J. W. Hackett: It is not.

Hon. W. KINGSMILL: It is defended by Sir Winthrop Hackett as being low-lying, and he asked us to look at a great many of the best parts of England. That member, in speaking to the main question, instanced the fact, and I hope I am not misquoting him, for I am only quoting the impression he gave me, that a great many of the inhabitants of England apparently acquired their national character because they were reared in bogs and fens. That is the impression I gathered from what the hon. gentleman stated. Imagine the creation of a school of mines at Crawley, thereby, I should say, cutting the ground away from the dearest hopes of a good many members, that a School of Mines affiliated with the University should exist at Kalgoorlie! Imagine a school of engineering at Crawley! It passes the bounds of comprehension how the hon. gentleman can come before the House and draw the picture he has drawn of motor boats running to Crawley, of trams running to Crawley, for what? for a university. I say no Government, however extravagant they might be, could possibly for one moment countenance the idea of running a tramway to a university. It is impossible. I have already pointed out that between here and Craw-

ley there is no traffic to be expected. But the most damning portion of the whole of the evidence against Crawley, in my opinion, is that the gentlemen who support it say it might, or might not be true that this estate was bought as a recreation ground for the people of Perth. I say unhesitatingly it is true. It was bought for that purpose, and I say further that is all the place is fit for. They say they are going to equitably allot the area of Crawley between the purposes of recreation and education. And how they can expect to get good results from a university which will periodically, nay more than periodically, in the summer daily, and nightly be over-run by holiday crowds, passes my comprehension.

Hon. J. E. Dodd (Honorary Minister): One of the principal arguments of the mover was that the ground should be thrown open to the public as a recreation ground.

Hon. W. KINGSMILL: I am not responsible for what the mover said. With many of his arguments I disagree. I think he goes as far in one direction as Sir Winthrop Hackett does in the other. The fancy pictures they draw I think in both cases have to be seriously discounted. It is impossible for a university to exist and have its grounds daily and nightly overrun by a holiday crowd which will consist, I hope, of thousands of people going to Crawley on an afternoon and evening in the summer time. I have little further to say except to hope that the amendment of Mr. Connolly will be carried. I maintain there are many more suitable sites than Crawley for the erection of a university. I have instanced one during the speech of the hon. member, Sir Winthrop Hackett, that of West Subiaco as the best, but the best site of all, in spite of what the hon. member has said, on which to erect the University is comprised in the two reserves, the Observatory reserve and the High School reserve opposite Parliament House, and with the use of playgrounds in the park, and, if necessary, resumptions between Wilson-street and Hay-street. They say that you cannot have a modern university on less than 100 acres of ground. Why the university of London to-day, whose degrees

rank scholastically, if not socially, amongst the highest in the world, is proposed to be built on seven and a half acres of land.

Hon. Sir J. W. Hackett: It has been an examining university up to now.

Hon. W. KINGSMILL: And now it has become a teaching university.

Hon. Sir J. W. Hackett: The affiliated colleges will take many acres.

Hon. W. KINGSMILL: I am glad I am reminded by the hon. member of the affiliated colleges. Whether they will be attached to the Western Australian University or not, there is not much need to take notice of that argument, but as far as my opinion goes, with the progress of time, as the educational system of every city and every country becomes more and more widened and made more and more democratic, the necessity for affiliated colleges will tend to disappear. That is my reading of the present signs of the times. I may be right, I may be wrong. I have at least as much right to my opinion as any other hon. gentleman. Hostels indeed—I mean regulated boarding-houses for students coming from the country are very different things from affiliated colleges—should obtain under regulations drawn up by a wise senate, and there is no need for these hostels to occupy any part of the University grounds. They may be maintained on private property. I maintain that for the purposes of a university for Western Australia for years and years, for half a century to come, the site I have instanced will give ample accommodation, in addition to which it is accessible in the highest degree. At present it is in the centre of the city of Perth, and it is what I have already described as a site which is the crown of Perth, and on which no Government, however niggardly-minded they may be, could erect a building which would not be but an ornament to the City and to Western Australia. I have very much pleasure indeed in supporting the amendment of Mr. Connolly.

Hon. J. W. KIRWAN (South): I would like to say a few words regarding the amendment proposed by Mr. Connolly. I have already spoken in support of the proposal of the Hon. Mr. Cullen,

but like Sir Winthrop Hackett, I do not like the amendment of the Hon. Mr. Connolly. When that amendment is read closely it will be seen that it is simply a bald statement, reading that in the opinion of this House the University of Western Australia should be placed on a more suitable position than that proposed at Crawley. That is a motion that might be passed regarding any site for any public building in this State or anywhere else. No matter what site be eventually chosen for a university I think it is fairly safe to assume that some more suitable site might still be desired, but I would remind the hon. member who has proposed the amendment that a great deal of time has been spent and a great deal of investigation has taken place regarding the question of the site for the University. A Parliamentary committee, of which the hon. member was a member, was appointed and took extensive evidence on this question, and inquired into the matter very fully and supplied a report on the question.

Hon. W. Kingsmill: It was not a Parliamentary committee.

Hon. J. W. KIRWAN: It was appointed by the Government; all the members were members of Parliament.

Hon. W. Kingsmill: Bishop Riley was on it.

Hon. J. W. KIRWAN: It was appointed by the Government.

Hon. W. Kingsmill: Bishop Riley and Mr. Battye were on it.

Hon. Sir J. W. Hackett: Mr. Battye was not, he was the secretary.

Hon. J. W. KIRWAN: It was a committee appointed by the Government and composed principally of members of Parliament, and a few others, and they went into the question thoroughly and supplied a luminous report on the subject. I am pointing out the endeavours which have been made to secure the best site for the University. Then the university senate also went to some trouble to discover what in their opinion was the best site, and as has been publicly announced the senate was divided on the question, ten members favouring Crawley and eight members being against it. What I do not like about the amendment moved by Mr. Con-

nolly is that he comes forward with a general condemnation of the work of the Senate, and also it may be said the work of the committee to which I have referred, but he does not make any suggestion in his proposal as to an alternative site. It practically amounts to a motion of censure on the University Senate without suggesting anything better. I think when we condemn the work of others, and work which has taken a good deal of time and investigation, the onus rests upon those who condemn to make some better proposal. I certainly cannot see my way clear to vote for a general motion of this character and I am sorry that it was brought forward. The motion moved by Mr. Cullen is a straight-out one. It is a condemnation of the Crawley site, but it does suggest some other site. I would ask hon. members before they condemn the work of those who have gone to a great deal of trouble to find out the best site, not to condemn it in a general way such as this proposes to do, but suggest some better site, so that the Senate may have the advantage of the opinions that would then be expressed.

Amendment put and passed.

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

Ayes	12
Noes	6

Majority for 6

AYES.

Hon. H. P. Colebatch	Hon. B. C. O'Brien
Hon. J. D. Connolly	Hon. W. Patrick
Hon. V. Hammersley	Hon. C. Sommers
Hon. A. G. Jenkins	Hon. T. H. Wilding
Hon. W. Kingsmill	Hon. R. J. Lynn
Hon. R. D. McKenzie	(Teller).
Hon. M. L. Moss	

NOES.

Hon. F. Davis	Hon. E. McLarty
Hon. J. E. Dodd	Hon. J. Cornell
Hon. J. M. Drew	(Teller).
Hon. Sir J. W. Hackett	

Question as amended thus passed.

BILL—INDUSTRIAL ARBITRATION.

In Committee.

Resumed from the previous day; Hon. W. Kingsmill in the Chair, Hon. J. E. Dodd (Honorary Minister) in charge of the Bill.

Postponed Clause 85—Minimum wage, regulation of industries, and employment of members of unions:

The CHAIRMAN: An amendment was before the Committee to strike out paragraph (c) of Subclause 1.

Hon. M. L. MOSS: On the previous evening he indicated that it was not his intention to proceed with the amendment, and with the permission of the House he would withdraw it.

Amendment by leave withdrawn.

Hon. M. L. MOSS moved an amendment—

That paragraph (d) be struck out.

This was consequential on something the Committee had previously agreed to, namely, the objection to the granting of preference to unionists.

Amendment passed.

Hon. M. L. MOSS moved a further amendment—

That paragraph (e) of Subclause 1 be struck out.

The reasons were fully given during the second reading debate.

Hon. J. E. DODD: If the amendment were carried it would defeat the object of the Bill. If piece workers were allowed to work any hours they liked they would be the means of bringing down wages. Why should piece workers be allowed to work ten or twelve or fourteen hours any more than any other worker. It was necessary to protect the worker against himself.

Hon. M. L. MOSS: The ordinary day worker might work overtime if he was paid for it and that was a principle that all labour organisations recognised. He admitted that piece workers should not be entitled to take piece work and employ labour and compel the artisans to work more than the time prescribed for a lesser wage and different conditions than prescribed by the award.

Hon. J. Cornell: You can if you strike this out.

Hon. M. L. MOSS: If a piece worker desired to work additional hours Parliament had no right to step in and say that he should not.

Hon. J. Cornell: Supposing a man puts anyone he employs on piece work?

Hon. M. L. MOSS: That could not be done because the man then became an

employer of labour and he would be bound by the arbitration court award. There should be no obstacle in the way of a man who by a little industry desired to earn more money. All we should desire to prevent was the employer of labour from grinding his men down by working them long hours.

Hon. J. CORNELL: If a contract were let of plastering, say, Parliament House, to one man, that man could work as long as he liked but if he sublet any section to other men they could work as long as they liked and there would be no safeguard. If paragraph (e) was struck out the court would not be able to say anything in regard to piece workers. The paragraph would be a safeguard against an individual sweating other individuals.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. P. COLEBATCH: There was no excuse whatever for preventing a man earning, if he liked, more than a living wage. As Mr. Moss had stated, the passing of this subclause would be simply limiting the opportunity of any man who wished to improve his own position. Few men had made their way in the world by confining themselves to eight hours work per day. The man who had made progress was he who had been willing to do something for himself after his eight hours' work was over. We protected the worker by allowing the court to fix a piecework rate which would enable a man to earn a living wage within a specified number of hours, and that was as far as we were entitled to go. The underlying principle of this subclause was "one man, one job." The idea which Mr. Cornell evidently held was that a man doing more than eight hours' work was going to do another man out of a job. That was a fallacy: the more a man worked the more he enriched the community. Some time ago an objection had been raised to civil servants keeping poultry for profit, because they were in receipt of a regular wage, and should not attempt to increase their earnings from other sources. At a recent meeting of the Metropolitan Council of the Australian Labour Federation objection had been taken to Mr. Cornell being appointed

to the position of secretary, because he was a member of Parliament and an amendment opposing his appointment had been carried by one vote. The closeness of the division seemed to indicate that the Labour party were already weakening on that principle of one man one job. The party were coming to the conclusion that if a man was able satisfactorily to do the duties by which he earned his livelihood, and had, over and above that, more abilities and energy to spare, he should be allowed to use them for the benefit of himself and his fellow men. Every argument urged against a man working beyond eight hours in the avocation in which he was regularly engaged, applied with even greater force to his engaging in other employments. The subclause aimed at bringing all men down to the one level and preventing any man from rising superior to the position in life in which he started.

Hon. E. McLARTY: It was a great interference with the freedom of a man to tell him that he must not work after a certain time, provided, of course, that he did not compel other people to work longer hours also. For instance, in clearing operations, one man might be a plodder, and not able to get through the same work as another man who was a faster worker. There were some men who could earn good wages at a specified rate within the eight hours, whereas another man might not have the ability to do the same amount of work in the same time; yet, if that man was inclined to put in another hour or two in order to earn sufficient to keep himself and his family, why should we compel him to knock off after eight hours whether he had earned sufficient or not? It was a monstrous proposition, and one which should not be carried.

Hon. F. DAVIS: Most speakers had dealt with the proposition entirely from the point of view of the employer. It would be well to see how the piecework principle operated from the point of view of the men engaged. In the brickmaking industry, prior to the formation of the union twelve or fifteen months ago, a number of men were working piecework in taking out the bricks from the kiln after they had been burnt—hot and

unpleasant work. When it was decided to enter into an agreement with the employers in regard to working hours and conditions, the men by a large majority decided to insist that there should be no piecework. The men had good reason for doing that. In the past, the man who worked piecework worked longer hours and because of these longer hours did more work than the man employed in day work, and the employer, noticing the difference between the quantity of work done by the day labourer and the pieceworker, reduced the rates of pay to the former.

Hon. W. Patrick: But the rates for day work are fixed by the court.

Hon. F. DAVIS: The effect of piecework had been in the great majority of cases to lessen the value of the labour of the day worker. His own experience was that piecework was injurious to the worker and jeopardised his interests. It did not necessarily follow that the court would limit the pieceworkers to eight hours a day. On all the circumstances being stated, the court would decide in accordance with common sense, and with what the industry required. He objected to the subclause being deleted.

Hon. D. G. Gawler: Suppose there were more pieceworkers than day workers in a union, how would you get on?

Hon. F. DAVIS: There never were more pieceworkers than day workers in a union. The working men had sufficient sense to know that their interests were threatened by piecework, and consequently they objected to it.

Hon. C. SOMMERS: Workers in the bush clearing land necessarily must be pieceworkers. If their hours were limited to eight hours a day they could do nothing to while away the time off, and the probability was the fires would go out. On the other hand, if they put in a few extra hours, they could do double the work in the time because the fires would keep going. Then in the hot weather they could take several hours off in the heat of the day. Many of them were anxious to complete their work as speedily as possible to get back to their own farms to improve them with the money

they earned. He could not imagine a judge limiting the hours of work of these men. In fact, it was utter nonsense to talk of limiting the hours of these pieceworkers.

Hon. Sir E. H. WITTENOOM : When Mr. Davis claimed that contract workers brought down the wages of day workers Mr. Patrick had interjected truthfully that the price of day work was arranged by the Arbitration Court, and so the argument advanced by Mr. Davis was worth nothing. Many pieceworkers did not work more than eight hours a day; they did not need to; on the other hand there were slow workers who were prepared to put in more time to earn more money. He would vote for this provision to be cut out because he believed in freedom of contract, and he would go further and be prepared to amend the Early Closing Act to see that no one was compelled to work after certain hours, but that any person who chose to do it could work any time he liked, though he could not compel any other person to work when the latter did not choose to do so. In the bush if men were compelled to work eight hours only, they would not know what to do with the other 16 hours with the sun rising at five o'clock and setting at seven o'clock. If a man had the desire and the energy to earn money beyond the eight hours, why should he not do so ?

Hon. J. E. DODD : Because he will earn as much in 16 hours as he previously did in eight.

Hon. Sir E. H. WITTENOOM : The man who wished to work on day wages had his hours limited by the court. Let the hours of the day men be fixed by the court but give the contractors and the men who went in for piecework liberty to do what they thought fit.

Hon. E. M. CLARKE : Among the sleeper cutters there were some who could do 25 per cent. more work in a day than others in the same number of hours. If these sleeper cutters were asked whether they would agree to a restriction of their hours to eight hours a day they would say "No." The bulk of the sleepers were obtained by contract, and some of

the sleeper cutters could do an enormous amount of work in a very short time. Others, however, had to work longer hours to make it pay. To be consistent and logical, if we restricted the hours of labour, we must also restrict the output. One had yet to learn that any individual or body of men could dictate to others how long or how hard they should work. Ours was a free country and we were not yet slaves. The proposal to restrict the hours of pieceworkers was against the interests of the employers and the employees. Men worked long hours on piecework from choice.

Hon. Sir E. H. WITTENOOM : And they earn a pound a day.

Hon. E. M. CLARKE : Yes. The lumpers at Bunbury were careful enough to point out that they earned only so much in the month, but they did not show the other side of the story where men working overtime earned £5 or £6 a week. If the employers and workers did not work hand in hand and consider each other's interests, it would not go well with any industry. We would be right in deleting this provision, and it was certain the timber workers would agree to do so. On the goldfields conditions might probably be altogether different, but in the timber work many men had broken away from the union and were supplying hewn sleepers, and it was the same on the Collie coalfields. We should not restrict any man in the hours he wished to work.

Hon. J. E. DODD : The arguments used were most illogical. Mr. Clarke, who seemingly voiced the opinion of the majority of members in the Committee, claimed that we should not restrict the working hours of any man, and according to Sir Edward Wittenoom we should have freedom of contract in all things. To be consistent, however, members should wipe out the Bill. If there was to be no restriction as to working hours there should be no restriction as to the rate of wages. If it was right to limit wages it was right to limit hours. To strike out the clause was to leave a weapon in the hands of the employer to carry on as he pleased.

Hon. Sir F. H. WITTENOOM: You have an award for the day workers.

Hon. J. E. DODD: Yes, but we were endeavouring to get an award for the pieceworkers. He was not unacquainted with the conditions in the agricultural industry. A large percentage of those engaged in mining were pieceworkers and contractors. If their hours were not limited the stronger and younger workers would be quite content to work twelve or sixteen hours in the hope of getting a little more money, and in a very short time the hours worked by them would serve to regulate the hours of other men. Very properly the hours of labour were now regulated by the Arbitration Court, the Factories Act, the Early Closing Act, and a number of other statutes. We had to protect the employee, not only against the employer, but against himself also. He had known a man in Kalgoorlie quite willing to work in a rise for twelve months for the reason that a little more money could be made at that work; yet it was an unwritten rule on the goldfields that no man should work in a rise for more than a month, because that work was most injurious. There should not be placed in the hands of the employer the means of getting outside an award. Hon. members seemed to think that it was proposed that no man should be allowed to work more than eight hours a day. That was not so; it was merely proposed that the court might, not necessarily should, limit the hours of pieceworkers. It did not follow that the hours to be worked in the agricultural industry would be those worked in the mining industry. The president of the Arbitration Court would scarcely say that a man engaged in harvesting should not be allowed to work more than eight hours a day, although admittedly there were men in the Labour movement who would have all men restricted to eight hours a day. He had seen pieceworkers brought down from 9s. and 10s. a day to 5s. a day as a result simply of competition. He had known miners sweat their lives out at driving at 9s. and 10s. a foot, with the result that the remuneration for this class of work was materially reduced.

Hon. D. G. GAWLER: It was objectionable that a man should be forced to do something which he had a right to do for himself; in other words, a man could himself limit his own hours if he pleased, and there was no occasion for the court to limit them. Under the New South Wales Act it was provided that the board might decide all disputes, rescind or vary awards, fix the lowest price for piecework and the lowest rate of wages, and fix the number of hours, in order to entitle the employees to the wages fixed. There was no attempt in that measure to limit the hours of pieceworkers. Moreover the Commonwealth Act made no attempt to limit the hours of pieceworkers, nor did the New Zealand Act, so the provision now before the Committee was something entirely new.

Hon. M. L. MOSS: The statement made by the Honorary Minister and by Mr. Davis that the tendency of piecework was to reduce the amount payable to the worker had no foundation in fact. In 1908 the Amalgamated Tailors' and Tailoresses' Society had secured an award, to which was attached a piecework log containing such items as "fitting up, half-an-hour;" "two outside pockets, two hours;" "one inside pocket, three quarters of an hour." In other words, the log fixed for the specific work a period of time which was in keeping with the price paid for it, which was in keeping with the minimum wage fixed under the award. It was not easy to see how this was going to operate against a person on day work, although it was certainly going to operate in favour of the man who by his additional industry or dexterity in performing this work might make a little more money. Why should a man be debarred from doing that? This class legislation had the effect of keeping men to one dead level, and so improving the position of the capitalist all the time. What possibility was there of the small shopkeeper competing against such shops as Foy & Gibson's or Boau Brothers'? If there was no early closing law to prevent the small shopkeeper from keeping his premises open as long as he chose, so long as he looked after it himself and worked no other person, that small shopkeeper might in time become

a competitor with the big stores. The unions desired to bring all men to the one dead level, and so the energetic man could not get an opportunity any more than could the small shopkeeper.

Hon. J. CORNELL: One could not help being struck with Mr. Moss's advocacy of allowing a little man to get a good start in the hope of one day becoming a monopolist. It must come home forcibly to anyone who had studied the competitive system that, no matter what his circumstances, the little man was ever subservient to the monopolist. The whole trend of the present system was towards monopoly. How long did Mr. Moss think a small man would require to be in the tobacco trade before he would attain a financial position which would render him independent of the Tobacco Trust? It was impossible for the grower of tobacco in Australia to get a fair deal. He got what the Trust liked to give him, and it was practically impossible for a shop assistant to become a successful man and not be at the mercy of the Trust. The clause was permissive and not mandatory. If there was no hardship in limiting the hours of shearers, there should be no hardship in this case.

Hon. M. L. Moss: Do you object to overtime?

Hon. J. CORNELL: Certainly, and the only way to limit it was to make the employer pay for it.

Hon. D. G. Gawler: Do you object to one man shearing more sheep than another?

Hon. J. CORNELL: No, provided he worked only eight hours. There was no more varied industry than the dairying industry, and on the goldfields where it was carried on under greater disabilities than in the coastal districts, the court had stimulated 64 hours a week. The court could therefore say that the 48 hours a week was not applicable to the agricultural industry, or any other industry. He believed in the court having the fullest power to say how many hours a man should work. The court must consider the number of hours to be worked for a certain rate of pay, but in dealing with piece-

workers Subclause (2) must go by the board if the court had no say in the matter of hours. A mine manager could let work to a trucker on piece work at 1s. a truck, and it would be necessary for him to run out eleven trucks in eight hours.

Hon. Sir E. H. Wittenoom: Let us divide.

Hon. J. CORNELL: That had been his wish and he had waited patiently but other members had spoken, and he intended to have his say.

Hon. Sir E. H. Wittenoom: I would not stonewall my own Bill.

Hon. J. CORNELL: The New South Wales Act which had been quoted by Mr. Gawler had been repudiated by the workers, and yet the hon. member urged that it should have been used in the framing of this measure.

Hon. D. G. Gawler: Have not you used it?

Hon. J. CORNELL: The good part had been used, but the hon. member desired that the bad part should also be used. The McGowan Government had introduced a Bill in 1912. As acting secretary of the executive of the Australian Labour Federation he claimed the right to speak on behalf of the rural workers, and he maintained that this clause was in the interests of the rural workers.

Hon. T. H. WILDING: The paragraph should be struck out because he believed in individual effort and objected to any man's industry being curtailed. Mr. Davis quoted an instance of what happened in connection with the brickmaking industry, but the real truth was that the men were forced to go out because on piecework they were doing more than those men who were on day work.

Hon. F. Davis: They were working longer hours.

Hon. T. H. WILDING: No, they were working eight hours only, but they were doing considerably more work than the other men and earned more money, and the men on day work objected to that. It appeared that the desire was to bring good men down to the level of the poor workers.

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

Ayes	..	..	..	15
Noes	..	..	..	8

Majority for 7

Ayes.

Hon. E. M. Clarke	Hon. R. D. McKenzie
Hon. H. P. Colebatch	Hon. E. McLarty
Hon. J. D. Connolly	Hon. W. Patrick
Hon. D. G. Gawler	Hon. C. Sommers
Hon. V. Hamersley	Hon. T. H. Wilding
Hon. A. G. Jenkins	Hon. Sir E. H. Wittenoom
Hon. R. J. Lynn	Hon. M. L. Moss
Hon. C. McKenzie	(Teller).

Noes.

Hon. R. G. Ardagh	Hon. J. W. Kirwan
Hon. J. Cornell	Hon. B. C. O'Brien
Hon. J. E. Dodd	Hon. F. Davis
Hon. J. M. Drew	(Teller).
Hon. Sir J. W. Hackett	

Amendment thus passed

Hon. D. G. GAWLER moved a further amendment—

That the following stand as paragraph (f):—"Require and oblige any party to give security to the satisfaction of the Court for the due performance and observance of any of the provisions of the award, and suspend the operation of the award or of any part thereof until such security has been given."

The object was to ensure what had been found to be a great difficulty in connection with the working of the old Act, namely, the proper observance of awards and industrial agreements. The only provision for enforcing awards was by application to the court. We had over and over again pointed out the impossibility of enforcing those awards. There was no imprisonment in lieu of a fine as there was in the Commonwealth Act.

Hon. J. D. Connolly: That is impracticable.

Hon. D. G. GAWLER: The amendment would commend itself to the Minister because it was only a power given to the court. The court need not make that a portion of the award but could apply it in any case in which it was thought necessary. If the court had before it a union which had previously broken an award, the court might find it highly desirable to

provide that that union should be made to give security for the observance of the award. At a combined meeting of the Chambers of Commerce held in Perth a little while ago this question was considered and a resolution was carried in favour of a substantial deposit or a bond being given to ensure the due carrying out of the agreement. That was all that the amendment asked.

Hon. J. E. DODD: The amendment was a modified attempt to introduce the principle that an effort was made to include in the amending Bill of last session. The Government tried by almost every means in their power to bring about better provisions for enforcing awards. The amendment simply meant that a union should be responsible for the action of its members. Last year he clearly showed how unjustly that would operate. For instance, four men escaped from a lunatic asylum and one of them found his way to Kalgoorlie, where he got employment on one of the mines, and he worked for about a month winding up dirt above the heads of men who were working below him before it was discovered that he was an escaped lunatic. That man, by the way, became a unionist. He was sane enough to know what was good for him. Would it be fair or just to say that the unions should be responsible for the acts of such a man if that man lost his balance whilst working at Kalgoorlie? Of course that was an extreme case, but it was only quoted to show that the union under the amendment would be held liable for that man's action. Amongst the six or seven thousand men who were working on the Eastern Goldfields there would be some hundreds whom it would be quite impossible to control.

Hon. E. M. CLARKE: One of the weak points in the present Act was the lack of means for enforcing awards. He contended that it was the duty of the Government to see that the Act was not broken. They had recently seen the Premier of the State trying to persuade men to return from a strike. He held that it was the duty of the Premier, who was responsible for the carrying out of

any law, to stand aloof from anything of that sort.

The CHAIRMAN : The paragraph proposed to be added deals with the lodging of security.

Hon. E. M. CLARKE : This measure would be broken as the present Act had been if there were not means for enforcing an award. If men who were affected by an award were sincere and intended to observe it, they should certainly have no objection to putting up a substantial fund as a guarantee that the award would be observed. Whenever there was a cessation of work there was either a lock-out or a strike, and it was the duty of the Government to see that the guilty party was punished.

Hon. J. D. CONNOLLY : The amendment should not be carried. For his own part he had no faith in any of the penalties prescribed in this Bill, or in the existing Act. If he had his way he would take out all penalties, because they were, if not a dead letter, at any rate enforceable only against the employer. The Committee should be consistent and reject this clause on the same grounds as they had exempted the shareholder of a company from liability under this Act. This penalty would be chargeable against the funds of the union and Mr. Dodd had quoted a case, certainly an extreme one, in which the union funds would be unfairly liable for the action of an individual.

Hon. D. G. Gawler : The union has control over its members.

Hon. J. D. CONNOLLY : The union had about as much control over its members as the directors of a company had over the shareholders. He had come to the conclusion that awards could not be enforced. How was it possible to put in gaol hundreds of men if they disobeyed an award and refused to pay the monetary penalty?

Hon. Sir E. H. WITTENOOM : The employer was always liable in all circumstances, and he always had the means to pay. If a clause could be inserted which would make the union also pay it would be fair. If an employer broke his part of an award he had the means of paying

the fine imposed upon him, but if the employees broke their part, there was no means of enforcing the penalty against them, because the men could leave their work individually and go somewhere else.

Hon. J. E. Dodd : I was not aware that work was so plentiful.

Hon. Sir E. H. WITTENOOM : There were six jobs for every worker in Australia, and that was what made the workers so independent. This amendment might be a little help towards imposing a penalty on workers who broke an award. It was a most difficult thing to enforce awards against employees, and nobody would wish to see imprisonment follow any award. In these circumstances he supported the amendment, although he did not think it would make much difference.

Hon. H. P. COLEBATCH : While sympathising with the object of the mover, he hoped the hon. member would not press the amendment to a division, because it would be altogether futile. An award given by a court, in regard to which trouble was likely to arise, would be an award which was favourable to one party and unfavourable to the other. If the court said that the party to whom the award was unfavourable must put up security before the award came into force that party would say "No, we do not want any award." In that way the party who was likely to cause trouble would be able to prevent an award coming into operation, and would also prevent the other party getting their due. Of course, there would be no need to require the party to whom the award was favourable to put up security for its observance. As a matter of principle, he would vote against the amendment, because he held that whatever a person obtained from the court he was entitled to, and he should not have to provide any security.

Hon. W. PATRICK : The amendment would unnecessarily load the Bill, and would serve no good purpose. Certain penalties were provided in the Bill, and no matter what might have been the experience in the past we had no right to assume that either party would try to break through

the Act with the object of defeating it. In fairness we should not insert this amendment.

Hon. D. G. GAWLER: It was to be regretted that members were throwing away one of their few chances of getting the measure enforced. The very same provision was in force in New South Wales, and in this morning's paper Mr. Beeby, Minister for Labour in that State, was reported as having said—

The unions cannot claim the benefits of arbitration for themselves and at the same time countenance or assist other unions in striking. I regard the penalty clauses as a necessary safeguard and do not think that they should be repealed.

He mentioned Mr. Beeby's remarks as having a bearing on the amendment. By providing a penalty to be enforced against the unions they were compelling the unions to exercise some control over their members. As, however, the amendment was not likely to get sufficient support, he would ask leave to withdraw it.

Amendment by leave withdrawn.

Clause as previously amended put and passed.

Clauses 86 to 89—agreed to.

Clause 90—Court to fix what constitutes a breach of an award and penalty therefor:

Hon. D. G. GAWLER moved an amendment—

That in line 4 the word "one" be struck out and "five" inserted in lieu.

The effect of the amendment would be to raise the penalty for a breach of an award from £100 to £500, which was the sum mentioned in the Bill when originally introduced in another place.

Hon. J. D. CONNOLLY: The Government were ordered not to proceed with it.

Hon. D. G. GAWLER: The penalty ought never to have been reduced.

Hon. J. E. DODD: Magistrates had a habit of fixing the penalty at the maximum. Judging by this experience he must oppose the amendment.

Hon. H. P. COLEBATCH: The penalty was to be imposed by the court. If it was to be imposed by a magistrate one might oppose the amendment, but the

court would exercise discretion, and in some cases a penalty of £100 would be a fleabite on either party.

Amendment put and a division called for.

The CHAIRMAN: As the Hon. Mr. Hamersley entered the Chamber after the doors were ordered to be locked he cannot take part in the division.

Division resulted as follows:—

Ayes	..	..	..	12
Noes	..	..	..	10

Majority for 2

AYES.

Hon. E. M. Clarke	Hon. M. L. Moss
Hon. H. P. Colebatch	Hon. W. Patrick
Hon. D. G. Gawler	Hon. C. Sommers
Hon. R. J. Lynn	Hon. T. H. Wilding
Hon. C. McKenzie	Hon. Sir E. H. Wittenoom
Hon. R. D. McKenzie	Hon. E. McLarty
	(Teller).

NOES.

Hon. R. G. Ardagh	Hon. Sir J. W. Hackett
Hon. J. D. Connolly	Hon. A. G. Jenkins
Hon. J. Cornell	Hon. J. W. Kirwan
Hon. J. E. Dodd	Hon. B. C. O'Brien
Hon. J. M. Drew	Hon. F. Davis
	(Teller)

Amendment thus passed, the clause as amended agreed to.

Clause 91—Provisions for enforcing awards:

Hon. M. L. MOSS: It had been his intention to move to strike out the words "or an industrial inspector" but he did not now propose to move an amendment.

Clause passed.

Clause 92, 93—agreed to.

Clause 94—Property liable to execution:

On motion by Hon. J. E. DODD the words "or the president thereof" were struck out of line 2 of Subclause 2, and the clause as amended was agreed to.

Clause 95—Removal of prosecution for offence from court of summary jurisdiction to Court of Arbitration:

On motion by Hon. J. E. DODD Subclause 2 was amended by striking out the words in the last line "by the President at any time when the court is not sitting," and inserting in lieu the words "in court or in chambers," and the clause as amended was agreed to.

Clause 96—Sheriff and other officers to be officers of Court of Arbitration:

On motion by Hon. J. E. DODD the words "or the president" were struck out, and the clause as amended was agreed to.

Clause 97—agreed to.

Clause 98—Reference to court to be approved by resolution of union:

Hon. D. G. GAWLER: An amendment appeared on the Notice Paper in his name in regard to this clause, but he did not intend to move it.

Clause passed.

Clause 99 (verbally amended)—agreed to.

Clause 100—Proceedings not to be impeached for want of form:

Hon. M. L. MOSS: On the second reading attention had been drawn by him to this clause. He had pointed out that as jurisdiction was given to the court to try offences mentioned in Clause 105 and the succeeding clauses, it was conferring on the court the powers of a magistrate sitting in petty sessions, and there was power in that case to inflict imprisonment, but there was to be no right of appeal. In all other cases of summary jurisdiction there was the right of appeal to the Supreme Court, but under this clause there would be no right of appeal. It was necessary to provide that awards should be final and binding, and that the appearance before the court should be the last opportunity of litigating, but it was a different matter when dealing with criminal offences. Of course there would be nothing to prevent any party appealing to the High Court of Australia, because the Federal Constitution gave the right of appeal which could not be taken away by any State law. On the second reading he had suggested that the Honorary Minister should take the advice of the Crown Law authorities on the matter, so as to give the fullest right to appeal to persons charged with criminal offences.

Hon. J. E. DODD: As the result of inquiries the advice was that the harm could not be read into the clause that Mr. Moss feared. In regard to Clause 65, dealing with the hearing and determination of any industrial dispute, the court was to act according to equity and good conscience,

and the point was raised by Mr. Gawler that the words "and in any proceeding" should be struck out. It was intended to adopt that course on recommitment. Possibly it would have some bearing on the point now raised by Mr. Moss.

Hon. M. L. MOSS: The advice received by the Honorary Minister was not satisfactory to him (Mr. Moss). Still he was not going to oppose the clause. When the Bill was recommitted he would move the addition of a subclause to Clause 93, making it perfectly clear that there would be the same right of appeal as if the offender had been tried before a magistrate in the first instance.

Clause put and passed.

Clause 101—Provision as to Government workers:

Hon. J. E. DODD moved an amendment—

That the following be added to stand as Subclause 2:—"Any society consisting of workers employed by the Government (not being public servants subject to the Public Service Act of 1904 or members of the police force) shall be qualified for registration as an industrial union under and subject to this Act provided it would be so qualified if its members were not employed by the Government."

The idea was to make it clear that the police could not come under the Act. Since the Bill was drafted there had been other bodies, such as the tramway employees, brought into the Government service who would be entitled to the benefits of the Act if they so desired. There were also one or two other unions in the Government service who should have the same privilege. That was the object of the amendment, together with the first-named object of precluding the police from coming under the provisions of the measure.

Hon. J. D. CONNOLLY moved an amendment on the amendment—

That after "police force" the words "warders employed in the prisons and nurses in attendance in all public hospitals including the hospitals for the insane" be inserted.

The reasons for precluding the police force from forming a political union were

obvious, and exactly the same reasoning applied to warders in gaols and hospitals for the insane, while in regard to nurses in attendance in public hospitals it would be criminal to allow them to form a union to be registered under the Act, and so become liable to be ordered out on strike.

Hon. J. E. DODD: The warders in the gaols and the workers in the asylums for the insane already had unions. It was not a question of their being allowed to form unions, but of their being allowed to register under the Act. The nurses were on an entirely different footing. The nurses in the private hospitals could, of course, form unions, and there should be no bar against the nurses in a public hospital joining such a union. The nurses in public hospitals should be allowed to take advantage of the Act, just as other Government servants did. Mr. Connolly ought to delete from his amendment the words "public hospitals including."

Hon. J. D. Connolly: Will you accept "hospitals for the insane?"

Hon. J. E. DODD: No opposition would be offered to it, although he could not say, speaking offhand, what the effect of the provision would be.

Amendment (Mr. Connolly's) amended accordingly, and passed.

Amendment (Mr. Dodd's), as amended, put and passed.

Clause as amended agreed to.

Clauses 102 to 104—agreed to.

Clause 105—Prohibition of strike or lockout:

Hon. M. L. MOSS moved an amendment—

*That the following be added to stand as paragraph (c) of Subclause 1:—
"Commit any breach of any industrial agreement or award or disobey any order of the court."*

The amendment might tend to a better observance of these awards.

Hon. D. G. GAWLER: Orders of the court and awards were clearly distinguished throughout the measure and this was clearly the intention of the Government when the Bill was originally introduced. The same thing was made a penalty under the Federal Act and under the New South Wales Act.

Hon. J. CORNELL: An award might not be a common rule and an agreement

would be binding on the parties who entered into it and on every worker. Was it reasonable when a man was not covered by an industrial agreement that he should be fined for disobeying it?

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

Ayes	..	..	..	13
Noes	..	..	..	8

Majority for .. 5

AYES.	
Hon. E. M. Clarke	Hon. M. L. Moss
Hon. H. P. Colebatch	Hon. W. Patrick
Hon. D. G. Gawler	Hon. C. Sommers
Hon. V. Hamersley	Hon. T. H. Wilding
Hon. A. G. Jenkins	Hon. Sir E. H. Wittenoom
Hon. C. McKenzie	Hon. R. J. Lynn
Hon. E. McLarty	(Teller).
NOES.	
Hon. R. G. Ardagh	Hon. J. W. Kirwan
Hon. J. Cornell	Hon. B. C. O'Brien
Hon. J. E. Dodd	Hon. F. Davis
Hon. J. M. Drew	(Teller).
Hon. Sir J. W. Hackett	

Amendment thus passed.

Hon. H. P. COLEBATCH: A consequential amendment was necessary in line 12.

The CHAIRMAN: It did not appear to him that it was consequential.

Hon. H. P. COLEBATCH: The penalty was previously increased from £100 to £500.

The CHAIRMAN: The amendment was not consequential. Did the hon. member wish to move it?

Hon. H. P. COLEBATCH: No.

Clause as amended put and passed.

Clauses 106 to 110—agreed to.

Clause 111—Disability upon contravention of preceding provisions or wilful breach of award or agreement:

Hon. J. E. DODD: It was his hope that this clause would be struck out. It had been placed in the Bill with the idea of endeavouring to make strict provision for the enforcement of an award and it placed additional penalties upon unionists but on nobody else. The existing and accruing rights of some unionists were very great and the provision consequently was exceedingly drastic. The clause was designed to hit the agitator.

Hon. D. G. Gawler: Or anyone who wilfully breaks an agreement.

Hon. J. E. DODD: The provision was too drastic in respect to a man who wilfully broke an agreement. The unionist was not only liable to a fine but would be liable to lose his union rights. Shareholders in companies had been relieved from all liability, and as far as penalties were concerned, the Committee had taken good care to see that employers were reasonably safeguarded.

Hon. E. M. CLARKE: At first sight he did not like Subclause 3 and on further consideration he was of opinion that the clause should be struck out. The union must have some person such as the secretary to carry out instructions.

Clause put and negatived.

Clause, 112—Penalty for contempt of court:

On motion by the Hon. J. E. DODD, the words "any member of a Court" in line 1 were struck out, and "the President" inserted in lieu.

Clauses 113 to 119—agreed to.

Clause 120—Stamp duty not payable in certain cases:

Hon. V. HAMERSLEY: Would the Minister explain why there was to be no stamp duty in connection with these agreements?

Hon. J. E. DODD: This was only carrying out the method adopted in the past.

Clause passed.

Clauses 121 to 126—agreed to.

Clause 127—Regulations:

On motion by the Hon. J. E. DODD, paragraph 6 of Subclause 1 was struck out.

Hon. M. L. MOSS moved a further amendment—

That the following stand as paragraph 6 of Subclause (1)—"Prescribing the method of taking ballots."

Hon. J. E. DODD: It would be unworkable for any court to prescribe a method of taking ballots which would be satisfactory.

Hon. J. CORNELL: This regulation would be quite impracticable.

Hon. M. L. MOSS: I do not want to press it. I will withdraw it.

Amendment by leave withdrawn.

Hon. M. L. MOSS moved a further amendment—

That paragraph 4 of Subclause 2 be struck out.

It would be remembered that the Committee struck out Clause 55; all the same arguments that were used by hon. members when dealing with that clause applied with the same force to this particular sub-clause.

Amendment passed.

The CHAIRMAN: It should be pointed out that Clause 127 as it appeared in the Bill would be practically unworkable. The sub-clauses ran up to No. 8 in arabic numerals, then again there was Subclause 2 which had paragraphs in roman numerals, and they were continued again in arabic numerals to Subclause 3, 4, and 5. He called the Minister's attention to this unsatisfactory method of numbering the subclauses.

Hon. M. L. MOSS: As the Bill had to be re-committed it would be wise if the Minister had the Bill re-printed before the re-committal.

The CHAIRMAN: That had already been suggested to the Minister.

Clause as amended put and passed.

Clause 128—agreed to.

Postponed Clause 40—Industrial agreement may be declared common rule:

The CHAIRMAN: When the clause was postponed the following proviso to the clause was moved:—"Provided that before making any declaration herein in respect of any industry, the Court must be satisfied that a majority of the workers engaged in that industry in the locality are desirous that such declaration should be made."

Amendment passed.

Clause as amended put and a division taken with the following result:—

Ayes	..	..	..	8
Noes	..	..	..	12

Majority against .. 4

AYES.

Hon. R. G. Ardagh
Hon. J. Cornell
Hon. F. Davis
Hon. J. E. Dodd
Hon. J. M. Drew

Hon. R. D. McKenzie
Hon. B. C. O'Brien
Hon. C. McKenzie
(Teller).

NOES.

Hon. H. P. Colebatch	Hon. M. L. Moss
Hon. J. D. Connolly	Hon. W. Patrick
Hon. D. G. Gawler	Hon. C. Sommers
Hon. V. Hamersley	Hon. T. H. Wilding
Hon. A. G. Jenkins	Hon. E. M. Clarke
Hon. R. J. Lynn	(Teller).
Hon. E. McLarty	

Clause thus negatived.

New clause:

Hon. J. E. DODD moved—

That the following new clause be added to stand as Clause 8:—(1.) Any two or more industrial unions consisting of employers or workers engaged in the same industry or in related industries may apply to the Registrar for registration as one union. (2.) The application shall be under the respective seals of the unions concerned, and shall be signed by their respective chairman and secretaries. (3.) The application shall be accompanied by (a) A list of members and officers and the trustees (if any) of the proposed new union; (b) Two copies of the rules of such proposed union, such rules being in accordance with section seven of this Act; and (c) A copy of a resolution authorising the application and approving of the rules on behalf of each union concerned, passed by a vote of the majority of the members present in person at a general meeting of such union, which copy shall be verified by the statutory declaration of the secretary. (4.) Every application hereunder shall be deemed to be an application by a society for registration under this Act, and the succeeding provisions of this Act shall (so far as applicable) apply thereto, and in respect thereof accordingly. (5.) On the proposed new union being registered as an industrial union under this Act—(i.) The registration of every union affected shall be deemed to have been cancelled under subsection (1) of section twenty-six; (ii.) All the property, rights, duties and obligations whatever vested in or imposed on the unions affected shall become vested in or imposed on the new union.

The clause was designed to facilitate the amalgamation of unions, which in the past had sometimes taken as long as 12 months to effect.

Hon. M. L. MOSS: The Committee might formally agree to the new clause. It was his intention to deal with the large unions in related industries on the recommendation of the Bill and it would be just as well to have this amendment in print.

New clause put and passed.

New clause—Absence of President:

Hon. J. E. DODD moved—

That the following further new clause be added to stand as Clause 46:—(1.) In case of the illness or unavoidable absence of the president, the Governor shall appoint some other judge to act during such illness or absence. (2.) The judge so appointed may act in any matter commenced before him until the conclusion thereof.

New clause passed.

Schedule, Title—agreed to.

Bill reported with amendments.

House adjourned at 10.7 p.m.

Legislative Assembly,

Wednesday, 30th October, 1912.

	PAGE
Question: Railway service on Show Day ...	2817
Bills: Workers' Compensation Act Amendment, Report stage ...	2818
Government Tramways, 1s. ...	2818
Municipal Corporations Act Amendment, 1s. ...	2818
Money Lenders, 2s., Com. ...	2827
Game, 2s., Com. ...	2829
Timber Lines Traffic 2s., Com. ...	2836
Motions: Railway construction, Brockton-Kunjin	2818
Abattoirs and Chilling Works at Geraldton ...	2823

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

QUESTION—RAILWAY SERVICE ON SHOW DAY.

Mr. TURVEY (for Mr. Carpenter) asked the Minister for Railways: 1, What number of trains, ordinary or special, were despatched from Claremont