agement of the said library: provided always, that no book in the Law Library shall be removable by any person whatever from the court house of the Supreme Court.

Mr. DAVY: This grant is a very small contribution by the community towards the maintenance of the law library. Every member of the legal profession who uses that library has to pay a substantial sum for the privilege. When the High Court of Australia come to Western Australia they have the use of the library. That library plays a substantial part in the administration of justice.

Amendment put and negatived

Vote put and passed.

Vote—Treasury, £17,619:

Mr. HUGHES: Speaking generally on this Vote, I desire to point out that, in order to discuss the Vote intelligently, we should have here the Auditor General's report on the department. The Auditor General is Parliament's watchdog, charged with seeing that the Estimates are properly expended and that the statement presented to Parliament is true and correct. We are very much in the dark when asked to pass these Estimates without having first perused the Auditor General's report. It is of no use getting that report after we have passed this Vote.

Vote put and passed.

Votes—Audit, £12,305; Compassionate Allowances, £1,437; Government Savings Bank, £34,180; Government Stores, £15,961—agreed to.

Progress reported.

House adjourned at 1 a.m. (Friday.)

Legislative Council,

Tuesday, 21st October, 1924.

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

QUESTION—LOTTERIES AND SWEEPS.

Hon. A. BURVILL asked the Colonial Secretary: 1, How many lotteries or sweeps have been conducted during the years 1921, 1922, and 1923, respectively, in this State? 2, On how many occasions has permission been granted by the Government to conduct such sweeps or lotteries? 3, What are the names of the societies or institutions granted such permission?

The COLONIAL SECRETARY replied: 1, Not known. It is believed that in many cases lotteries were conducted without the knowledge of the Government. 2, 525 for the period 1921-22-23. 3, Religious bodies, Hospitals, Labour organisations, for halls and charitable purposes, Agricultural halls and other public halls, Sporting bodies for charitable purposes, R.S.P.C.A., R.S.L. and branches, Boys' Clubs, Orphanages, Benefit Societies, Children's Christmas treats and picnics, Soldiers' memorials, Benevolent Homes, Railway and Tramway Medical Funds, W.A. Police Association Widow and Orphans' Funds, Appeals for blind, Wooroloo Sanatorium, Mechanics' Institutes, Ugly men's Association, Y.A.L., Nursing Schemes, Convent Schools, Silver Chain, Maimed and Limbless Soldiers, Unemployed, Persons in distressed circumstances.

BILLS (3)—REPORT.

1, Noxious Weeds.

2, Fremantle Municipal Tramways.

3, Private Savings Bank.

Reports of Committee adopted.

BILL—JURY ACT AMENDMENT.

Second Reading.

Debate resumed from 14th October.

Hon. J. E. DODD (South) [4.37]: I recognise the importance of the Bill; indeed I agree with what Dr. Saw has said in this respect. Any measure that affects the lives and liberty of the people demands our earnest consideration. Undoubtedly the jury system and any amendment thereof does affect the lives and liberty of the whole of the people. But whilst I would not lightly disregard the experiences of the past, I think we ought not to go to extremes in the new direction and allow ourselves, like the United States, to be governed by what is there termed "The dead hand of the Constitution." I have been astonished at the evolution of the jury system during the last few years. In the days of my boyhood all fatal mining accidents went to a jury of 12. Gradually that number was reduced to six, but here in Western Australia to-day it is down to three. Then, only three or four years ago, we passed the Coroners Act. On that occasion I pointed out that it meant another inroad into the jury system,

inasmuch as under certain conditions the coroner was empowered to dispense with the services of a jury altogether, as in some cases of death caused by violence. So the jury system has not been regarded as inviolable. Of course what might have been good in respect of the jury system in days gone by would not be altogether justified to-day. The Bill contains two or three important amendments. First there is the proposed abolition of the property qualification. I cannot see that the possession of property connotes any extra intelligence on the part of its possessor. Of course it is difficult to set up any other qualification in its place. At the same time it would be better if we could evolve a system in which intelligence and common sense would be the deciding factors. That system could be made applicable, not only to the selection of juries, but also to the election of this House. I have always held that there should be a check of some sort; but it does not seem to me right that because a person possesses £150 worth of property, that person should be privileged to adjudicate on the lives and liberty of other people, while persons not having that property are not allowed the same privilege. As to the proposed abolition of special juries, cases that are now tried by such juries are to be tried before a judge alone. If I were a party in a special jury case I should prefer to be tried by a judge rather than by a special jury of four. If something in that direction were done it would be a fair compromise between the existing system and the proposed abolition of special juries. As to women taking their places on juries, I have never seen a more undemocratic proposal than that submitted in the Bill. I do not think men and women will ever be equal in the strict sense of the term, but I have always been in favour of giving women equality with men in our laws. However, in the Bill it is sought to give women superiority, to place them on a pinnacle. We have gone too far in that direction already. We have Acts of Parliament under which, indubitably, the other sex are given a superiority over men, a superiority they ought never to possess. I would not go one degree further in giving women any superiority over men. If women are going to serve on our juries, let them do so on the same terms as men, and take the same responsibility. If women are prevented from going on a jury in times of sickness, they can get a medical certificate to say so, just as in the case of men. I understand Mr. Cornell intends in Committee to move an amendment providing that women shall come in on the same terms as men, and it is my intention to support it. I should be sorry at this stage of our history to see the jury system abolished in criminal cases, though no doubt in years to come it will be abolished. Our laws are tending that way, but the time has not yet arrived. I expect we shall have the jury system in criminal cases for a long while yet. I will support the second reading with the reservations I have referred to.

Hon. J. CORNELL (South) [5.47]: This is a very important Bill and is far-reaching in its effects, as it aims at altering the long established custom and procedure in the application of our laws to the administration of justice. It should be approached calmly and dispassionately, and not with any bias or motive of that kind. It ought to be viewed in a sane and sensible manner. If it can be improved upon in Committee, I hope such improvement will be effected; if not we should refrain from passing it. The Bill makes no attempt to abolish the jury system. Dr. Saw said that few, if any, persons were satisfied with that system, and that as an instrument of justice it was warped by bias, by ignorance, by perversity, and sometimes by corruption. That is a stiff charge to make against the system. I do not think Dr. Saw was as emphatic in making it as his demeanour at the time led us to believe. The failings he referred to as being common to the system are common to any aggregation of mankind, where persons assemble together and have to arrive at a decision. In this instance I refer to the first three charges of bias, ignorance, and perversity. Fortunately it may be said for this State that the fourth charge, the most vile, has seldom if ever, manifested itself. I have led a wandering and varied life, and lived in many parts of the States and have never known of any case of corruption in a jury. I have never been before a jury.

Hon. F. E. S. Willmott: Have you served on one?

Hon. J. CORNELL: No.

Hon. J. Nicholson: Lucky man.

Hon. J. CORNELL: I know some men who have, but I have not yet learned of any direct charge of corruption against any juryman in this State. That is something we have to be thankful for that is commendable in the system. Dr. Saw said that another defect in the system was the necessity for a unanimous verdict. Later on he indicated that some other method should be adopted, and that he was not alone in that line of argument. The jury system, as we know it, has been evolved and built up as a result of the work, energy, thought and effort of centuries. It is one thing to talk of its shortcomings and apparent failure, but another thing to find a substitute for it that would give the same general satisfaction as this has done. The only possible departure I can think of would be to abolish the system, and place judges in the position they do not occupy to-day, namely, make them hear the evidence, deliver the verdict, and pass the sentence. The law as it stands to-day, with all its perversity, is fairly evenly balanced. There are three sides to it. There is the judge, who is

learned in law, the jury that is drawn from the peers of the person charged, and the law as represented by counsel for the accused and the Crown Prosecutor. To abolish the present system would constitute a violent change in our method of dispensing justice. Throughout the centuries of practical usage and application there has been built up in the community a degree of confidence in our jury system that it would be difficult to instil into any other. The verdicts that are given are fairly widely circulated throughout the State and are fairly well read, and if mistakes have been made I have not heard of one that would cause me to support any move for the abolition of the system.

Hon. F. E. S. Willmott: If you do away with it, you will do away with the plausible arguments of advocates.

Hon. J. CORNELL: Like politicians they must have some practice. By their training, their knowledge of law, and their ability to weigh and value evidence, judges would certainly be more fitted than ordinary jurymen, but I doubt very much if there would be the same public confidence in the administration of justice if so violent a change were made as to abolish the jury system. Dr. Saw referred to the necessity for unanimity of verdicts being one of the defects of the system. I admit that it is a debatable point, but I shall require a great deal of convincing before I can see any wisdom in abolishing unanimous verdicts in cases involving the death penalty.

Hon. F. E. S. Willmott: If it is wrong in one case, it is wrong in another.

Hon. J. CORNELL: If a person is on trial on a charge of murder, there should be no doubt whatsoever in the minds of the twelve good men and true, who have been selected to weigh the evidence submitted to them. The change involves taking away from a person something that cannot be replaced. That being so, I submit it would be a grave step to take to depart from the established custom in relation to our jury system. In other cases, in their corresponding degree of importance, probably unanimity of verdicts could be dispensed with, and a two-thirds majority verdict might be sufficient. The alteration of that system requires careful and thoughtful consideration. Consideration must be given to the future, and salient points must be dealt with as to how far and to what extent we can depart from the existing system without involving a breakdown in it. The question whether or not the jury system should be abolished is not involved in the Bill, but the subject was introduced by Dr. Saw, and that having been done, I was tempted to make a few remarks upon it. The provisions of the Bill, as pointed out by Dr. Saw, aim at fundamental changes which that hon. member grouped under three headings—the abolition of special juries, the abolition of existing qualifications to be held by common jurors, and the admission of women, at their own option, as jurors. For the sake of brevity, if for no other reason, I shall group the proposed changes under two headings, one an attempt to destroy an old element and the other an attempt to exploit an unknown element. The first comprises the abolition of special juries. Special juries as I understand them —I have never been before one—are more or less limited so far as the number of cases to be listed before them are concerned. Of course I speak subject to correction. There should be a valid reason for a violent departure from things as they exist. What are the charges that so far have been levelled against special juries? The Minister who introduced the Bill in another place, and the Honorary Minister who introduced it here, are against the existing qualifications for special jurymen. Both asserted that the qualification of £500 was too much and should go by the board. They also stated that special jurors were drawn from the wrong quarter, and the plea that they advanced in favour of the abolition of special juries was that they had run the gauntlet of a trial by such a jury. That argument, advanced as it was against the continuance of special juries, can only be described as insular. The worst reason that one can advance for a fundamental change of this description is an insular one, or a reason that concerns the individual himself. Such arguments invariably carry with them a semblance of bias or a semblance of animus, and it was probably out and out bias, the result of the verdict given against them, that prompted the insular charge to which I have referred. I will, however, give the Honorary Minister this credit, that though he cited as one of the reasons for the abolition of special juries his experience before such a jury, he made no accusation to which exception could be taken. Such, however, was not the case with the Minister in another place who introduced the Bill there.

Hon. E. H. Gray: You are wrong.

Hon. J. CORNELL: I may be wrong. Perhaps I should have said the Minister for Works, who spoke in support of the Bill. We find that that Minister's remarks reeked with bias, and if anything is calculated to kill the Bill it is surely those remarks of his. It is fair to argue that the qualification for a special jury is not what it should be, and that these jurymen are drawn from the wrong sources. But it is not fair argument or fair reasoning to assume that special jurymen who fill those position, not by their own seeking, are dishonest and biassed against persons less fortunate in life than themselves. In this House there are hon. members who, I have no doubt, will support the Bill; there are others who will oppose it, and the same applies to another place. Many would be qualified to act as special jurymen except for the fact that they sit in

Parliament and are exempt. What I wish to say is that if a special juryman, by reason of his qualifications, is open to a charge of being dishonest and perhaps biassed against those beneath him in life, it is only fair to assume that those who are supporting the Bill, and who would be qualified to act as special jurors, are similarly biassed and dishonest towards the working classes. I have yet to learn that the means a special juryman is supposed to be possessed of constitute a factor that will make him biassed against his less fortunate fellow. I suppose many of us in our various walks of life have met men who are qualified, and have had to act as special jurymen, and who, taken by and large, are as broad-minded as those who do not possess any qualifications at all. They, too, are just as honest and would give as reasonable and just a verdict, according to the weight of evidence, as any common juryman. Another reason was also advanced, though perhaps not very forcibly, for the abolition of special juries. It was that in some cases litigants possessing wealth can secure special juries, whereas litigants without means cannot. There is some force in that argument, but so far I have not heard it sufficiently stressed, and I hope that those who follow me, and who intend to support the Bill, will emphasise it so as perhaps to convince me that I should vote for the abolition of special juries. If special juries are to remain, they can remain only on a reasonable and logical basis. The very term "special" signifies that special cases involving special circumstances will be taken out of the hands of a common jury and put into the hands of jurymen who are specially qualified to deal with them. That is the old idea regarding special juries, and if it exists to-day, I doubt whether it is put into practice. If special juries are necessary, there is room for some modification of the system. A special juryman should have some distinctive recommendation by way of a qualification that will apply to the duty he is to be called upon to perform. If that be not carried out in connection with the appointment of special juries, then a special jury will be very little better than a common jury. The law as it stands to-day provides for a £500 qualification by way of real or personal estate. A man may be a merchant, and a jury of merchants may be regarded as qualified to deal with a mercantile question, but it is debatable whether or not a jury of merchants could bring the same force and knowledge to bear on a question involving, say, mining solely. The weakness in our special jury system to-day is due to the drift from the original intention. There is another phase of the system that is open to reasonable argument. It was inferred by the Minister that litigants of wealth could secure the services of a special jury, whereas the same privilege might be denied litigants without wealth. That is a state of affairs of which I cannot approve. If special juries are necessary to deal with special cases, it is fundamentally unsound that a rich man should be able to secure a special jury and that the same consideration should not be extended to a man without wealth. Even if the special jury provision is defeated in Committee, I trust the Minister will not take it to heart. He is a bit of a sport, and I hope he will draft a clause making it clear that the special jury is not to be the prerogative of the rich, but that the Crown will pay the cost of a special jury as of a common jury. The qualification of a common juror is that he must be of the age of 21, must reside in the State, and be in possession of £50 worth of real estate or £150 of personal estate. It cannot be denied that this qualification gives a wide and varied choice. It may be argued that the qualification is undemocratic, and that the qualification for a common juror should be the same as that of an elector for another place. In view of the responsibility devolving upon jurymen, the present qualification is not undemocratic. It does not signify that the man possessing it has more wisdom, knowledge or integrity than the man without it.

Hon. W. H. Kitson: Then why retain it?

Hon. J. CORNELL: Those holding the qualification possess one quality that does not apply to men ineligible to serve as jurymen. The possession of the qualification indicates some semblance of thrift in the holder, and the practice of thrift indicates some semblance of intelligence and responsibility.

Hon. W. H. Kitson: Not always.

Hon. J. CORNELL: The main incentive to save generally arises from a sense of responsibility, and if there is one characteristic that a juryman should possess, it is a sense of responsibility, because he is to be entrusted with returning a verdict that may lead to a man being sent to durance vile or to something even worse. Thrift indicates a sense of responsibility, and the small modicum of thrift required to qualify as a juryman to-day is a mere bagatelle compared with the requirement in days gone by. Money values have altered and there are many men eligible to serve on a common jury to-day who, 20 years ago, by the exercise of the same amount of thrift, could not have become common jurymen. If later on I can be convinced that my reasoning is at fault, I may waive my objection. There is another feature of the qualification; it indicates permanency of domicile, and that is necessary to facilitate the compilation of the jury list. When the Minister replies I should like to be enlightened as to how he proposes to depart from the present system of compiling the jury list, and what he proposes to substitute for it. I do not expect that he will take the electoral roll for another place. If he does, we shall get about the same percentage of jurymen to serve as we have of electors voting at the periodical elections—about 44 per cent. It

is important that the proper compilation of the jury list should be possible. I ask the Minister also to indicate where else is adult suffrage the sole qualification of a common juror. I am always prepared to take a chance, and if he can convince me that this principle has been adopted elsewhere, it may tend to convince me that it is wise to adopt it here.

Hon. J. Ewing: It has been adopted in Queensland, has it not?

Hon. E. H. Gray: Why not lead the way?

Hon. J. CORNELL: There are many directions in which we can lead, but in all matters affecting the administration of justice, we should be wary indeed about leading the way. It has been inferred that the decisions of special juries are at times biassed and not in accordance with the evidence. That may have occurred in the past; it may occur in future, but cannot the same charge be levelled against common juries? If members look up the records or the newspaper files, they will find that in many cases a change of venue has been ordered owing to the disagreement of common juries, and that when the change was made, the accused was convicted on substantially the same evidence.

Hon. J. E. Dodd: Sometimes the venue of trial is changed without there being a disagreement.

Hon. J. CORNELL: Quite so; but I could quote many cases where a change of venue has been ordered owing to a disagreement. In one case there were two disagreements, but on a fresh trial being held elsewhere, at which practically the same evidence was tendered, a conviction followed. I cite this illustration merely by way of indicating that common juries are no more infallible than special juries, and are probably prone to the same tender susceptibilities, leaving aside altogether the element of corruption, as was suggested earlier in this debate by Dr. Saw. I now come to the attempt to enter an unknown region—the proposal to allow such women as apply for the prerogative, to act as jurors on the same basis as men. When a reform is mooted, one must look for the underlying causes of the demand. In this case the underlying cause is—I speak subject to correction—that the Labour Party's platform provides for equality of the sexes.

The Honorary Minister: Parliament itself has provided for it.

Hon. J. CORNELL: I am glad of that interjection, because I did not happen to have a note made in that connection. Later I shall endeavour to demonstrate how Parliament under a Nationalist Government provided for sex equality, and how the Labour Party attempt to provide for it, by way of contrast. As previous speakers have pointed out, the provision for sex equality as to serving on juries is pernicious in the extreme. The Bill proposes that only those women who apply for the prerogative shall act as common jurors, that they shall be the only women to be placed on the jury list. If there is one inherent quality we all admire in women, it is modesty. That quality counts for more in the world of men, and very largely in the world of women, than any other quality womankind possesses. Under this Bill sheer modesty alone would be the determining factor in precluding many women from applying for the prerogative to act as common jurors. In a large degree lack of modesty, the desire for personal aggrandisement, would be the determining factor with many women who would apply to be placed on the jury list. I have no wish to enter into the relative merits and demerits of women. I believe that the two illustrations I have cited will be ample to satisfy the right-thinking women of this State. An attempt was made by a section in another place to allow women in by a portal other than that offered to them by the Government. The difference was this: whereas under the Bill women would have to apply to be placed on the jury list, the other proposal was that women must apply to be left off the roll. Inherent modesty would have got those off under the back-door scheme who would have been prevented from entering by the Government's front door scheme. The question I have to ask is, are women temperamentally and physically fitted to serve on juries? I answer that question in the affirmative. I could go back into the dim and distant ages when, with the exception of child-bearing, women did all that men had to do. In those long-vanished days they not only bore children, but went forth to secure the wherewithal for their children, while the old dad stopped by the fire to mind the little ones. But with the progress of the ages man got his thinking cap on and evolved a scheme that put woman into bondage; and she remains in that bondage to-day. The only satisfactory test that can be applied as regards women functioning in the capacity of jurors or indeed in any other capacity which man has usurped to himself, is to let women apply themselves to carrying out the function. Until women have been given an opportunity to demonstrate their capacity or otherwise as jurors, it is not very manly on our part to say, "Women will not be successful as jurors, and therefore we will not give them a chance." Another reason I have to advance—and I think it would have been more creditable to the sponsors of the Bill had they advanced this reason at the outset—is that equality of sexes carries with it equal obligations of service. And now I come to Mr. Dodd's interjection. I have discussed this question in a friendly way with women who have been associated with public matters, women adhering to various shades of political opinion, women who have applied themselves to different activities, including, for example, the care of child life, for many years. I venture to say that not one of those women would seek to enter the jury box through the portal offered to them by the Government. They hold the view, and rightly, that woman has

not the full conception of sex equality if she does not realise that sex equality carries with it equal obligation of service in her case with that of man. It is on that ground alone those women think that their sex should be given the opportunity to serve on juries and thus practically prove its capacity or otherwise. Mr. Hickey interjected that women have equality in Parliament. How? On exactly the same lines as I propose to move if the Bill goes into Committee. Prior to the advent of the right of women to contest Parliamentary seats, our Constitution stood in exactly the same position as our jury law stands in to-day. The Constitution used the expression "any man," whereas the jury law now uses the corresponding expression "every man." The Mitchell Government, seized of the importance of sex equality and the inexplicableness of the disability which had been placed on women, brought down a Bill to enable women to sit in Parliament. Contrast that action with the present proposal. Conjure up the tirade of opposition that would have been offered by the sponsors of the present Bill if a measure to allow women to contest Parliamentary seats had contained a proposal that only those women who applied for permission should be granted it.

The Honorary Minister: Those who stand for Parliament are not as a rule very modest.

Hon. J. CORNELL: I will not say that. Modesty is a question of degree.

Hon. J. E. Dodd: This Chamber gave every woman the right to sit as a justice of the peace.

Hon. J. CORNELL: Quite so. I hope this Chamber will agree to extend exactly the corresponding right, and under similar conditions, to women to sit as jurors. Then will it once more be demonstrated that despite the accusations of hidebound Toryism and class-conscious bias, and many other biases, which have been levelled at this Chamber, when it comes to fundamentals the Legislative Council, even though elected on a limited franchise, can dispense not only abstract justice but also justice as it should be. Two clauses of the Bill I support out and out. One is that dealing with payment of jurors, a provison that is long overdue. The scale of payment fixed 20 years ago may have been adequate then, but it does not square with present day conditions. In that respect the Act has been evaded, and that is a state of things which should not exist. I also support whole-heartedly the attempt to forestall the possibility of jury-squaring. That provision shows foresight. Fortunately, there is not in the recollection of any of us a successful attempt at jury-squaring, or perhaps even any attempt at jury-squaring. Let us all hope that the day will never come when jury-squaring is successfully practised in Western Australia. However, caution is always wise, and if we can amend our legal machinery to prevent the possibility of the occurrence of an evil, by all means let us do so. The Bill includes fundamentals which represent the result of the thought and energy and work of ages. It practically sets up the relationship of law to crime. It prescribes the procedure that shall be adopted, the methods which shall be used, in the punishment of crime. I am pleased to state that there are a few advanced thinkers in the State who have given much consideration, not to the punishment of crime, but to the cause of crime. The old-time method of exacting punishment as a deterrent has lamentably failed. Those thinkers I have referred to have evolved a theory which, I believe, is now accepted by all intelligent sections of the people, as a means for securing the prevention of crime. I trust that section of society will be given every encouragement and that members of Parliament, when taking into consideration our laws dealing with crime, will have in mind the failures recorded by old-time methods and have regard to the views of those advanced thinkers who have given such consideration to this matter. Whatever else may be said against the present Government, it cannot be gainsaid that they are more in touch with the community as a whole than any previous Administration. I hope efforts will be made to prevent the causes of crime and to apply justice as a deterrent. I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from 7th October.

Hon. A. LOVEKIN (Metropolitan) [5.48]: When a Bill of this description comes before us one is apt to think of the words of the present Premier, "Thank God, there is a Legislative Council," and to endorse them. Most of us in this Chamber are here free from any party bias. Speaking for myself, I am here absolutely free and untrammelled. I have no prejudice against any measure that comes before this Chamber. That being so, I can approach a Bill of this description with a feeling that whatever attitude I take, I shall be doing that which, in my opinion, is in the best interests of the State. At the outset I wish to make it clear that I will support the second reading of the Bill, and that any action I may take at the Committee stage will be in the direction of improving the measure and not of injuring it. I would like to congratulate the promoter of the Bill, the Minister for Works in another place. I was associated with him for a short time as a Royal Commissioner to inquire into this question of industrial arbitration. The Bill shows plainly that there was no need for that Royal Commission to wander over the Eastern States and New

Zealand, as was at first contemplated, because all the material required was at hand on the spot here. If hon. members want any confirmation on that point, I invite them to look at the file on the Table of the House.

Hon. E. H. Harris: There is some good material in that report.

Hon. A. LOVEKIN: Quite good material, but it was available without going to the Eastern States and without involving a lot of time and expense. Although the Bill represents largely what is known as scissors and paste work, it is well put together, and the main essential points are well set out. I congratulate the Minister for Works on that point too. Speaking without any party bias at all, so far as I have been able to judge up to the present moment, I say that we will have in the present Minister for Works one of the best administrators of the Works Department we have ever had in this State. I think it is only fair that I should say that. After what I have seen so far and the memoranda I have perused during the last few weeks, it is evident that the Minister desired to get into the collar and do useful work, instead of being a kind of animal that pranced about, frothing, snorting and braying, and accomplishing very little that would help the best interests of the State.

Hon. J. W. Kirwan: To whom are you referring?

Hon. J. Ewing: You are most unfair!

Hon. A. LOVEKIN: I do not suggest I was referring to anyone.

Hon. J. Ewing: Of course you did. Everyone knows to whom you were referring.

Hon. J. Duffell: It was most uncalled for.

Hon. A. LOVEKIN: I wish to draw hon. members' attention to this, because I desire to indicate that I am approaching the Bill with an open mind and without any prejudice against the Government who introduced the measure. It occurred to me when reading last Saturday's paper that the Minister for Works is setting out on right lines. When discussing the question of the allocation of traffic fees, the Minister for Works said he would not follow the policy of the late Government in keeping everything secret. He also said—

> Public money was being spent, and no man had a right to keep to himself the knowledge of how it was being dealt with.

That seems to me to be an excellent sentiment. Then the Minister went on to refer to the question of the appointment of an engineer-in-chief. We know how many important public works we have ahead of us in Western Australia, and the Minister indicated that, notwithstanding the increased salary the Government had already decided upon, he was determined to secure the services of an engineer most suitable to the State, and that he would not limit himself to the increased salary already offered. That seems to be an indication that the business of the State is being dealt with along sound lines. Then again the Minister said that anyone who desired information concerning matters being dealt with, should realise that it was his concern as well as the Minister's, and that any person so interested could go to him and get the information.

Hon. J. Ewing: Others have said the same thing. There is nothing particular about that point!

Hon. A. LOVEKIN: That is a commendable attitude for the Minister to adopt. Then I will draw attention to the inquiry now being conducted by a select committee from this House. That inquiry is becoming more complex every day. As soon as we secured a statement in evidence such as that Subiaco was to be involved in a rate of from six shillings and tenpence in the pound for the proposed storm water scheme, and that statement became known to the Minister, he immediately ordered that the work be stopped. He said, "It will not do to involve people in such a cost. Stop the work until we get further information." The same applied to the Churchman's Brook project. Again the Minister stopped the work saying, "Stop until we get some more information. Wait until I get a qualified engineer to consult, upon whom I can rely."

Hon. J. Duffell: What about the fire hydrants in Sydney?

Hon. J. Ewing: What has that to do with the Bill?

Hon. A. Lovekin: One instance came under our notice in which an officer, who was going away on leave, desired a little extra money. He suggested he should inspect the fire hydrants in use in the Eastern States. Such applications have come before other Ministers and have been agreed to. The present Minister for Works dealt with the request along these lines: "Our policy regarding fire hydrants is well defined. Take your leave. There is no need to waste money in inspecting fire hydrants in the Eastern States." I make these few remarks about the Minister for Works to enable hon. members to see that I am approaching the Bill without prejudice or bias.

Hon. J. Ewing: What about your amendments on the Notice Paper?

Hon. C. F. Baxter: We will know all about that later on.

Hon. A. LOVEKIN: Which interjection shall I answer?

The PRESIDENT: You had better not answer any interjection, but proceed with your speech!

Hon. A. LOVEKIN: A great feature of the Bill is the multiplicity of boards to be set up for the purpose of promoting industrial peace. I have had a good deal of

experience regarding industrial matters. In 1896 I was one of the mediators who endeavoured to bring about a settlement of the lumpers' strike at Fremantle. There was great hostility between the ship owners and the lumpers. We worked for days and our great struggle was to get the two parties together, for the purpose of inducing each side to appreciate the viewpoint of the other side. After many days and nights—sitting sometimes until 2 a.m.—we eventually managed to bring about peace between the two parties. Again, I was associated with the first great timber strike. We had conferences lasting over 10 days in my office in St. George's-terrace. The parties came in and went out of my office and apparently no one seemed to know that conferences were being held. The various sides were so antagonistic at the outset that they would not meet one another in the same room. In one room I had Messrs. Holman and Bath and other representatives of the timber workers. In another room I had Mr. Teesdale Smith, Mr. Alex. McNeil, and other representatives of the timber people. In still another room, occasionally there was Sir Newton Moore, who was Premier at the time, and at times some other Minister as well. I was the mediator and I was the only one who could go into the various rooms at the outset. I used to pass from one room to another, making suggestions, first of all to get the parities to meet one another. Finally, after a considerable time, I got them around a table, and we stuck to the business, with the result that peace and harmony was restored. The men went back to work and a settlement was achieved that has lasted almost until the present day, except that from time to time the men have claimed small increases on what they then got. One of the possessions of which I am most proud is a walking stick that the timber workers presented to me afterwards. On it is engraved, "Peace hath her victories, no less renowned than war." So I have had experience in the effects of getting parties to disputes to gather around tables and understand the vision, one of the other. I think that is the chief thing if we want to secure industrial peace. The Bill provides quite a multiplicity of these means. There are to be half-a-dozen boards, and if one board cannot succeed in getting the parties together and preventing a stoppage of work, possibly the next board or the third one will obviate the stoppage of work. If the Bill contained only that, it would be a Bill of vital importance to the State. Mr. Drew, in moving the second reading, pointed out, quite correctly, that a good many disputes were due to irritation caused by the congestion in the Arbitration Court. The proposed boards will alleviate that position to a very great extent. Instead of all cases going to the court, most of them will go to one or other of the boards; and the advantage of the boards, if my proposal be adopted, will be that we shall have sitting around a table men actually engaged in the particular industry, men who will know the details of the business and understand the language of the industry.

Hon. E. H. Harris: The court can get such people to sit with it now.

Hon. A. LOVEKIN: But it is quite a different thing for four or five men who understand a particular business to sit around a table and thrash out the points. They are able to see the other man's point of view as well as their own. We had a case not long ago, when the job printers were before the court for about 18 days. Ten or 12 of those days were occupied in trying to teach the court the language of the industry before the court could approach the case with any chance of understanding it. All that time will be saved by the boards contemplated in the Bill. It is really a modification of the Victorian wages board system. Sometimes in Melbourne there are 15 or 20 of these boards sitting in one evening, all doing useful work. The advantage is that when any little trouble arises in an industry, before it can spread there is a reference to the board, and the little wound is healed and the industry goes on. That seems to me a very great advantage.

Hon. E. H. Harris: You should be advocating wages boards instead of the Arbitration Court.

Hon. A. LOVEKIN: I am advocating both. The system laid down in the Bill is a good one. Probably some hon. members are imbued with the view of the Employers' Federation and the Chamber of Mines, namely, that we should not have these boards, but that we should extend our arbitration courts; that in addition to having a president of the court and two assessors, we should have one or more deputy presidents who would hear cases. That suggestion, it seems to me, is quite wrong; because, instead of tending to promote peace and harmony between those who should be working side by side, the man with the money and the man with the labour, it is only inducing hostility and creating hatred; for as soon as you force men into court to litigate and fight, you are increasing their hatred and enmity, and so, instead of getting peace and harmony, you get hostility and disaster.

Hon. A. J. H. Saw: Are the public represented on these wages boards?

Hon. A. LOVEKIN: No, but the public are represented through the court and, where the public are concerned, it is, under the Bill, open to the Minister to refer any matter to the court. Where the public are not concerned, surely the public do not want to come in.

Hon. A. J. H. Saw: Are they not always concerned? Are they not the buyers?

Hon. A. LOVEKIN: Certainly they are the buyers, but they are not directly conerned in all the disputes between employers and employees; and even when they are,

and a dispute occurs, it is better that the two parties immediately and directly concerned should settle it rather than refer it to another tribunal that might, perhaps, take into account the public, although as far as I can judge it never does take the public into account. I never hesitate to put before the House any facts that I may have; this, whatever the consequences, or whomever I may please to displease. As I proceed I will show how it is that there is between the Trades Hall and the Employers' Federation a compact in respect of the Bill. But I say that the system proposed for a president of the court and a number of vice-presidents is bad, and will tend to produce trouble and disputes and disaster, whereas the board system proposed by the Government will promote harmony and peace. I only ask hon. members to look at the results of the working of those boards in Victoria. If they do that they will see what great good has been accomplished.

Hon. J. Cornell: There is only one system there. This proposed system is a hybrid.

Hon. A. LOVEKIN: The Victorian system is practically the same as that provided in the Bill, because there are in Victoria boards and also a court of industrial appeal.

Hon. J. Cornell: But the board can make or mar.

Hon. A. LOVEKIN: I do not know that it can. It largely depends on the board itself. However, we have practically the same system here; that of the court and the board.

Hon. E. H. Harris: We had boards here before. They were tossed out because they were no good.

Hon. A. LOVEKIN: That was quite a different proposition from the present one; it was purely a conciliation board.

Hon. E. H. Harris: Exactly the same as those proposed in the Bill.

Hon. A. LOVEKIN: No, some of those contemplated in the Bill are conciliation boards, but one of the principal boards proposed is a tribunal to which the court can refer a dispute, and that board can then act and give an award just as the court could do.

Hon. E. H. Harris: And then they are to go away from Perth while you sit here and await the result!

Hon. A. LOVEKIN: The beauty of the scheme is that you can have the boards all over the country, sitting at the same time.

Hon. A. J. H. Saw: It is a tessellated pavement; not a scheme of boards at all.

Hon. A. LOVEKIN: Well, I have known some useful tessellated pavements.

Hon. J. Nicholson: What about the varying decisions that these boards will give.

Hon. A. LOVEKIN: What about the varying decisions the existing courts give? One court went to Kalgoorlie and gave one wage to the man in charge of a winding engine, a man doing a very important work, a man with the lives of many people in his hands daily; but immediately afterwards another court went up there and gave the nightman a higher wage.

Hon. H. J. Yelland: He had the worse job.

Hon. A. LOVEKIN: The existing court provides varying rates and wages with no regard whatever to consistency. Go to the court here, or go to the Federal Arbitration Court, and see the varying awards made by those courts, the differing rates of wages. There is no consistency whatever about them, and nothing having any regard to the public interest.

Hon. E. H. Harris: You are an optimist.

Hon. A. LOVEKIN: I have had a good deal of experience of industrial matters in this State, and I know that it is in our best interests that we should promote harmony by getting men to understand one another rather than getting them to fight one another in the courts.

Sitting suspended from 6.15 to 7.30 p.m.

The PRESIDENT: Before asking Mr. Lovekin to proceed, I must request members not to interrupt too frequently. The hon. member has very important matter to deal with, and I think every opportunity should be given to him to place it as clearly as possible before the House without interruption.

Hon. A. LOVEKIN: Before tea I was endeavouring to point out that the boards composed under this Bill would be helpful in many ways, and I would add another way, namely, that they would prevent the congestion of the court which is so much complained of, which I am afraid has done so much to intensify industrial strife in the past. I said I would endeavour to improve the Bill rather than destroy it. I propose shortly to indicate to members how I propose to do that. Clause 2, paragraph 4, provides that the court may decree preference to unionists. I have no objection to preference to unionists.

Hon. E. H. Harris: What about preference to non-unionists?

Hon. A. LOVEKIN: I am not objecting to preference to non-unionists, because I do not object to preference to unionists.

Hon. E. H. Harris: That is in the Bill.

Hon. A. LOVEKIN: That may be so. Whilst I will concede a measure of preference to unionists, there is the other side to be protected. Although it does not appear on the surface, this clause involves the doctrine of what is known as "last man on, first off." That is a most pernicious doctrine. It would prevent any employer in any industry from choosing his own staff. If he had 40 members on his staff, those engaged in earlier years could do what they liked. He could not dismiss them unless he began by dismissing the last man he had put on. I had a case over this at the court. The court held that under the Act as it stood I could not be compelled to put off the last man I had taken on, before I put

off the man who had been taken on previously. If this Bill passes as it is, the court will be able to decree that I must first put off the last man taken on before putting off another. I am sure even the members of the present Government do not wish that. They wish that the employer shall have full authority over his staff, full liberty to employ, and full liberty to dismiss whom he pleases.

Hon. J. Ewing: He has not got that at this moment?

Hon. A. LOVEKIN: He must have it. If there are to be any successful industries in the State, employers must have full liberty to employ or dismiss whom they please. Anyone must agree to such a doctrine. If that is our view I suggest that we say so in the Bill. There is no harm in putting in the Bill what we mean. I suggest we should add at the end of paragraph 4 these words, "But so as not to limit the right of an employer to employ or dismiss whom he pleases."

Hon. A. Burvill: What about a safeguard in the case of victimisation?

Hon. J. M. Macfarlane: By whom?

Hon. E. H. Gray: By the boss.

Hon. A. LOVEKIN: Has not the boss the right to employ whom he pleases? He certainly should have that right. Why should a man have the right to say to his employer that he will continue in that employment, and that the employer must go on paying him?

Hon. E. H. Harris: You say you believe in preference to unionists.

Hon. A. LOVEKIN: If there is a unionist and a non-unionist of equal capacity and both are on the same plane regarding the particular job, I do not mind giving preference to the unionists, so long as the choice remains with me.

Hon. E. H. Harris: Registered or unregistered unionists?

Hon. A. LOVEKIN: I care not whether he be registered or not. It seems to me under this Bill all unions must be registered, or they cannot have any effect before the court. I care not which it be, so long as the employer has his inherent right to employ or dismiss whom he pleases. All the talk about victimisation is so much nonsense.

Hon. T. Moore: It is not all nonsense.

Hon. A. LOVEKIN: It is. An employer dismisses an employee for some very good reason.

Hon. E. H. Gray: For being a good unionist.

Hon. A. LOVEKIN: The test is whether a man is a good workman, and not whether he is a good unionist. The employer cares not whether he is a good or a bad unionist, so long as the value of his work is there. If we mean that the employer should have this right, let us put it on this little piece of paper, and make clear what we do mean. The next important matter is in connection with paragraph 6, which provides for domestic servants. Under the principal Act domestic servants are excluded from the operations of awards. I have no objection to domestic servants being members of a union or a club or a church committee, or anything else. A domestic servant should be as free to join any institution as the rest of us. Having gone so far, I say it must stop there. It is unthinkable that the sanctity and the sacredness of the home should be invaded by some union secretary, who comes in under the authority of an award and says that she wants to see that certain notices are posted in the kitchen, that certain time books are kept, and that she shall interrogate the mistress of the house or the domestic at her own sweet will. The making of an award carries with it not only wages and hours, but quite a number of other things that we have to put up with in our business during the day, but do not want to put up with in our homes as well. Having had enough of that sort of thing during the day we do not want to find ourselves faced with the necessity for posting in the house certain notices and abstracts from the Act, keeping a time book, seeing that the union secretary is given proper audience, and having our wives put through the third degree if the union official wishes to do so. Such a position would be intolerable. It must be made impossible for any court, beyond specifying the minimum rate of pay, and perhaps the number of hours that may be worked, to specify the spread of hours and other conditions for domestic servants. One never knows in a house what will happen from day to day. A child may become sick or the mistress of the house may become ill. We cannot possibly have fixed and arbitrary rules for the conduct of the home.

Hon. J. Nicholson: The mother is not to get sick.

Hon. A. LOVEKIN: She must not become ill. She must keep a doctor on hand and remain in good health, so that she may work while the maid is off duty. We cannot tolerate the fixing of award conditions for domestic servants. I propose to ask the Committee to strike out portion of paragraph 6, and to put in a new clause that will limit the kind of award the court may decree in the case of domestic servants. I also propose to insert another subclause limiting the hours of work for nurses. Nurses, facing sickness and worry all day long, deserve even more consideration than domestic servants, most of whom are in comfortable homes. In the next paragraph there is a reference to the inclusion of insurance canvassers under contract, or those whose duties imply a contract for service, etc. That should not stand in the Bill. It would mean that one could not enter into an engagement with anyone to do a certain class of work for a specified sum of money. It would be an interference with contracts, which ought not to be provided against in a Bill of this character. Clause 3 amends the principal Act. Under

the Act it takes 50 employers to form a union, whereas it is proposed that 15 employees only shall be required to form a union. That is not right. Before one can invoke the aid of the court one must represent a registered union. I suggest that the provision for 50 employers be reduced, especially in cases where 15 employees only can form themselves into a union. Clause 7 contains provision under which the President of the court may be, but shall not necessarily be, a judge of the Supreme Court, and he will be appointed for a term of seven years. Whether a judge or a layman is appointed, I do not think we shall get the best or the most suitable man for the purpose, if we limit his tenure of office to seven years. A merchant, a banker or anyone else engaged in business, could not be expected to give up his business for the salary that will be offered under this Bill for seven years, and then at the end of his tenure begin to resurrect his business. There is this against the seven years' tenure, that a man will not be independent. If he wishes to continue to hold the position, during the last year or two of his tenure of office he will require to have some consideration for the powers that be, so that they may not decline to reappoint him. Any person in the post of president of the court should hold that position for life, and should be subject to removal only in the same way as judges, namely, by vote of both Houses of Parliament.

Hon. J. Ewing: If the president to be appointed is a judge, it will be all right.

Hon. A. LOVEKIN: Yes.

Hon. E. H. Harris: Did you support the idea of a life appointment last year?

Hon. A. LOVEKIN: I suggest that if a suitable man is selected, he should be appointed for life.

Hon. E. H. Harris: They had the man then.

Hon. A. LOVEKIN: Who was he?

Hon. E. H. Harris: Mr. Collier. That is what killed the Bill.

Hon. A. LOVEKIN: Nonsense. There is a paragraph in Clause 14 which reads "and the award shall be made and issued with reference to such union." In Committee I shall ask the Minister to explain more fully what that means, whether it means that the award is to be submitted to the union. There seems to be nothing about employers having a say in it. If it is to be the union only, it may be necessary to alter the clause to give fair play to both sides. There is a matter in paragraph 4 that I need merely mention, and it is that under the principal Act there is no appeal to any court, not even to the Federal court. Under the Commonwealth Constitution there is an appeal provided for from any State court to the Federal court. Clause 17 does away with the right of a person who is charged before an industrial court with an offence, to invoke the services of a lawyer. I can understand in the hearing of the case that you may have laymen, but where you are charged with some offence for which you may be imprisoned or fined, say, £500, surely it seems in accordance with ordinary British justice that a person so charged should be able to have skilled representation in connection with his defence. Clause 21 I intend to try to improve. This provides for the constitution of a special board, and paragraph (a) says—

> If in the opinion of the court employers are interested in a question, one half of such other members shall be representatives of the employers, and the other half shall be representatives of the industrial union of workers engaged in the said callings; such of the callings as the court considered to be directly interested in the question shall be represented on the board by an equal number of representatives of employers (if in the opinion of the court employers are interested in the question) and representatives of the industrial unions of workers concerned.

I think that all employers are interested in these industrial questions. An award may affect an employer directly, but it may have far-reaching effects on others indirectly, and I cannot see why they should be precluded from having representation before the court, because the court does not consider they are not interested due to lack of knowledge of the facts. Clause 24 provides for retrospective awards. That is not equitable, because a man may enter into a contract to build a house or do some other work, knowing that a given rate of wage applies, and if six or nine months afterwards there is an industrial dispute before the court and the award is made retrospective at a higher rate of pay, it is unfair to penalise that contractor. I know, of course, the court will not be so congested in the future, and if there should be retrospective awards they will be few and far between.

Hon. A. J. H. Saw: Then there is no reason for the clause.

Hon. A. LOVEKIN: I thank the hon. member for the interjection. I was just going to explain that in the event I quoted there would be no reason for the clause. Clause 25 says—

> An award shall also extend to and bind any person (whether engaged in the industry or not) who employs a worker to exercise any vocation which is the subject of such award.

That seems to me to be altogether too drastic. For instance, take King's Park, where a number of men are employed in gardening and mending the roads. When there is a little spare time we may tell them to paint the fence. It is only a rough fence, but as this clause stands we should have to pay a painter's wage, whereas the man might only be doing ordinary labouring work. The

trouble will be that when he is told to do the job, you do not know that he is going to claim the painter's rate of pay. It is only after he has done the job that you find yourself in trouble with the union. I intend to try to improve the Bill by providing that where a general handy man is employed, the employer shall not be penalised without the person at the time employed says, "I am under the painters' award; you must pay me painter's rate." Then the employer will have the option of employing the man or not as he pleases.

Hon. E. H. Harris: Will that guarantee you that he is a skilled painter?

Hon. A. LOVEKIN: I am talking about the handy man.

Hon. J. Duffell: Suppose he is a skilled painter and is doing handy work in the park.

Hon. A. LOVEKIN: Then he will say, "I am going back to my trade; I want my pay as a skilled tradesman." If a man is not a painter, but just a labourer, and you set him to do rough work, such as painting a fence, you have the right to know before you start him working what you are to pay him. Clause 28, Subclause (2), says—

> Every appeal under this Act shall be by way of rehearing.

That is, after a board has considered a matter, it will be open under the Bill to appeal to the court, and the appeal shall be by way of rehearing. If we have it that way, the court will be just as congested and more so than ever it was, because we shall have ninety per cent. of the cases reheard before the court. The dissatisfied side will demand a rehearing. We are, by this Bill, imposing a lot of extra work on the court by way of fixing the basic wage and looking after the conciliation portions of the Bill. I am going to suggest that where you get the boards, and where the boards are composed of those who know the particular business, they shall thrash out the matter, and any points they cannot agree upon, they shall put in writing, and those points shall go before the court in the form of a case stated from an inferior to a superior court, and the court will decide it in a short time, instead of engaging in a lengthy hearing. Clause 29 relates to the board of reference. I want to provide in each instance that the board shall be composed of those who are actively engaged in particular industries. That was the provision in the original Bill introduced by Mr. McCallum in another place. I indicated the reason just now, that the Trades Hall and the Employers' Federation have got into line and they want representatives of employers and employees on these boards, instead of those actually engaged in the industry as originally provided. Clause 32 is also of a retrospective character, and should be amended. Clause 33, Subclause (3), practically says that a person cannot work for himself. It is coming to a pretty pass when a man cannot work for himself as he likes. That clause, too, needs some alteration. I draw the Minister's attention to Clause 35 so that he may state whether I am right or not. We have a Fines and Penalties Act in force, and under that all fines now go to the revenue and not to the person who complains. I think it is intended under Clause 35 that fines should go to the person complaining, the person who has suffered some wrong or some loss due to the breach of an award. If the Minister will look at the clause and then refer to the Fines and Penalties Act, he may see fit to alter the clause later on. Clause 37 contains a proviso—

> That if, in any proceeding before an industrial magistrate, a question of interpretation of an industrial agreement or award shall arise, it shall be referred to the court.

Why should a simple interpretation of an award be referred to the court?

Hon. E. H. Harris: It may be a difficult and not a simple one.

Hon. A. LOVEKIN: That is so. If it is a difficult one, it is quite easy for the magistrate to refer it to the court. If it is a simple question, there is no reason why the magistrate should not decide it. After all, there is an appeal. If it is a trivial matter, expense, time, and irritation will be saved if the magistrate is permitted to decide the matter. If the magistrate does not choose to decide it, it can be sent to the court. No harm can be done by giving the magistrate the right to interpret.

Hon. E. H. Harris: Why not let the court send the simple ones to the magistrate and have the court deal with the others?

Hon. A. LOVEKIN: I am referring to the position where a case is already before the magistrate. It may be in the backblocks, and we do not want the parties to have to go to the court with a tuppenny-ha'penny case if the magistrate can decide it to the satisfaction of both parties.

Hon. J. M. Macfarlane: Suppose he does not interpret it to the satisfaction of both parties?

Hon. A. LOVEKIN: Then either party has the right of appeal.

Hon. J. Ewing: Do not you think the magistrates are useless?

Hon. A. LOVEKIN: Does the hon. member suggest that the magistrates of the country are useless?

Hon. J. Ewing: No, but under this measure they have no power to do anything.

Hon. A. LOVEKIN: Under this law they will be able to do lots of things. This is only an amending Bill, and all the provisions of the principal Act save those that are repealed will still apply. A magistrate comes in very often. Where a case is before a magistrate and it is a matter of giving a simple interpretation, he should not be precluded from giving it. Clause 41 provides that the appointment of a member

of a board shall not be challenged for any cause. That is going too far. There may be very good reasons why the appointment of such a member should be challenged, and I think we should make the clause read that such an appointment shall not be challenged without good cause. There would then be some ground for the challenge. If a man were corrupt, his appointment should not stand against all objections. Clause 13 provides a penalty not exceeding £500 if a member of a board discloses trade secrets, the profits or losses or receipts and outgoings of any employer, or the financial position of any employer. It is possible to fine an employer £500 and the chances are it will be paid, but what on earth is the use of fining one of the workers £500? It is of no use at all. He will not pay it, and it is impossible to go any further. Therefore he could do what he pleased with impunity. He could give away trade secrets, and all that could be done would be to fine him £500, which we know he could not pay.

Hon. E. H. Gray: Put him in gaol?

Hon. J. Duffell: What is the use of putting him in gaol?

Hon. A. LOVEKIN: If a worker sitting on one of these boards and having access to trade secrets and the financial obligations of an employer, violates his oath, he should be liable to imprisonment for three years. There should be no option to imprisonment for a man who abuses his trust.

Hon. J. W. Kirwan: Is not three years rather heavy? What about three months?

Hon. A. LOVEKIN: Does the hon. member think that a man who has taken an oath not to disclose confidential information would be adequately punished if he received three months imprisonment? I say no term is too long for such a man. However, it is quite open for members to differ as to the term. It is a waste of time, however, to impose a monstrous penalty.

Hon. E. H. Harris: How would he get access to trade secrets?

Hon. A. LOVEKIN: In the course of an investigation before a board.

Hon. E. H. Harris: If the amendments pass, only two employers will be registered.

Hon. A. LOVEKIN: I cannot understand that. There is plenty of scope under the principal Act for any member to be registered.

Hon. J. Nicholson: Would not you provide that a worker convicted of volating his oath should not again be appointed?

Hon. A. LOVEKIN: Oh no, give him another chance. Part V. dealing with the basic wage is one of the most important parts of the Bill. The last paragraph of Clause 56 reads—

> The expression "basic wage" means a sum sufficient for the normal and reasonable needs of the average worker; and in the case of a male worker shall be fixed with regard to the rent of a dwelling-house of five rooms, and the cost of food, clothing and other necessaries for a family consisting of a man, his wife, and three dependent children, according to a reasonable standard of comfort.

From time immemorial to within the last decade or two, the principle upon which wages have been paid has been based upon production. What a man earns, so shall he be paid. Dr. Saw, with his knowledge of the scriptures, will remember that St. Paul, speaking to the Romans or the Galatians, said, "Be not deceived; God is not mocked. Whatsoever a man soweth, that shall he also reap." I am not sure of the exact words, but that is the effect.

Hon. J. R. Brown: But the worker sows and the other man reaps.

Hon. A. LOVEKIN: That was the basis upon which the people in St. Paul's time fixed wages. If we go back to the early history of our own nation, we find that the early Britons had only the bargees and grubs and roots that they gathered, and if they wanted clothes they had to find woad with with which to paint themselves, and what they found they ate or clothed themselves with. The fittest survived and the lazy ones starved. That principle, from its crudest form right up to the present century, has been the basis of payment. It is not many years since Lord Stowell, Judge of the Admiralty Court in England, decreed that freight was the mother of wages, and if a ship had no freight, the sailors got no wages. That was altered in 1854 when the Merchant Shipping Act was passed, but in America to-day the same doctrine prevails, except where the captain is proved to have been at fault in the navigation of the ship.

Hon. J. R. Brown: If a ship was overloaded with freight, the sailors did not get the extra.

Hon. A. LOVEKIN: No, that was the weakness of the doctrine. The basis of payment under this Bill is not what a man produces or earns, but what a man's needs are. This is the new doctrine.

Hon. E. H. Gray: A much better doctrine

Hon. A. J. H. Saw: It is not the gospel according to St. Paul.

Hon. A. LOVEKIN: Mr. Gray has renounced the old doctrine and taken up the new, and perhaps he can tell us whose gospel it is. I am not sure that the old doctrine was not good. Some years ago I took part in a play in which the late Mr. Haynes was acting as tutor to some boys. The old father—that was my part—said the ancient Britons were savages, and went about in coats of paint. Mr. Haynes replied, "No, they were hardy Britons, and what is the result of their hardiness but a sound British constitution?" If one examines the history of nations, he will find that those people that have had to work hardest have been the most virile, and that those who enjoyed luxury gradually reached a stage of decay.

Hon. E. H. Gray: You are pessimistic now.

Hon. A. LOVEKIN: We cannot expect to go back to the days of a century or so ago. I was reading the other day an extract from the Sussex Archaeological Collection which stated that a cook was in receipt of a wage of £2 10s. a year, and that she stuck to her job for five years. At the end of the period, after a little persuasion, the employer generously gave her an increase of 5s. a year, equal to less than a farthing a day. Not very long ago Tom Hood wrote his "Song of the Shirt," because of the condition of the sempstresses in the factories. Of course we do not want those days ever to return. We have progressed. There is therefore something to be said in favour of the new doctrine preached by our friends from the Trades Hall, that in addition to the work which is performed some regard ought to be had to the needs of the people, even on humanitarian grounds.

Hon. J. Duffell: That is provided for in the very clause you speak of.

Hon. A. LOVEKIN: I know that, and I am coming to it in a minute. There is no doubt that to-day, in the process of our evolution, we should enjoy greater comforts of life than did our ancestors. We have more inventions; food production is much easier; all the necessaries of life are more comfortably and more readily obtainable; and it is only fair that all people, the workers as well as everyone else, should participate in the improvements of the age. We are always talking about increasing the population; but I read the other day that in two centuries hence the earth will have reached the limit of its food production for the population if the increase continues in the present ratio. This article in a scientific paper also stated that 20 centuries hence there would be one square yard of the earth's surface available for each individual, provided the population increase proceeded in the same ratio as it has been doing during the last 50 or 60 years; which shows that what is good for to-day may not be good for to-morrow, and that what was good for yesterday may not be good for to-day. The clock is going round; we may have quite a luxurious time to-day, and to-morrow we may be a decaying nation. I do think that whilst we have the opportunity, in the short time that we are on this earth, we should make the best of it and have the most enjoyment and comfort we posibly can out of it. Whilst we may accept this new doctrine of needs, we must look round and see that it is not built upon an unreasonable basis, and that the principle involved does not defeat its own object by leading us to want rather than to comfort. It is perfectly obvious—at least to me—that if we fix a wage, and a minimum wage it is, on the needs of a man, his wife, three children, and a five-roomed house, we shall require to have a very high basic wage—I should say, certainly not less than £6 per week.

Hon. E. H. Gray: The old legislation admits that that is fair.

Hon. A. LOVEKIN: If that is the basis, we must have a high minimum wage; and with a high minimum wage we shall not be able to compete successfully with persons outside this State who have a lower minimum or basic wage.

Hon. A. Burvill: Where does the primary producer come in as regards the basic wage?

Hon. A. LOVEKIN: That is a very difficult problem. It depends upon the price of wheat. If the primary producer is getting a good price for his wheat, and a good price for his wool, he can perhaps better afford to pay this high minimum wage than can the person engaged in an industrial pursuit. If the doctrine is to be based on the needs of the worker, it must apply equally to the needs of the primary producer. If we fix such a high minimum wage as to prevent us from competing against the outside world, we defeat ourselves, and instead of providing employment for our people we shall be leaving them without employment. If needs are to be the basis, those needs must apply equally to all. The Bill says that the needs of the married man are to include his wife, three children, and a five-roomed house. Obviously, the same measure of needs does not apply to the single man. He has no wife and three children, or house. His needs, therefore, are not so great as those of the married man. If we differentiate in the minimum or basic wage, prescribing a lower rate for the single man than for the married man, then the inhuman employers, as Mr. Gray calls them, will immediately say, "Let us have the cheaper man," and the married man will not get employment. Therefore we cannot provide a basic wage that will give the single man less than the married man. In order that each may have the same opportunity of obtaining employment, we must prescribe the same rate of wage for each. But the needs of the single man are less.

Hon. E. H. Gray: How about the married man with 10 or 12 children?

Hon. A. LOVEKIN: The needs of the married man with no children are not as great as the needs of the married man with one, or two, or three children, and the needs of the married man with 10 children are greater than the needs of the married man with three children. Therefore to apply the same minimum rate of wages to the married man with 10 children and the single man with no children or dependants at all, seems to me utterly absurd and unwarranted. What I would suggest is that, in order that we may reduce the amount of the basic wage as low as possible, we should cut out the three children altogether, as not being a factor in the question at all, and deal with the married man and his wife and his

house, and also deal with the single man. The basic wage fixed under those conditions will be a high wage even then for the single man as against the married man. But there seems to me to be no middle course except the one I am about to suggest, which is this: Assume for the sake of argument that the basic wage fixed for the man, his wife, and his house is £6 per week—I use that figure because it is easily divisible. The single man would also get £6 a week. But I would say to the single man, "Your needs are not as great as those of your neighbour, the married man. You must hand back to the State from the wage you receive £2. The employer will see that you put a stamp of £2 on your wages sheet." The £2 will go to an endowment fund, and the endowment fund will provide the needs of the married man's children. If the married man has no children, he will get nothing from the endowment fund. If he has one child, he will get one sum, and ten times that sum if he has 10 children.

Hon. E. H. Gray: Then the single man has to keep the married man's children?

Hon. A. LOVEKIN: Does not the hon. member's party preach, "Bear ye one another's burdens"? Am I not preaching the very doctrine of the Labour Party that we are all comrades, that we will all share alike? When I come to preach the doctrine, a member of the Labour Party tells me, "You are asking the single man to keep somebody else's children." The hon. member is repudiating his own doctrine. Moreover, it seems to me that that is a fair way of dealing with the problem. The single man has no responsibilities whatever, and he is of the least use to the State, which wants population.

Hon. A. J. H. Saw: But he is a potential marrying man.

Hon. A. LOVEKIN: Yes, and I am going to provide an inducement for him to marry. I will say to him, "When you put these little stamps every week on your wages sheet, you are founding the nucleus of a fund which will enable you to have a few pounds in your pocket when you get married. You will have saved it up—probably against your own will—and here is the inducement for you to get married."

Hon. E. H. Gray: Then he is not keeping the other man's children?

Hon. A. LOVEKIN: If we are all comrades, we have to keep all the children between us. That is the proper doctrine in my view. When, under this scheme, the single man gets married, he will receive a certificate which he will take to the Treasury, and there he will receive the value of two years' stamps that he paid on his wages, and that amount will give him a start in his married life. The law of the Trades Hall, to bear one another's burdens, to help one another, and, as socialists say, to share and share alike even to the extent of wearing the like suit of clothes——

Hon. E. H. Gray: That is not socialism.

Hon. A. LOVEKIN: I understood that it was. I may be ignorant of what socialism is, but I thought socialism meant that we had to share and share alike. If that is not socialism, I shall be interested to hear the hon. member on the subject.

Hon. H. Seddon: Have you got the figures on that aspect?

Hon. A. LOVEKIN: Yes, but I do not want to labour the question. When I come to deal with the matter in Committee, I will give the hon. member the figures, or I will give them to him beforehand if he likes. They are figures showing the ratio of single and married men, and showing how the endowment fund would work out.

Hon. H. Seddon: Have you allowed for the registrar's fee?

Hon. A. LOVEKIN: If there were a rush to the registrar's office and the endowment fund were overdrawn for that purpose, it would be a far better thing for the State than the starting of group settlements. However, I can tell Mr. Seddon roughly that there are 103,763 single workers and 61,809 married workers, and 107,824 children. Those are the remarks which I have to make upon the basic wage, and I am going to suggest an amendment to cover the position. I do not see why the single man should reap a high basic wage with practically no responsibilities to the State, a basic wage based not upon his needs but on those of a man, wife, and three children. The single man must contribute something towards the upkeep of the children, even if, as Mr. Gray says, it means keeping another man's children. The reason why he helps to keep the other man's children is that he has none of his own, but ought to have.

Hon. E. H. Harris: Does that apply only to workers coming under the industrial arbitration laws?

Hon. A. LOVEKIN: To everybody, because every person, whether he be a member of a union or not, will get the basic wage.

Hon. J. W. Kirwan: Will it apply to single women?

Hon. A. LOVEKIN: The next clause I come to is Clause 60, which provides that the court in making an award shall prescribe in every award or industrial agreement that the ordinary working hours in a week shall not exceed 44 in any one week. I cannot agree with that clause. I do not think the Government really meant to suggest that we should agree to it. Some industries can readily support a 44-hour week. Men employed on linotypes can easily work a 35-hour week at the high salary of £10 a week. The industry will support that.

Hon. G. W. Miles: That is because you get 2d. for your papers. It is the public who enable the 35-hour week to be worked at that rate in the industry.

Hon. A. LOVEKIN: There are other reasons why we have to charge 2d. for newspapers.

Hon. G. W. Miles: That is one reason.

Hon. A. LOVEKIN: There is another reason, and it is that we could not get the papers distributed at a lower rate.

Hon. J. M. Macfarlane: Are not linotype operators on practically the same wages as are paid elsewhere?

Hon. A. LOVEKIN: Yes.

Hon. J. M. Macfarlane: In other centres it is possible to sell papers to the public at a penny.

Hon. A. LOVEKIN: That is beside the question, but I would like to point out that the proprietors got in before the agents and others saw that it was a mistake to sell penny papers. They saw it here and will not do it.

Hon. E. H. Gray: Another instance of solidarity!

Hon. A. LOVEKIN: Even if we do charge 2d. for our papers, it is fair and equitable that those employed by us should reap some of the benefit of that price. That is a sound and fair doctrine. A great many industries will not stand a 35-hour week; many more will not stand a 40-hour week; others will not stand a 44-hour week, and I am perfectly sure that primary industry will not stand less than a 48-hour week at present. If the hours were decreased, production would fall off, and that would mean a cessation of employment. To show what a difference the decreased hours mean, I might mention that the engineer in charge of the metropolitan water supplies told the select committee that on the construction work of the Churchman's Brook scheme, the decrease of the working week from 48 hours to 44 meant an increase of 12½ per cent. in the costs, not only by reason of the difference in wages, but the interest on plant, capital charges and so forth. Mr. Burvill talked about the primary producer. I do not think the primary producer can carry on with a 44-hour week.

Hon. J. R. Brown: Could not the printing industry subsidise the primary producer the same as you suggest the single man is subsidising the married man?

Hon. A. LOVEKIN: If the hon. member takes a point like that, I will have to refer him to Dr. Saw and ask him to get another colleague to act with him and examine the hon. member! If he thinks for one moment, he will see that there are one or two men employed in the printing industry, whereas there are thousands engaged in the primary industries. The few men could not subsidise the many and make any difference, whereas the single men out-number the married men considerably. It is a fair proposition to leave the working week to the discretion of the court. Clause 67 of the Bill contains a provision that action for the recovery of any amount owing must be commenced within three months. That period should be lengthened, but after all that is a minor alteration. I have said all that needs to be stated on the second reading of the Bill. I shall have to elaborate many of the points I have mentioned when we consider the measure in Committee. I shall then be prepared to supply the figures on which to base the proposals I shall make. I think the Bill is well conceived, especially in view of the multiplicity of boards that are to be set up. With the improvements I suggest, I think we shall have a Bill worthy of the State.

Hon. J. Ewing: I do not know what the Minister for Works will think when he gets the Bill back with your amendments.

Hon. E. H. HARRIS (North-East) [8.57]: I welcome the measure, which will amend the existing legislation, as being a Bill that is considerably overdue. We may look upon this Bill as the most important measure we shall have to deal with during the session. The Bill contains numerous amendments, and the best efforts of members will be required to consider the various clauses on their merits. Prior to the establishment of arbitration in Western Australia, we had nothing but strikes, and since we have had that system in operation, we have also had many strikes. We have not had more strikes, but certainly we have had a fair number. I have read the Bill carefully and the clauses may be classified under three headings—good, bad and doubtful. Some of the clauses are impracticable and I am sure have been put in the Bill by the Government to placate some sections of the Labour Party. The Act of 1902 was the first arbitration measure in this country. Many difficulties arose under that legislation, because the employers raised technical objections from time to time. The defects of that Act were such that amending legislation was introduced and since we had the 1912 Act, the position has been considerably improved. At that time arbitration was accepted throughout Australia more as a principle governing industrial life than prior to that date. The employers did not take advantage of the legal technicalities that had characterised their actions formerly. Some members in this Chamber expressed the view prior to the Bill coming before us, that arbitration had been a ghastly failure, which, they said, had been shown by the number of strikes we had experienced. They were not favourably disposed towards the measure. I appeal to those hon. members to pass the second reading of the Bill and to put forward efforts in Committee to make the clauses such as they consider will be acceptable to all concerned. The court has established the conditions governing labour and wages as far as its jurisdiction carried it. During the past 20 years the Arbitration Court has been responsible for greater industrial peace than was the experience prior to that period. By means of conciliation, compulsory conferences and so on, parties were brought together and thus industrial peace was better main-

tained. I find that according to the "Industrial Gazette" of the 30th June, 1924, there were 51 awards and 130 agreements in operation here three months ago. I have not got the details regarding the number of workers covered by those awards and agreements, but the fact that 181 industrial awards or agreements are in operation shows what success has attached to the arbitration system. The first matter of importance to be considered in connection with the Bill is the constitution of the court. I listened with interest to Mr. Lovekin's suggestions regarding what he thought were desirable amendments on this point. The court, as now constituted, is unique in that it differs from other similar courts in the Commonwealth. We have a president and two laymen acting in conjunction with the president. I have studied the reports and books already submitted to the House by the present Clerk of the Arbitration Court, Mr. Walsh. His report contains a lot of valuable information that I commend to hon. members. In other parts they have a president and one or more deputy presidents, somewhat along the lines adopted in connection with the Federal Arbitration Court. I have always held the opinion that it would be desirable to have a president and one or two deputy presidents in this State who would adjudicate, in preference to our system of a president and two lay members. If hon. members were to look up the proceedings of the court, and if they had had experience in arbitration court work, they would find that after the case has been submitted to the court, two of the parties who have to consider the case are supposed to be neutral, in accordance with their oaths.

Hon. A. Lovekin: They are, in a sense, partisans.

Hon. E. H. HARRIS: They are appointed by partisans and are in the court as advocates for either side. The president has the power to decide any issue upon which the lay members of the court cannot agree. So the president is really an umpire. The appointment of a permanent president would make for continuity of policy, a thing that has been entirely lacking in the court. Several of our Supreme Court judges have been tried in the post, and I understand none of them is very fond of the work. The decisions given by a president of the court are not binding on his successor. Last year it was suggested that a layman be appointed president of the court. It was largely because of the names then handied about this Chamber as those of possible presidents that many members voted against the measure. To show the volume of work the court is called upon to perform I propose to quote a return I have obtained from the clerk of the court. Under the 1902 Act, over a period of ten years, 133 awards were issued. Under the 1912 Act, 100 awards were issued. So under the 1902 Act the average was 13 cases per annum, while under the 1912 Act it was eight cases per annum. The industrial agreements executed under the 1902 Act were 130, or an average of 13. Under the 1912 Act 331 agreements were fixed up, or an average of 28 per annum. The 1912 Act has been in operation for 12 years, during which period we have had but 17 compulsory conferences, only four of which have been effective. I agree with the proposal in the Bill to give greater powers to those adjudicating compulsory conferences. It is highly desirable, for it has been shown that the court has very little power in this respect. To hear Mr. Lovekin quote the work of the court, one would think that it was overwhelming. The work the court has done for the past ten years has averaged eight award cases per annum.

Hon. J. Nicholson: Only eight per annum!

Hon. E. H. HARRIS: Yes.

Hon. J. Ewing: And what cases are hung up?

Hon. E. H. HARRIS: I will quote those to you presently. The court has been sitting fairly regularly of late, and has practically got up its back work. If we had a president and one or two deputies the court would find it easy to keep abreast of its work; and with the establishment of a basic wage, 25 per cent. of the work of the court would disappear. Mr. Drew made reference to the responsibility of the court, and suggested that there should be more than one court. I do not hold that view. A judge sitting in the criminal court has power, on the verdict of a jury, to condemn a prisoner to death. In my opinion the responsibility of the president of the Arbitration Court is no greater than that of the judge sitting in the criminal court. It has been suggested that the president should be appointed for seven years. On the other hand some hold that his should be a life appointment. It must be remembered that the work of of the Arbitration Court is ever-changing. When a man reaches 50 or 60 years of age he has matured ideas on many subjects and finds it difficult to modify them. So in my view, having regard to the ever-changing conditions in arbitration work, it is not desirable that the president should be appointed for life. The president ought to be appointed for a period of from seven years to ten years, while the appointment of the deputy should extend over five years. Under that system, if the president did not seek reappointment, the deputy or deputies would be men of experience in the work of the court, and they would not both be retired at the same time. With the president given continuity of office, we should get continuity of policy in the court. Except in enforcement cases or similarly small issues it will be found that lay members of the court invariably disagree. When the award is delivered they will make a few observations, in which the one will agree and the other disagree with

His Honour, indicating that the court is never unanimous, except on matters of relatively little importance. The deputy could attend to the issuing of common rules, the amendment of awards, and to most of the enforcement cases. It has been suggested that magistrates should take some of the work. I should be inclined to support the suggestion of handing some of the work to magistrates in remote centres, but it would have to be work that was not of vital importance. Almost invariably it will be found that enforcement cases depend largely on interpretation, a matter that should be left to the court to decide. In such cases the deputy should sit in conjunction with the president. The court has in hand at the present time nine industrial disputes awaiting a hearing, 15 enforcement cases, four interpretation cases, four applications for common rules, and three to amend awards. This information I obtained on the 14th instant. It shows that when the president of the court is not sitting on legal work in other courts the Arbitration Court can easily cope with its work. At present there are no boards to assist the court. I suggest that when the basic wage is to be fixed the employers and the employees should be represented. Once the basic wage is fixed, the work of the court will be largely confined to fixing margins of skill, and so will be materially reduced. It is suggested that further powers be given when compulsory conferences are called. I have attended a few compulsory conferences and, knowing the position, I am in favour of that suggestion. Regarding conciliation committees, a glance at what happened in the court under the 1902 Act will disprove any belief in the efficacy of the conciliation sections in that Act. During the whole ten years only 25 cases were heard. Of these, 13 were effective and 12 proved abortive. These conciliation clauses were put in at the instigation of the Labour Party in 1902. When the Labour Party were in power and introduced the 1912 Act, they deleted these clauses because they knew they had proved of no use. I shall oppose any conciliation boards, because it has been proved by experience that they are not effective. I fail to see that there is any justification for reinstating them. Members may see the wisdom of not having more than one man to preside over the court. A great deal of evidence, extending over many days, may be taken over a case dealing with the basic wage, and there will doubtless be a great deal of repetition in the hearing of that evidence. If a permanent president were appointed, he would know what evidence had been given from time to time, and would be au fait with all that had been said and done. This does not apply in the case when the changes on the bench are frequent. The mining industry supplies a striking example of inconsistency of decisions as given by presidents of the court. In the last three determinations concerning that industry, each of the three judges differed. Nothing creates greater dissatisfaction than inconsistency in awards. In 1920 Mr. Justice Burnside delivered an award in the Kalgoorlie gold-mining industry making the rate of pay 16s. a day. The minutes were adversely criticised, the employers claiming there was no justification for the increase of 3s. 6d. a day. When discussing the minutes of the award the representative of the employers made caustic remarks concerning what the court had done. Mr. Justice Burnside quoted the method by which the test could be made, but did not say how he had calculated the 16s. He said if the figures were intelligently applied they would find that such and such a result would be given. Eighteen months later Mr. Justice Draper delivered an award in which he reduced the wages by 1s. per day. Sixteen months later Mr. Justice Northmore delivered an award reducing the wages another 1s. 6d. This award was adversely criticised by the industrial organisations. When replying to the unions' complaint, the judge said—

> We see therefore that whether we have regard to awards of the court or to agreements between the parties, the result is that from the year 1902 onwards until the year 1917 the basic wage in the mining industry at Kalgoorlie included no such allowance as is claimed by the respondents. It is, therefore, clearly a mistake to say that in refusing to recognise the claim for such an allowance we are departing from an established custom or the settled practice of the court.

In effect the judge said that a former president had made a mistake. Mr. Somerville, acting on behalf of the workers denied that, and said—

> The court deemed it proper to take the same base for the miner, that is 13s. 4d., plus 1s. 6d., for seven days, equalling 1s. 9d. per shift. On the evidence it had heard it deemed it proper to add 11d. for special disabilities attached to mining. That makes a total of 16s. This was a perfectly sound and well reasoned award. It is, in my opinion, simply presumption for anyone to suggest that it was arrived at in error, or, without knowing the evidence upon which it was based, to say it was not warranted by that evidence. In 1902 the court with Mr. Justice Draper as president, heard another mining case. It was found that the change in the index figure of 1920 indicated a reduction approximately of 1s. a day. The wage was so reduced, thereby endorsing the 1920 wage. In this award my colleagues have sought out a basis of their own.

Mr. Justice Northmore said that a mistake had occurred, but one of his colleagues, Mr. Somerville, said it was presumption on the judge's part to say that this was so. Since

that date Mr. Justice Burnside has again been appointed to the Arbitration Court. As late as the 26th August of this year, in dealing with the Amalgamated Society of Engineers, the judge suggested that when delivering his award of 1920 in the gold-mining industry he had made a mistake, and that when discussing the figures he had not quite understood them. He said—

> I have been assured by people who understand facts and figures better than I do that I made a mistake in applying the figures. If that be the inconsistency it is due to my mistake. Do not blame the court for what I do. It is hard to make them responsible for what I do.

I know there is no system devised by human ingenuity that can give all-round satisfaction, but nothing creates greater dissatisfaction than to have different presidents of the court. It is provided that a court need not be bound by the decision of the former court, and this, too, gives rise to a lot of dissatisfaction. The court now compromises by giving an advance of 8d. a day, adopting the method of the sharebroker when he splits the difference. The workers on the fields claim to be entitled to another 1s. 6d. a day. Although some time ago the court made a mistake to the tune of 1s. or 2s. a day, it now says, "We will split the difference" and gives 13s. 6d., plus 8d., equalling 14s. 2d., as the base. There is no system yet introduced by the court under which anyone can intelligently follow the figures used by the court in deciding the basic wage. If it were left to the court to determine the basic wage, it would do away with a lot of the feeling that exists to-day, and very materially assist the court. The proper yardstick is, what will £1 purchase? In 1908, £1 would buy 20s. worth of goods; in 1920, 30s. was required for every £1. Since then, although money has declined in purchasing power, wages have not advanced proportionately. A permanent president would be able to indicate the lines on which he was working. For the information of members I will quote the number of strikes that have occurred since 1912. There have been no fewer than 193 disputes, the people directly affected numbering 31,164, and indirectly affected 30,574, making a total of 61,738. The total number of working days lost was 1,138,071, and the estimated loss in wages was £711,158. These figures are taken from the Commonwealth Bureau of Census and Statistics of Western Australia, and members can work them out for themselves. The Bill empowers the Minister to deal with unregistered bodies about to cause or causing a cessation of work. It is an impudent suggestion to put into a Bill that provides for compulsory arbitration for industrial unions. Why should any unregistered body be able to threaten to hold up an industry and then the Minister, by the provisions of this Bill, order that an industrial registered union covering that class of work shall be made a party to the dispute. That is manifestly unfair to the registered body which is abiding by the award of the court, and yet we find that an unregistered body can threaten to create a dispute and embroil another organisation that has nothing to do with it. The registered body will be subject to all the penalties, while the unregistered body will escape.

Hon. J. Ewing: That is in the Bill.

Hon. E. H. HARRIS: Yes. The Colonial Secretary said in effect that registered unions would surrender the right to strike and bind themselves to abide by the decisions of the court. They bind themselves, but do not always obey. Few instances are on record where the penal clauses have been put into operation against unionists who did not abide by an award. It is generally understood that when we speak of preference to unionists it is preference to unionism, but the amendment that is put up entitles the court to give preference to anyone it likes. In looking up some of the records I find that preference clauses have been embodied in agreements. There is such a clause in the agreements made with the Wyndham Meat Works, the fire brigades, the firewood workers of Westonia and others. These are just casually selected. In an award of the court given at Kalgoorlie in connection with the restaurant employees, I find that preference was given to Europeans. It is not generally understood that the Act as it stands gives the court power to award preference. It may have been done with the consent of both parties. Nevertheless it is there and the addition that is suggested in the Bill quotes rather the words "preferential employment, dismissal or non-dismissal" and so forth, of the organisation. When introducing the measure the Minister did not point out that in copying the words of Section 4 of the Commonwealth Act the words "industrial union" were added. The words of the Commonwealth Act taken were "being or not being members of an organisation, association or body" and to those words were added "industrial union." The addition of those words gave an entirely different meaning. Preference to unionists has appealed to the workers as something that would help them along the way industrially. Under the Commonwealth Act I know one case in which preference was granted. It was the case of the Queensland tramway employees. The manager of the tramways there definitely said he would not have industrial workers who were members of a union. That is the only instance on record where the Federal court granted preference to unionists. Preference, I think, would

be desirable where you have a hostile employer, but I do not see why it should not cut both ways. The Bill provides that the employer shall give preference to a particular employee. Reverse the position. Why should not a member of a union be called upon to work for an employer who is a member of the Employers' Federation, although I do not know that the court has ever granted preference in that direction. If the clause as it stands is passed, the court will have power to authorise preference either way. The dictionary meaning of preference is "having prior claim or right." I do not know that a member of an industrial union should have a prior claim or right to employment as against the other man who may not join a union, not that he is opposed to industrial unionism but because the union engages in a lot of abstract matters that are apart from industrialism. There could be quoted quite a number of instances of unionists who have objected to join particular industrial societies for the reason I have just given. We might cite as an illustration the Tally Clerks' Union at Fremantle. That is an industrial organisation which, among others, might claim preference for its members. I understand that organisation ballots for its members and does not close its books against anyone else being enrolled, but members in the association have preference for work, in fact, ballot for work. They decide amongst themselves that they will not enrol further members, and the employers are not allowed to engage anyone outside the organisation.

Hon. J. Ewing: Is that really the position?

Hon. E. H. HARRIS: If it is not we can rely upon Mr. Gray telling us what the position is. Perhaps later on I may be able to quote one or two other organisations that do the same thing. In 1919 we had a controversy on the goldfields regarding preference to unionists. There was a round-up by the A.W.U. and it was found that 20 odd men had refused to join the union. It was decided that the unionists would not work with these men. The war was in progress, and it was also at a time when the Fremantle workers and others in the Eastern States refused to load certain ships that were carrying food supplies to the troops. A strike ensued, and as a result of that a levy of 2s. was struck and a sum of £600 was sent to the unionists on strike in the Eastern States. The men who left the union in Kalgoorlie formed a new union and secured registration. Notwithstanding that registration, we had the spectacle advertised in the Press that the so-called members of that organisation would not be permitted to work with other unionists, because it was claimed they were non-unionists in spite of the fact that they had a certificate of registration from the court. A strike ensued, in which the men on the Golden Mile lost £45 a head in wages. If preference is to be given to unionists, let us give it first to those who fought for the Empire. If we are to include domestics we might include those who also worked for the Empire.

Hon. E. H. Gray: What about the new generation?

Hon. E. H. HARRIS: I am speaking of both the old and the new generation. After our trouble in Kalgoorlie over that question, preference was granted to returned soldiers.

Hon. E. H. Gray: Rubbish!

Hon. E. H. HARRIS: It is not rubbish. I have the papers before me which show the resolutions that were carried. I will read a resolution that I moved at the conference on the 15th December, 1919.

Hon. T. Moore: Do you belong to the Returned Soldiers' League?

Hon. E. H. HARRIS: Mr. Cunningham, Mr. Munsie, and I, and a number of representatives of different societies, were there, and I moved a resolution with reference to giving preference to returned soldiers. The motion was debated for two or three hours and eventually it was turned down. Then there arose quite a lot of trouble.

Hon. T. Moore: That is your opinion.

Hon. E. H. HARRIS: I am quoting the opinion of the conference.

Hon. T. Moore: The conference turned it down.

Hon. E. H. HARRIS: We found up there that the majority did not want to secure preference by constitutional means. I desire to refer to the definition of worker. It is proposed that domestics should be included in the definition. I do not see why they should not have the same right to go to the Court of Arbitration and get an award. The difficulty will be in enforcing penalties on the housewife for a breach of an award.

Hon. G. W. Miles: Do you believe in domestics coming under the Bill?

Hon. E. H. HARRIS: I do not see why they should not do so just as the carpenter and the plumber are brought under it. I might quote a case where a hardship might be inflicted. Under the Machinery Act it is necessary for a man who is holding a second class or a locomotive certificate, and who is endeavouring to get a first class certificate, to serve under another man. If a man wants to get a winding engine-drivers's certificate, he has to work on a certain type of engine and in doing that work it may so happen that that class of engine is not in operation on the mine on which he is working. Therefore it is necessary for him to go on an adjoining mine in his own time and acquire the necessary knowledge there. The same thing may apply to a fireman who is endeavouring to get a certificate as an engine-driver. He will have to serve two hours a day under somebody esle. It is suggested, too, that the relief shall

not be limited to the claim. In small matters that may be all right, but the court may include in the award anything considered necessary to prevent further industrial disputes. If there are two industrial organisations operating within a limited area, all one would have to do would be to threaten to hang up the industry, and the Minister could order the case into court, and the court would have to decide which of the two should prevail. The organisations would have an equal right to be heard, and it seems as if the court would thus have very great powers conferred upon it. I am rather doubtful whether this provision will achieve the desired result. Regarding retrospective awards, it is certainly desirable, as Mr. Lovekin pointed out, that employers should know what their liability is. On the other hand, a job may extend over 18 months, and the men may be working under an award expiring in 12 months. When the new award came in, the court might order an increase of 3s. 6d. per day, and the contractor could not possibly allow for that. In such circumstances I take it the contracts would contain a proviso that if any alteration were made in wages, the man letting the contract would have to stand the difference. That would be the only way in which the parties could get satisfaction. Another clause provides that an award shall extend to and bind any person who employs a worker to exercise any vocation, the subject of such award. The Minister used the painter as an illustration. I do not know how this will work out in practice. The State is to be cut into industrial districts. Suppose there were three such districts, and an award was delivered in No. 1 for 12s. a day, and No. 3 for 14s. a day. Suppose a man was working in district No. 2, which rate would the employer be bound to pay?

Hon. G. W. Miles: The higher one, if course.

Hon. E. H. HARRIS: I do not know whether he would. It looks as if he could dodge both. Another amendment proposes to repeal the provision for the amending of awards. In the past an award has been delivered for three years with the right of amendment at the end of 12 months. The question has arisen whether an award can be amended more than once. Quite recently I had occasion to go to the court and ask to be heard on the question of amending an award. It had been amended once, and I submitted that it could not be amended again. The Act does not say that it can or cannot be amended more than once. It is proposed to repeal that provision, and it is provided that an organisation may get to the court at certain times, but though the maximum period for an award is three years, it does not state clearly whether an award may be amended more than once. Apparently it may be amended after the first 12 months and then it must stand for two years. It is also provided that where an application is made to the clerk of the court, registration shall be granted, and the first organisation to get to the registrar will be the one registered. If a new goldfield broke out to-morrow the first-comer could get registration and object to anyone else coming in. This would make for a monopoly, and there are many reasons why it is not convenient for a member of one organisation to join another organisation. In Committee I shall deal with this matter in detail. It is prescribed that where there is an organisation to which men can conveniently belong, another organisation shall not be registered, but if registration be refused there is the right of appeal to the president. It is not desirable that this provision should be made mandatory. The basic wage provision is most important. This is to be substituted for Part V. of the principal Act dealing with Government workers. In repealing this part of the Act we shall be inviting trouble for the Commissioner of Railways. The agreements made by the Commissioner of Railways for plumbers, carpenters, painters, etc., provide for a flat rate. The Commissioner is not bound by any of the awards covering workers in these industries generally. If we repeal Section 100, the Commissioner of Railways will then be subject to all the awards in existence. Take a painter getting 15s. per day in the Government service. An award may be issued granting 16s. per day for the metropolitan area. When a painter goes up the line he receives an away-from-home allowance, and beyond Merredin and on the Geraldton line he gets a district allowance in addition. If Section 100 be repealed the Commissioner of Railways will be subject to the different awards prevailing all the way up the line in addition to paying the away-from-home and district allowances. This is an important point that should be carefully investigated. If the Minister can be taken to court by a union exactly as any other employer, it would be competent for an organisation to get a common rule applied to the Commissioner of Railways. It would be competent for the Kurrawang railway employees to apply to the court to have the award of the Commissioner of Railways extended to the men working on that railway, or the Government railway employees might apply to have the award of the Midland Railway Company made a common rule against the Commissioner of Railways. If we leave it open as at present, the common rule clauses will apply and it is difficult to say where the trouble would end. Last session in another place Mr. Collier made out a very strong case for the appointment of a Royal Commission to inquire into and decide upon a basic wage. The Government of the day ignored the resolution. A lot of political capital was made of the fact that the late Govern-

ment did not carry out the instructions of the House. Mr. Collier, speaking at Boulder on 17th January last—after appealing to the prejudices of electors, who were smarting under the reduction of 1s. 6d. per day in their wages—said—

> We have no fear in saying that the recent mining award was an atrocious one, and if Labour got into power it would have a commission appointed to inquire into the basic wage and would not leave it to a judge.

Mr. Collier had no confidence in the Court. A Royal Commission on arbitration had been appointed by the late Government. It consisted of Mr. McCallum, Mr. Lovekin and the clerk of the Arbitration Court. The commission made a start, but was cancelled. The new Government came into power and have seen fit, not to appoint a commission, but to set out in this Bill power for the court to decide upon the basic wage; notwithstanding that Mr. Collier had said he would not permit the court to decide the matter. The Government have abandoned the principle enunciated by the Premier on the occasion referred to. The basic wage is a very important matter, and whether it is going to be fixed for districts or for the whole of the State will make a great difference in the work of the Arbitration Court. I wish to ask the Leader of the House how it is proposed to apply the basic wage? I observe that there is power to fix different rates to be paid in different defined areas of the State. Is it expected that the State will fix a wage for Western Australia, with district allowances for the various areas into which the State will be divided, two or more, or is it expected that the court shall visit each district, when defined, and there decide on the spot what shall be the basic wage for the district? The Bill suggested that both parties should be represented at the inquiry, which is quite right; but will the committee sit once to deal with the question, or, if the State is divided into ten districts, will the court deal with the question ten times? A matter which I should like to provide for, and as to which I shall move an amendment in Committee, is that the court shall state how the basic wage is arrived at. At present one never knows what line of reasoning or figures the court have taken as a guide to their decision. Another important point is that the Bill prescribes that if the court fix the basic wage and an award has been delivered not up to the standard of that basic wage, the award rates shall be raised to that level. No provision, however, is made for wages coming down if they are on a higher level than the basic wage. That would be only a fair quid pro quo. If there are two awards, one at 9s. and the other at 11s., and the court awards 10s., the Bill provides that the 9s. man shall go to 10s., but not that the 11s. man should come back to 10s. If the court fixes the basic wage, tradesmen will be awarded a margin for skill. Recently the Arbitration Court awarded an engineer on the goldfields for skill 1s. above the basic wage. Now, if there is an award of 9s. and a man rises 4s., there is a margin of only 3s. Each man beyond the basic wage should go up correspondingly with the extent of the margin. Otherwise it will be argued before the Arbitration Court that the margin for skill is only 3s., and not 4s. Conversely, if the men drop 1s., the margin under the award would of necessity have to come down. As regards the further interpretation of "worker" to provide for a wife, a family of three, and a dwelling house of five rooms, we are looking ahead when we provide for a basic wage including the cost of a five-roomed house. According to the "Statistical Abstract" for 30th June, 1924, the average number of rooms for a private dwelling house in the metropolitan area was 4.67, and in the provincial areas 4.51, and in the rural areas 3.71. The basic wage would apply in the farming centres just as in the metropolitan area, whilst the average number of rooms per house for the whole State is only 4.22. According to figures collected in 1911, 13 years ago, the average number was 3.67. It would thus appear that five-roomed houses do not exist in sufficient numbers for the purposes of the proposed basic wage. Mr. Lovekin's child endowment scheme will doubtless come in for some criticism. One good feature of it is that if a man decided to become a benedict after working for two years, he would have £133 6s. 8d. to collect, calculated on a basic wage of £4 per week. Mr. Lovekin provides that a man may claim for two years past. If the same principle applied to women, the couple who got married would receive £266 13s. 4d. to spend on the honeymoon trip. The Bill also suggests that the secretary or the president of a union shall be enabled to appoint as inspector anyone he pleases. According to the "Industrial Gazette," there are in Western Australia 35,789 unionists, and I would certainly say that under the Bill a union president or secretary would be justified in making every member of any union an inspector under the Act. Then we would have 35,789 inspectors getting around, in addition to the inspectors already functioning: and between them they should be fairly well able to look after their particular section of the workers. With regard to apprenticeship I have not completed my compilation of figures, and therefore I shall reserve my remarks on that phase for the Committee stage. The suggestion that awards should continue in force until new awards are issued is a good one. It has frequently happened that long delays occurred between awards, and that thus a great deal of dissatisfaction was created. Therefore, it would be far better to let employers and employed carry on under the old award pending the issue of a fresh award. As regards the

44-hour week, Mr. Drew said that the principle had been introduced. The hon. gentleman pointed out the election promises made by members of the present Government. The precedent was, I believe, established by this Government of altering awards given by the Arbitration Court. The court awarded certain Government workers 48 hours, and the Government reinstated the 44 hours to that section of their employees who had had those hours taken from them by the court. Looking through the "Industrial Gazette," I find the reason given is that the position created in regard to the 44-hour week represented merely the fulfilment of an election promise given by the present Government. As pointed out here on the Address-in-reply, the members of the former Opposition promised that if returned to power they would introduce the 44-hour week. But what they really did was to reward certain strikers, who were induced to go back to work before the election by the promise that Labour, if returned, would reinstate the 44 hours. If the Government had stood up to their promise made on the hustings, they would have granted the 44-hour week to every Government worker in Western Australia. However, they granted it only to 3,000 workers, and now they are asking Parliament to grant it to the remainder. I am aware that some members of this Chamber are extremely hostile to the 44-hour principle. A suggestion has been made that the Arbitration Court should decide the hours. In various instances the court has already granted 44 hours, and there have been some agreements specifying 46 hours. A suggestion has been put up that an amendment should be moved substituting 48 hours for 44 hours in the Bill. I believe an amendment to that effect appears on the notice paper. The danger I see from such an amendment is that the 44 hours would apply to men working underground in mines. If ever there were conditions justifying a week of 44 hours, it is the conditions obtaining in the mining industry. Originally the 44-hour week was granted by the Federal Arbitration Court, and subsequently it was granted by the State court, to the mining industry; and it has never been questioned. The 44-hour week is practically an established and recognised thing in the mining industry. There are not many industries to which the 44-hour week applies through the medium of an award. I had hoped to have the figures on that aspect available this evening, but I shall produce them later. We can leave that to the court to decide as to what shall obtain. Let me quote Mr. Justice Powers in the case of the Federated Gas Employees Union versus the Metropolitan Gas Company, when, on 30th October, 1923, he said—

> The highest wages that could be paid by any country in the end were those that could be paid by its industries, whether the employer was a Capitalist, a Communist, a Socialist or a State Government.

Those are cogent remarks, having a bearing on the position before us to-day. When introdreing the Bill the Leader of the House quoted many figures concerning the 44-hour week, but he did not give statistics to justify that provision from the point of view that industries could pay the rate of wages necessary. I have details regarding the average hours worked in Western Australia as taken from the Labour Report, No. 14, of 1923. That document shows that the average hours worked in 1923 through the whole of the groups of industries was 46.61 per week. Throughout Australia the average was 46.70 hours per week. The Queensland average was 45.51 hours per week, but all the other States had averages exceeding that of Western Australia. The Bill provides that the 44-hour week can be extended over a period of 132 hours, or three weeks. I would like the Leader of the House when replying to give the House an illustration of how that will work out. If the 44 hours can be spread over three weeks of 132 hours, it would appear that the employers would be able to work the employees almost any hours they liked within the period of three weeks. At a recent conference on the goldfields it was suggested that instead of the miners working 44 hours a week, they should work 88 hours a fortnight. That was strenuously opposed. Yet I am rather afraid that under the Bill that system could be applied. If I am not correct in that supposition, I trust the Leader of the House will give us some information on the point. I notice that in the "Industrial Gazette," which is controlled by the Minister for Works, he stated in a report published in the April number—

> In continuous process and shift employment there is some difficulty in applying the principle, but I hope to overcome that in time and to gradually extend the application of the principle to other workers.

I cannot satisfy myself as to whether the Bill will help in the circumstances. It appears to me that the employer will be able to work the men more than the specified hours within a week without apparently having to pay overtime. Another clause to which I desire to draw attention appears to be the most important in the Bill. I refer to the proposed amendment of Section 6 of the Act. It is suggested that it should be amended in order to make provision for one big composite union. Efforts have been made from time to time by the A.W.U. to secure registration. I do not think the majority of industrialists or employers understand the importance attaching to that amendment. Mr. Lovekin had something to say about the matter and indicated in his remarks that not less than 50 employers could be registered. If the Bill be agreed to, two employers in Western Australia can be registered and that

will cover all the employers who require to be registered in Western Australia. Moreover, 15 men can form a union of a composite description and there will be no chance of any other organisation securing registration. I will quote the constitution of the Australian Workers' Union to show what their objects are. One of the objects is to establish one big union for Australasian workers. Another is to advocate and fight for a 6-hour day and five days of six hours each to constitute a week's work. Their membership clause contains the following:

> All bona fide workers engaged in any of the following industries or callings: pastoral, agricultural, horticultural, viticultural, dairying, fruit growing, sugar growing, cane cutting, milling and refining, rabbit trapping, timber and saw milling industry, meat preserving and meat trade generally, road making, water and sewerage, railway construction work, metalliferous mining, smelting, reducing and refining of ores, stone quarrying, land surveying, fish cleaning, net making and general labour in connection with fish trawling, manufacture of copper bars, rods and wire, the construction, maintenance and conduct of the Commonwealth railways and all kinds of general labour, and all persons appointed officers of the unions shall, upon payment of the prescribed contributions and dues, be entitled to become and continue to be members of the union.

That is fairly embracing in its application. To make the position quite clear as to what is meant by "agriculture," the definition clause contains the following:—

> "Agriculture" shall mean all work usually carried on in connection with a farm, and shall be deemed to include market gardening, threshing grain, chaff cutting, corn crushing, compressing hay, straw, and fodder stacking, loading and unloading grain, all work on a sugar plantation or farm or sugar mill or refinery.

The definition clause also defines "fruit growing," "viticulture," "dairying industry" and "timber and saw milling industry." Members will see that the rules cover almost every avocation or calling under the sun. When the Arbitration Act was framed, it was so constituted that a composite union embracing all avocations could not be registered, but that craft organisations could be registered by the court to control their own affairs. Most of the applications before the Arbitration Court from time to time have been those in which the judge has been called upon to decide whether organisations should be registered, and they arose from one union endeavouring to grab the membership of another. I have been in court on many occasions and noticed that it largely resolved itself into a matter of four or five organisations endeavouring between them to enrol members of other craft organisations so as to make one big organisation, which, under the Bill, could develop into one big union that would have a monopoly control over the unionists of Western Australia. I submit that that is not a desirable thing. If unregistered societies are to be considered or recognised, as proposed by the Bill, all we require to do is to set up the machinery of the Arbitration Court, register one union of employers and one union of workers and then immediately a dispute is threatened in any part of the State, those parties could be brought before the tribunal, they could be heard and the court could deliver an award. Everyone would be free from the penalty clauses because they would not be applied to unregistered societies. Sometimes such decisions would be acceptable. As to the provision regarding employers referred to by Mr. Lovekin, those employers would require to have 50 workers in their employ. The Act at present states—

> . . . . In the case of employers, of two or more persons who have in the aggregate throughout the six months next preceding the date of application for registration employed on the average, taken per month, not less than fifty workers . . . .

Hon. A. Lovekin: I made a mistake there. I meant 50 workers.

Hon. E. H. HARRIS: It is suggested that we are to have boards. Mr. Lovekin is perturbed because he thinks that such boards would secure trade secrets that would be divulged to other people. I submit that no trade secrets will be disclosed at all. The men will put their cards on the table and enable the parties to get from them what they desire. The man who is manufacturing something, however, is in a position to pass on any wage that may be decided upon and he does not care twopence about registering. Under the amended provisions the employers' organisation may be registered with two people and in those circumstances no trade secrets will be obtained.

Hon. A. Lovekin: At present the employer cannot get to the court.

Hon. E. H. HARRIS: Yes, he can.

Hon. A. Lovekin: Not unless he employs 50 workers. The employer can be taken to court, but the employer cannot take his employees there.

Hon. E. H. HARRIS: That is so, and that is why there are so few employers registered to-day. There are some 845 employers registered under the Act, but that represents the whole of the employers. Only some 36 or 37 employers' organisations are registered as such. If the Bill be passed in its present form, there will be one organisation of employers and one organisation for employees and we shall not require any

tribunal or registrar of a court for they will merely have to put the machinery in operation and deliver an award.

Hon. A. Burvill: Do you believe that that will be of benefit?

Hon. E. H. HARRIS: Certainly not. I have fought it for 15 years. It is proposed also to amend Section 97. That amendment will be of very great assistance to organisations that might happen to be registered. It provides that an industrial organisation cannot get to the court until it has carried a resolution by a majority of its members. It has been pointed out that the A.W.U.—the Colonial Secretary mentioned the shearers' section of that union—are unable to get to the court. I say that those people can register in sections. However, it does not suit them to do that. We have on the goldfields men in the timber industry who can be registered as a separate entity, but it does not suit them. If Section 6 of the parent Act be amended in the direction desired, that of one big union, a resolution could be carried and, as a result, the union could be brought before the court without the members having a knowledge of what had happened. That occurred to the federated engine-drivers only the other day, their business being decided in Melbourne. The executive decides to take a case to the court, and the first thing the rank-and-file members know of it is when they read the announcement in the newspaper. I am strongly opposed to the suggested amendment to Section 97 because it does not give the rank and file the consideration they are entitled to, but will leave it in the hands of a few to direct the whole of the affairs of the organisation. When in Committee I will endeavour to have a number of amendments inserted, but in the meantime I will support the second reading.

On motion by Hon. H. Seddon, debate adjourned.

House adjourned at 10.19 p.m.

Legislative Assembly,

Tuesday, 21st October, 1924.

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

QUESTION—EDUCATION, EXPENDITURE.

Mr. MILLINGTON asked the Honorary Minister (Hon. S. W. Munsie): 1, What is the amount of expenditure for the last financial year for (a) University education, (b) secondary education, (c) technical education? 2, What are the numbers of students who receive instruction at (a) the University, (b) secondary schools, (c) technical schools? 3, What is the per capita cost of buildings for (a) the University, (b) secondary and high schools, (c) technical schools? 4, What is the amount expended on permanent buildings for (a) secondary schools, (b) technical schools? 5, Do the Government favour the establishment and extension of technical schools to secondary schools in the metropolitan area?

The Hon. S. W. MUNSIE replied: 1, (a) £17,000; (b) £26,117 9s. 8d.; (c) £21,156 10s. 10d. 2, (a) 374; (b) 1,099; (c) 3,526. 3, (a) £32 19s. 6d. (students): (b) £13 13s. 3¼d. (students); (c) 5s. 8¼d. (students). 4, (a) £15,016 15s. 2d.; (b) £1,003 5s. 2d. 5, In the opinion of the Minister for Education, both forms of education are desirable. The department themselves make no differentiation between the importance of technical and secondary schools.

QUESTION—RURAL LABOUR CONDITIONS.

Migrants and I.A.B. Clients.

Mr. C. P. WANSBROUGH (for Mr. Griffiths) asked the Minister for Lands: 1, Is he correctly reported in the Press as having stated—"That the wages offering for general rural labour, 25s. per week and keep, were too low; that the repayment of the migrant's passage money at the rate of 10s. per week to the Commonwealth Government caused them to really become slaves for twelve months, and that this considerably affected the employment of our local single men"? 2, If so, is he aware that on the strength of this the New Settlers' League passed a resolution that wages should be 30s.