Australia will be a good place to get out of. I have no more to say except that I hope the measure will meet with an early death. It is similar to several others which have already been submitted by the Government, all drastic in character, and calculated to interfere with the progress of Western Australia. It is needless for me to say that it ought to be immediately consigned to the waste paper basket.

On motion by Mr. Monger debate adjourned.

House adjourned at 10.58 p.m.

Legislative Council,

Wednesday, 6th November, 1912.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Health Act, 1911—Burbanks Local Board of Health By-laws. 2, Bunbury Harbour Board—Amendments to Regulations Nos. 55, 96, and 97. 3, Shark Bay Pearl Shell Fishery Act, 1892—Additional Regulations.

HIGH SCHOOL ACT AMENDMENT BILL SELECT COMMITTEE.

Report presented.

Hon. A. SANDERSON (Metropolitan-Suburban) brought up the report of the select committee appointed to inquire into this Bill.

Report read and ordered to be printed.

ASSENT TO BILLS (5).

Message received notifying assent to the following Bills:—

1, Education Act Amendment.

2, Fremantle Reserves Surrender.

3, Public Service Act Amendment.

4, Agricultural Lands Purchase Act Amendment.

5, Bills of Sale Act Amendment.

BILL—INDUSTRIAL ARBITRATION.

As to recommittal.

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

That the report of the Committee be adopted.

Hon. M. L. MOSS moved an amendment—

That the Bill be recommitted for the purpose of further considering Clauses 4, 7, and 48.

It had been expected that the Minister would be prepared to treat this as a formal matter, but apparently the Minister was not so disposed, and sought to take advantage of the three or four votes which had been carried in a sparsely attended Committee on the casting vote of the Chairman. It was desirable that we should get a fair indication of the true opinion of the House upon the three important questions involved in the clauses named. Clause 4 was the one in respect to which Mr. Wilding had, yesterday, moved to exclude workers in the agricultural and pastoral industries, and domestic servants, from the operations of the Bill. Seeing that the voting had been eight on each side, and that the Chairman, in accordance with constitutional practice, had given his vote with a view to providing for further consideration, it was desirable that we should have the opportunity of casting another vote upon this question. Under Clause 7 he (Mr. Moss) had sought to insert some new clauses dealing with the political objects of industrial organisations, and as he felt strongly that we should endeavour, if possible, to separate political action from industrial action, with a view to securing industrial peace, he conceived it to be his duty to try once more to have those pro-

posed clauses inserted in the Bill. Clause 48 dealt with related industries. In his opinion the Committee had not yet had a fair opportunity of expressing an opinion on this question. First of all there had been a vote taken which might be regarded as a kind of side-tracking, a vote taken on the interpretation clause.

The PRESIDENT: It was his duty to call the hon. member's attention to Standing Order 392, which stated—

> No member shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.

Hon. M. L. MOSS: Did the President consider that he was in any way reflecting on the vote of the Council?

The PRESIDENT: In his opinion it would be better to leave the votes of yesterday out of his remarks.

Hon. M. L. MOSS: Either he was reflecting on the vote or he was not. He did not consider he was doing so. He said a vote was taken, properly taken of course, of members then in attendance.

Hon. J. Cornell: Because it did not go your way, your are not satisfied.

Hon. M. L. MOSS: All he was doing was using the ordinary constitutional means to get another expression of opinion. He did not cast any aspersion on anyone in the House or upon the House. In view of the numbers on the previous day the vote was not satisfactory. If he could not be permitted to go to the extent of saying that, he did not know where there was any liberty of speech at all. When reference was made to reflecting on a vote it implied some improper imputation, but that was the last thing he wanted to do. He repeated that the vote on the previous day was absolutely fair. If he had been in the position of Honorary Minister he would have done exactly the same thing. The Minister had the numbers and had only exercised his rights and privileges. Regarding that he made no complaint. Other members were more deeply interested in the question. They were more interested than he was, because he was interested in it from the point of view of what he considered was the impracticable character of this class of legislation as applied to the agricultural industry. It affected the agriculturist to a very serious extent and by affecting one of the great primary industries it would affect every industry throughout the State more or less. If possible he wished to get another expression of opinion. However, this was not the time to make a long speech.

The PRESIDENT: With that he agreed.

Hon. M. L. MOSS: He was, he submitted, quite in order, but he was willing to speak when members could probably better discuss the matters—in Committee. His remarks were quite necessary in view of the fact that the Minister was not treating this motion as formal and his desire was simply to let members understand what these three things were before they voted.

Hon. H. P. COLEBATCH seconded the amendment.

Hon. J. E. DODD (Honorary Minister): It was impossible to understand the attitude adopted by members in connection with this Bill. The Bill had had a good and thorough discussion. Every opportunity possible had been given to members to discuss it in every shape and form and in every detail and every line and he doubted whether there was a solitary clause upon which members had not spoken. Every possible care had been taken by the Government to allow full and free discussion on the measure. The issues at stake were big ones. The Bill had already been recommitted once and now another recommittal was asked for to deal with three of the principal clauses. What did that mean? One matter referred to — agricultural labourers — had been fought out as recently as the previous evening for the last time. It had been fought out twice before that when the Bill was before the House, in addition to the arguments which were used on the second reading debate. Now Mr. Moss desired to bring about another discussion in order that the full sense of the House might be obtained. What was the full sense of the House that day? He did not think there was more than one additional member present on the previous

day's attendance, and the Bill was to be delayed in order to suit the convenience of some members irrespective of the convenience of other members. It was quite possible there might be members in favour of these clauses who might not be present next week and the Bill was to be delayed to allow members supporting the deletion of these clauses to be present. Mr. Moss had referred also to the clause dealing with political action. That was another matter upon which a very keen and all-sitting discussion took place. Then again the question of grouped unions had been considered. On that question and the question of related industries there had been no fewer than three discussions. Unfortunately Mr. Moss was absent during the discussion on related industries, but he was present at the time of the discussion in reference to grouped industries, and also the matter of composite unions which related almost precisely to the same thing. The recommittal should be opposed by every member who had any desire whatever for fair play. He did not think the Government were getting a fair deal in connection with the Bill. He had pointed out what the issues were. He had pointed out that we were fairly close to the end of the session. Regarding the Clause 4 the matter was thoroughly debated and fought out during last session of Parliament and another place would not agree to the amendment, and the provision was already law and had been law for ten or twelve years and no harm had been done. If agricultural labourers could not take their cases to this court, they could go to the Federal court, and despite this members were asked to waste time in order to again discuss the matter. The course adopted by Mr. Moss was one not calculated to facilitate the business of the House. He hoped the recommittal would not be granted.

Hon. J. F. CULLEN: It was his hope that the Minister would not persist in his objection. The House was very thin on Thursday and it was definitely understood then that the question would probably be reopened to-day so that no advantage had been taken of any member who was present on that occasion.

Hon. J. E. Dodd (Honorary Minister): That is not right. It was definitely understood the Bill would be recommitted yesterday.

Hon. J. F. CULLEN: The debate he understood took place yesterday. It was definitely understood the matter would be reopened at the next sitting of the House, so there would be no disadvantage to anybody who had voted on the previous day. He hoped the Minister would not oppose fair and free consideration of this important matter. There had been no disposition to delay the Bill; no long speeches had been made; every member had been brevity itself, and he certainly thought it was very unwise of the Minister to try to prevent an expression of the views of the House. He supported the recommittal.

Hon. W. KINGSMILL: There was one aspect of the case which perhaps the Minister had not considered. During the time this Bill was being debated in Committee on Tuesday there were five divisions. In three of those five divisions the voting was equal, and the task devolved upon him of giving a casting vote. The Chairman had to be actuated by certain rules in giving a casting vote, and in this case in a thin House he most certainly deemed it necessary to give his casting vote in favour of leaving things as they were.

Hon. J. E. Dodd (Honorary Minister): In connection with the only matter in which you gave your casting vote and which will be reopened you expressed your opinion in favour of it.

Hon. W. KINGSMILL: The Minister was not quite right. He presumed the same amendments would be moved to-day as on the previous day. One of those amendments he favoured: the other he was decidedly against.

Hon. J. E. Dodd (Honorary Minister): It does not refer to these amendments, only to one.

Hon. W. KINGSMILL: Two amendments were moved to Clause 4, on Tuesday, and on those two amendments the voting was equal. On one of those amendments he gave his casting vote as he would have voted, if he had been voting according to conscience. On the other amendment

he had voted to leave things as they were, most distinctly against his own political ideas. He had done so because he was voting in a House of 16. Had he been giving his casting vote in a House of 26 he would most certainly have deemed it necessary and advisable to have voted according to conscience.

Hon. J. E. Dodd (Honorary Minister): The hon. member is not raising that point.

Hon. W. KINGSMILL: But he was. He was explaining the reasons why he thought it necessary to support the motion for recommittal. He did not feel that his position as Chairman entitled him to legislate for Western Australia, and he would not be forced into that position if he could possibly help it. He had given his casting vote in favour of leaving things as they were, in the hope that a fuller attendance that day would elicit a more distinct and decided expression of opinion from the Chamber, and in that he thought he had been justified. When speaking on this question on Tuesday evening he had promised to support any motion for recommittal because it was obvious that a vote carried on the casting vote of the Chairman or President was not to be taken as a final vote of the Chamber. He had therefore much pleasure in supporting the motion for recommittal.

Hon. H. P. COLEBATCH: The Minister should be reminded that yesterday when it was proposed that the report of the Committee should be considered this afternoon, Mr. Moss had moved that it should be deferred until Tuesday next, and subsequently after an explanation from the Minister Mr. Moss had withdrawn his amendment and it was fully understood that the intention was that the recommittal which Mr. Moss obviously wanted when he moved the adjournment until Tuesday should be taken to-day instead of delaying the matter until Tuesday next.

Hon. J. W. Kirwan: Certainly not.

Hon. M. L. Moss: Certainly it was so.

Hon. J. CORNELL: The proposal to recommit the Bill would have his opposition. When he entered the Chamber he was of the opinion that he attended to serve the people and not to assist in conducting the Chamber to suit members who could not attend. It was a very thin thread on which the arguments were being hung in favour of the recommittal. One of the arguments was that there was a thin House on the previous day. No stress had been laid on the fact that the House had originally agreed to the clauses. That was the reason why he was opposing the recommittal. It must be obvious to other members that sufficient time was given for the discussion of various clauses. Though there was an understanding that the Bill would be recommitted on Tuesday, as far as his knowledge went, there was no understanding that the Bill would be recommitted for the purpose of re-considering this clause on which the House had already been divided. His impression was that the Bill would be recommitted simply for the purpose of rectifying any mistakes which might have appeared. Members who were defeated on Tuesday were now desirous of having the Bill recommitted for the purpose of altering an expression of opinion which was emphasised by the House. There was one thing he admired in Mr. Moss and that was his perseverance in endeavouring to retard the business of the Chamber. Other members had supported him, and to again recommit the Bill after two months' consideration of it, would be a reflection on the intelligence of members. Mr. Kingsmill had said his casting vote on the previous day was given on a point of procedure to a certain extent, and had there been a larger House it would have been given in the opposite direction. Where did the logic of that come in? Mr. Kingsmill would consider procedure in a small House but not in a large House.

Hon. W. KINGSMILL: On a matter of personal explanation, he would point out to the hon. member that if he considered for a moment he would see the logic of the procedure. In a small House there was a possibility of getting a more definite and more decisive opinion on any question; in a fairly well filled House, on the other hand, the probability was that no fuller expression of opinion could

take place. That must be fairly obvious, and the hon. member must admit that it was an eminently fair position for anyone to take up. There was a far greater chance in a thin House of getting a better expression of opinion, which chance did not exist if the House was better filled.

Hon. J. CORNELL: Clause 4 was originally agreed to and 23 members voted on the division. It was recommitted yesterday, when 16 members voted; if it was re-committed to-day, for the purpose of giving an opportunity to members who were not present yesterday to vote, there would not be the chance of getting the same number of members to vote on the re-committal as originally voted when the clause was first put to the Committee. That was the position. If hon. members were desirous of making it convenient to-day for members who were not present yesterday to vote, they should have a certain amount of respect for those who were present when the clause was originally put, and the expression of opinion which was the result of the first vote should be abided by. What object would be attained by the recommittal of the Bill? If Mr. Moss had drawn the attention of the Minister yesterday to the state of the House, and to the fact that it was a very thin House, and that it was not desirous that a division should then be taken——

Hon. J. D. Connolly: That was mentioned.

Hon. J. CORNELL: Some consideration might perhaps have been shown the hon. member, but we found that after the hon. member had been twice defeated he drew attention to the thinness of the House. What for? Because he did not get his way. It was not often in this Chamber that the hon. member did not get his way, and that might be further substantiated by saying that when he did not get his way, he resorted very often to childish tactics. Mr. Moss posed last night as a special pleader, and he pleaded in a manner that he (Mr. Cornell) had not seen him adopt before, and if the hon. member thought that he was going to influence him by such acts he was a long way beside the mark.

Hon. W. Kingsmill: He does not think that.

Hon. J. CORNELL: Mr. Moss would be given the benefit of the doubt. Perhaps some day the hon. member might win his (Mr. Cornell's) vote, but it would not be by pleading. The hon. member was posing under a new light to-day. The point had been raised that this was the last opportunity this Chamber would have to frame amendments to the Bill; he admitted that members had had many opportunities of applying the pruning knife. It was an old saying that when we started about any reformation it was no good applying the axe at the top of the tree; it was better to start at the root, and then you would kill it. If hon. members had started this way at the beginning, he would have had no objection. He would have fought them on the principle of arbitration, but the hon. member started at the top and cut down branch by branch until he came to the root; then he resorted to the subterfuge that because of a thin House the Bill ought to be recommitted once more.

Hon. W. Kingsmill: You know that trees are improved by lopping.

Hon. J. CORNELL: Trees were dwarfed by lopping, and he would like to see the lopping process applied to some hon. members, so that they might be dwarfed. He would point out to hon. members that this Bill would assuredly come back to us. This House had already done too much to it, and when it came back he felt confident that this House, if it was consistent, would stick up for what it had already done. He asked hon. members when they were voting on the question and when they were considering that yesterday there was a thin House, to take into consideration that this clause after a very long debate had been agreed to by a House which was numerically much stronger than it was to-day.

Hon. J. W. KIRWAN: There had always been an endeavour on his part to have regard for the ruling of the President, and for his wishes. The President had expresed the desire that there should not be much debate upon this question. With all due respect to what the Presi-

dent had said, he hoped he would be excused for saying that there was no subject that had arisen to date in this Chamber on which he thought there ought to be more discussion, and in regard to which there ought to be more publicity given than to the question that had arisen as the result of the amendment proposed by Mr. Moss. It would be well, in the interests of the country generally, that there should be a full knowledge throughout all classes of society in Western Australia of the conduct of certain members concerning the progress of the Arbitration Bill through this House. He would remind hon. members of what had happened in connection with the Arbitration Bill. The Arbitration Bill was introduced into the Legislative Council on the 10th September—that was very nearly two months ago. The Government, realising the necessity to put this Bill through as speedily as possible, had done their very utmost to find a place for it on the statute book. There was no need to dwell upon the reasons why the Government desired this haste. One hon. member, in speaking yesterday, said that there was no certainty that the Bill would mean industrial peace. That might be quite correct, but the position was so serious that if the Bill afforded the slightest chance of averting a very serious industrial crisis in the State, if the least opportunity was afforded by the Bill it should be availed of. He claimed it would go a considerable way towards bringing about industrial peace, if it was passed in time, but even if it were only a chance that that were so, it was to the interests of members of both Houses of Parliament to do their very utmost to push the Bill through and see that it was put on the statute book as soon as possible. What had been the position of the Government in this matter? They brought in the Bill on the 10th September. He had been a member of the Legislative Council for many years, but he had never known a Bill discussed at such great length as this; he had never known a Bill where each and every clause had been examined so carefully. He did not object to that, but what did the Government endeavour to do? The leader of the House, realising the situation, appealed to hon. members to meet at 3.30 o'clock instead of at 4.30, in the afternoon; that would have meant a difference of three hours a week to the work in the Chamber; but members, who seemed to be so copious with their criticisms of the measure, would not meet the Government, even to that extent, and they would not allow those who were desirous of coming here at three o'clock——

Hon. M. L. Moss: On a point of order, was the hon. member in order in referring to the hours of the sitting of the House on this question?

The PRESIDENT: The hon. member was in order; he was speaking pertinently to the question.

Hon. J. W. KIRWAN: The purpose of his reference to the question of the hours at which the House should meet, as the President had evidently foreseen, was to use it as an argument to show that the hon. member who was pleading for delay and the recommittal of the Bill, when he had the opportunity of devoting more time to the discussion of the measure, and putting it through in the interests not of one industry, the mining industry, but in the interests of every industry of this State, declined to do so. The mining industry affected each and every other industry and each and every part of this State, and he was using that to illustrate the desire of the Government to get the Bill through. Now we found Mr. Moss coming forward with this latest proposal and what were the arguments that were used? Yesterday in a thin House, and the same argument was used in one of those very interesting lectures which Mr. Kingsmill occasionally administered to members, not from the chair but from the floor of the House—in one of those interesting lectures, Mr. Kingsmill referred to divisions that had taken place where he had had to use his casting vote. Divisions had taken place previously on exactly the same question in a poor House, and the Government won. He could tell the hon. member the reason why the Government did not win by two votes yesterday; it was owing to a pure accident—through Mr. O'Brien and him-

self, who had consistently supported the Government on the Arbitration Bill, being accidentally delayed, and not being able to arrive in time to participate in those divisions. That was the reason why those divisions were equal. Had those divisions been taken a few minutes later, the Government would have won by two votes. On both those questions the divisions were the second that had been taken and on both occasions the Government had won. Now Mr. Moss came forward and said that we should have a further discussion on the question and another division. That only meant a further delay. He trusted the other side would call for a division, because there had been a good deal of doubt as to the object of certain hon. members throughout the discussion in Committee. It was desirable that some of those members should come into the open, and that it should be known who were the members who were desirous of delay, and who were anxious to do all that was possible to make the Bill provide for the very serious troubles that were looming in the distance. He hoped the division would be scanned with a good deal of interest, and that it would also be considered in relation to the amendments which had been already passed and were going to another place. The division would be a revelation to the country, for it would show what members were desirous of pushing on with the Bill and what members were anxious to delay it.

Hon. Sir E. H. WITTENOOM: Half an hour had been wasted in talking the matter over. The motion had been submitted by Mr. Moss, and the sense of the House, yes or no, should be taken. If it was considered wise to recommit the clause, the House could get to work immediately. It was of no use talking.

Hon. J. E. Dodd: It is just as well to let the country know something about it.

Hon. Sir E. H. WITTENOOM: The country knew all about it. If we were going to recommit the clause, let it be done at once. All the conversations, all the magnificent eloquence of Mr. Kirwan and Mr. Cornell, and even Mr. Moss, would not alter a single vote.

Hon. J. D. CONNOLLY: The discussion on the motion was an unnecessary waste of time, but he agreed with the hon. member who had interjected that the country should know the true state of affairs. Mr. Kirwan had certainly not stated the real facts. The hon. member had complained of delay in connection with the measure, but no member of the House had delayed it more than the hon member, who talked in the one strain, and reiterated his remarks on every occasion. The hon. member would persist in making mis-statements. Referring to the impending trouble on the goldfields, the hon. member had repeated again and again that it was a question of shoving this Bill through at the earliest opportunity in order to avert that threatened disaster. He defied contradiction when he said that the present Arbitration Act contained all the machinery to enable the miners to go to the court, just as well as the Bill would if it became an Act to-morrow. The very amendment for which it was sought to recommit the Bill did not affect the miners at all. In the name of common sense, what had the inclusion of domestic servants and agricultural labourers to do with the impending miners' trouble? He had stated yesterday that the miners on the goldfields were not willing to go to the Arbitration Court, presided over by a judge of the Supreme Court exactly as this Bill provided, and the Honorary Minister in replying had been fair enough to admit that, and to further concede that, so far as the miners were concerned, the machinery of the Bill was practically the same as that of the existing Act. The mine-owners were prepared, if there was any difficulty in getting to the court, to waive any opposition in order to enable the dispute to be referred to the court at once. Could more be done? The miners could go to the court to-morrow, and the Honorary Minister had been fair enough to admit that they had not shown the willingness to go to the court that they might, and had further added that we had no guarantee that they would do so even if this Bill was passed. We simply wished to place that on record, in contra-

diction of the repeated statements made by Mr. Kirwan that industrial peace and war on the goldfields depended on the passing or rejection of this Bill. As a matter of fact, the Bill had no effect so far as concerned the trouble on the goldfields, which, to the hon. member, seemed like King Charles' head.

Hon. R. G. ARDAGH: It was to be regretted that so much time had been taken up, but in reply to Mr. Connolly, he wished to say that, if the measure introduced by the Government last session had been passed—Mr. Connolly was one of those partly responsible for its being dropped—the trouble with which we were now faced because the organisations would not go to the court, having lost faith in the present tribunal, would have been averted, and those organisations would have gone to the court long ago.

Hon. Sir E. H. Wittenoom: The employers had no consideration in that Bill.

Hon. R. G. ARDAGH: Certain hon. members were taking fine care that the employers received every consideration under this Bill. He desired the measure to go to another place as quickly as possible, in order that the Assembly might decide whether it would accept the amendments made by the Council.

Hon. F. DAVIS: On a number of occasions when travelling to and from the House, he had been spoken to by people, who were deeply concerned, as to when the Bill was likely to be passed and given effect to. The reason given by the inquirers was that, until something definite was known, they were placed in a very peculiar position. The various unions, with which they were concerned, were extremely restless and dissatisfied with their position. They were unable to approach the court under the present Act, and were hopeful of getting better conditions under the Bill now before the House.

Hon. J. F. Cullen: Why were they unable to get to the court?

Hon. F. DAVIS: A number of unions had been ruled out of court.

Hon. J. F. Cullen: That was the fault of their managers, not the fault of the court.

Hon. F. DAVIS: The court had given a ruling which prevented certain unions approaching the court, and the Bill was designed to overcome some of the difficulties which had been raised. Those people were extremely anxious that the Bill should be given effect to as quickly as possible. That was the reason he would vote against any further delay being incurred by recommittal. On previous occasions, when there had been a fuller house than to-day, votes had been taken, and the Government had won; now an attempt was being made, in a smaller house, to reverse the decision of the majority, and that was contrary to all justice and fair play.

Hon. E. McLARTY: Like Mr. Colebatch, he had understood that, when Mr. Moss withdrew his proposal yesterday that the Bill should be recommitted next Tuesday, the Honorary Minister had agreed to it being recommitted to-day. Reference had been made to the attitude of hon. members in trying to delay the Bill, and make it a measure which would not be accepted in another place. So far as he was concerned, he would like to see passed a measure as fair to all parties as it was possible to make it. If he had been opposed to the Bill he would have voted against the second reading, but he desired to see a measure fair to employer and employee. So far as Mr. Wilding's amendment was concerned, he would support it. He did not regard it as a serious matter whether agricultural labourers were included or not, because he was sure that matter would work its own cure. If agricultural labourers were included, the result would be that if the farmer was harassed he would do without labour. For his own part, if agricultural labourers were included, and he found any difficulty with his men, he would certainly do without them, and turn his land to other account.

Hon. J. E. Dodd: The Bill does not make the slightest alteration.

The PRESIDENT: The question before the House is the recommittal of the Bill.

Hon. E. McLARTY: The motion for recommittal would receive his support,

and later he would express his opinion in regard to the clause.

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

Ayes	.. .. ..	11
Noes	.. .. ..	8
Majority for	..	3

AYES.

Hon. E. M. Clarke	Hon. E. McLarty
Hon. H. P. Colebatch	Hon. M. L. Moss
Hon. J. D. Connolly	Hon. T. H. Wilding
Hon. J. F. Cullen	Hon. Sir E. H. Wittenoom
Hon. V. Hamersley	Hon. C. McKenzie (*Teller*).
Hon. W. Kingsmill	

NOES.

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

Question thus passed, Bill recommitted.

Recommittal.

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

Clause 4—Interpretation:

Hon. M. L. MOSS moved an amendment—

That in the definition of "industrial dispute" the concluding words "or in any related industry" be struck out.

True, these words were consequential on Clause 48, but the principle might be debated now, and if he were defeated he would take it as an indication that members would vote against his amendment to Clause 48 also. He explained this to avoid confusion, because in Committee when this same amendment was previously brought forward Mr. Cullen had said that the issue should be voted on when it occurred in Clause 60, now Clause 48 of the reprinted Bill, and had consequently voted against the amendment. Unfortunately, on reaching Clause 60 he (Mr. Moss) had been absent through illness. To accommodate Mr. Cornell and Mr. Kirwan he did not propose to make any speech upon the amendment seeing an hour had already been wasted in getting into Committee. We ought to be out of Committee in a quarter of an hour.

Hon. J. E. DODD: The fact that he was in charge of the Bill made it necessary for him to speak upon the hon. member's amendment, but he did not desire to adopt the attitude taken up by Mr. Moss, a petulant attitude, of endeavouring by every means to bring about his own wishes. The proposal of the hon. member had been fully discussed and fought out on no less than three occasions in regard to grouping of industries, related industries and composite unions. The hon. member was quite aware that the amendment would not be accepted. It was one of the vital matters of the Bill and one of its bright spots. Had it been embodied in the existing law quite possibly many of the industrial troubles of the past would never have occurred. The matter had been argued so many times that it was not necessary to speak again, but it was as well to draw attention to the fact, for the purpose of record, that had a similar provision been in operation on the Eastern goldfields many of the troubles that had arisen, through small unions seeking to create industrial disputes and bring about paralysis of industry—because they could act on their own initiative and because the larger bodies had no control over them—would not have occurred. If the hon. member wished to be consistent the logical conclusion of his proposal meant separating truckers underground from truckers in dead ends, and truckers in drives from truckers at shoots, and miners from truckers and miners from bracemen. That was what the hon. member was trying to bring about by his amendment.

Hon. Sir E. H. Wittenoom: Take the case of the bricklayers and stonemasons and painters, why should they be related?

Hon. J. E. DODD: There was not one argument put forward to show why they should not if they desired it. Was it not better to have one dispute and to settle it than to have half a dozen disputes?

Hon. Sir E. H. Wittenoom: So long as you settle it the right way.

Hon. J. E. DODD: The hon. member feared that by the creation of big unions possibly better terms would be secured by the employees, but there was no possible

chance of the employees securing any better terms under this clause than there would be under the conditions now existing. On the other hand, it was infinitely better for the public and the State and for the members of the unions that there should be only one dispute instead of half a dozen disputes relating to the same matter. Irrespective of the words the hon. member wished to strike out there was no chance of preventing the creation of the bodies it was sought to bring about.

Hon. Sir E. H. Wittenoom: Then we need not bother about it.

Hon. J. E. DODD: But the point was the Government were trying to bring about a Bill that the public and the unions would accept, and the unions would not accept the Bill with these words struck out. The creation of large unions would bring about economic management—members were always condemning the waste of money by unions—and it would also bring about better means of settling industrial disputes. If members would only try to think the matter out from an unbiassed point of view, they would realise that what was said to be brought about by this clause was not unjustifiable.

Hon. J. F. CULLEN: The Minister seemed to forget the converse to his arguments. If by bringing stonemasons, bricklayers, plumbers, and painters together into one union it enabled them to share expenses and make one dispute, a little trouble with the bricklayers would bring in all the other trades related. Certainly a dispute with one would involve the rest, or the others would be called scabs and blacklegs. That was the converse to the Minister's argument, and it was much more serious than all the advantages that would be gained from relating the industries.

Hon. J. W. KIRWAN: There was a division on the 8th October in regard to this very amendment, and Mr. Cullen seemed to imply by his remarks now that he would support the amendment which on that occasion he voted against.

Hon. J. F. Cullen: I deliberately said then that I would not decide the issue until we came to Clause 60.

Hon. J. W. KIRWAN: It would have been more pertinent had the hon. member in his remarks explained fully why he previously voted against the proposal Mr. Moss was now making. It was not a very long time between the 8th October and now, and one would have thought the first thing the member would have done, if he was going to vote in favour of Mr. Moss's proposal, would be to indicate clearly why the change had taken place.

Hon. J. F. CULLEN: On the former occasion he did explain that he would let the interpretation clause go as a matter of form and deal with the principal when it came up in the operating clause. That amply covered his attitude to-day.

Hon. M. L. Moss: Did you not suggest that the interpretation clause should be postponed?

Hon. J. F. CULLEN: Yes, but when the Minister would not agree to that he decided to vote in the way which he did.

Hon. J. W. KIRWAN: The object he had was to draw the attention of members to the division which took place on the previous occasion. It was unusual for a member to vote as a matter of form in a division. The division on that occasion was nine votes for Mr. Moss's proposal and eleven votes against. Two members who voted with the Government on that occasion were not in the Chamber now. There were two members here, Mr. Cullen and Mr. McLarty, who voted in favour of the Government, as against Mr. Moss's proposal. He had thought it advisable to draw the attention of members to the division which had taken place on the 8th October to enable those members who showed inconsistency to explain, and to point out that two members who had voted with the Minister on a former occasion were away to-day, but only one member who voted with Mr. Moss was now away.

Hon. M. L. MOSS: Mr. Kirwan almost imputed that he (Mr. Moss) had made a careful examination of the Minutes of the proceedings of the Council.

Hon. J. W. Kirwan: Since speaking he noticed that Mr. Patrick, Mr. Som-

mers, and Mr. Lynn were not now present.

Hon. M. L. MOSS : No attempt had been made to consult the Minutes of the Council with the object of ascertaining the way in which members had voted on a previous occasion.

Hon. J. W. Kirwan : Is there any harm in doing that ?

Hon. M. L. MOSS : No, only the hon. member imputed an object, and that the desire to get to a division was obvious. The member was evidently alarmed about how the division was going. He (Mr. Moss) wanted to get a vote of members and he had not resorted to any subterfuge to get that vote. Mr. Kirwan might have been generous in accepting to the fullest extent the explanation of Mr. Cullen, but he had not done so. All this debate would not influence one vote in the Chamber. He desired to assist Mr. Kirwan and Mr. Cornell to get a division at once. He had only wanted to get a fair expression of opinion of members. It had been suggested by the Honorary Minister that there was a certain amount of bitterness in the matter.

Hon. B. C. O'Brien : You accused the Minister yesterday of getting snap votes.

Hon. M. L. MOSS : One knew exactly what he had accused the Minister of and if he had been in Mr. Dodd's position he probably would have done exactly what Mr. Dodd did. There was no bitterness over this matter. He was prepared to take a vote of members on the question. He thought the grouping of the industries was not in the best interests of the State. Mr. Dodd rose to make his speech knowing well that what he said would not affect one member in the House but he wanted to get something into *Hansard* so that it could be dished up on a proper occasion and used for certain purposes. He (Mr. Moss) would not have risen to speak only to justify his vote. The position was this : if the bricklayers had a dispute why unhinge the whole of the building trade? If the truckers had a dispute on the goldfields why bring out every other class of artisan employed in the mining industry. It was his desire that when a dispute took place that that dispute should be localised as much as possible. It would be more simple to settle a dispute if 20 or 30 men were brought out than if a whole industry was unhinged. It was obvious what those who would vote for Clause 48 desired. They desired to put difficulties in the way of a settlement of disputes, while he (Mr. Moss) wished to make the settlement as simple as possible. He desired to have one union, one dispute, whereas the Minister desired to have 20 unions, one dispute, and members who supported him wished to make the difficulties of settlement insuperable. If members discussed this question on 20 occasions while members acted within the constitutional limits they were not wasting time, and what was the waste of a few hours in this Chamber to-day to be compared with the settlement of a dispute in some industry? Mr. Cullen hit the nail on the head when he said that if we grouped the industries then all the men in that industry, if they attempted to work when a dispute was on, were scabs or blacklegs. If we wished to simplify the matter we should localise the trouble and the difficulty would be settled more easily.

Hon. H. P. COLEBATCH : When this matter was discussed in Committee previously he did not vote either way but he had said that he was prepared to support the grouping of industries to a certain extent provided the nature of the grouping was defined clearly. When the Committee reached Clause 60, which was now Clause 48, he (Mr. Colebatch) endeavoured to secure an amendment of what was meant by "related industries," but the Minister and his supporters refused to accept the amendment. It seemed that under the clause any two unions in the State, no matter how dissimilar their occupations, could be joined together. There was absolutely no limit whatever. The first portion of Subclause 2 was overruled by the second portion. The definition of "related industries" was any industry or industries so connected that one would affect the other. It was because he found it impossible to get any clear definition of "related industries" that would be reasonable that

he found it necessary to support Mr. Moss.

Hon. J. CORNELL: While perfectly willing to accept the argument on the amendment put forward by Mr. Moss and others as from the employers' standpoint, and how it would affect them, he could not accept their argument as to how it would affect the working man and how it was going to affect the unions. Mr. Moss had said that if a dispute was localised and confined to some 20 or 30 men it could be quickly fixed up satisfactorily. But Mr. Moss knew that in respect to the engine-driver's trouble on the goldfields the dispute had been confined to 140 men, and eventually was settled; but had it not been settled when it was the whole of the workers in the mining industry would have been involved in it. The engine-drivers' union could hold up the whole of the mining industry tomorrow if they desired.

Hon. M. L. Moss: And you propose to facilitate that sort of thing.

Hon. J. CORNELL: Nothing of the sort. The same condition of affairs obtained in the timber industry, where the engine-drivers could hang up the whole of the industry. The grouping of industries did not necessarily mean that if one of the unions so grouped had a dispute all the others would at once join in the dispute. That was very far from the intention. If one section had a dispute that section and that alone, could be named in the citation. The typographical union was the only union in the trade in Western Australia and, consequently, that union held the country in the hollow of their hands, inasmuch as without their consent no newspaper could be issued.

Hon. Sir E. H. Wittenoom: Hooray!

Hon. J. F. Cullen: What about the *Worker?*

Hon. J. CORNELL: Presumably there would be no *Worker*. The point was that no great hardship had been thrust upon the community because the typographical men were all in one union and, therefore, had no need for arbitration, for the reason that they could get what they wanted without it. By the insularity of this union its members could get anything they wanted without arbitration at all; yet they had never abused that power. If the Bill was to prove workable in the direction of related industries he, for one, would urge the workers to give the system a trial; but under no circumstances would he urge them to adhere to the old obsolete system of sectional unionism, which was out of date and unworkable, and if retained in the Bill must of necessity kill the Bill. He hoped the amendment would not be agreed to.

Hon. Sir E. H. WITTENOOM: What the Honorary Minister had said with regard to the grouping of industries appealed very much to him (Sir E. H. Wittenoom), and he was prepared to go a great distance with the Honorary Minister. The only trouble was that it could never be known who would be entrusted with the grouping of the industries. If we were sure that Mr. Dodd or Mr. Davis would have the directing of the men comprised in the 20 or 30 unions then, perhaps, we might have confidence in passing the clause, for we knew perfectly well that it was far better in the case of a dispute to deal with a large body of men and secure a settlement for two or three years. But we could never be sure as to who the men's leaders would be. Those leaders might demand some impossible terms, and with 20 or 30 grouped industries it would be easy to get one of the industries to say, "We do not agree to this," whereupon all the rest would come out.

Hon. J. E. Dodd: The Bill is not going to do this. You are thinking of something that will happen if there is no Bill.

Hon. Sir E. H. WITTENOOM: What his thoughts were running on was the possible grouping of industries under unscrupulous leaders determined to secure some unreasonable conditions. If a guarantee could be given that reasonable men would have the handling of these 20 or 30 unions the grouping would be of considerable advantage; but without that guarantee it was a most dangerous innovation. No doubt it would work well if the Honorary Minister had the handling

of it, but we had no guarantee that he would always have the handling of it.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. P. COLEBATCH: But for the admirable illustration given by Mr. Cornell of the meaning of this clause he would have refrained from speaking. Mr. Cornell said members of the Typographical Union were associated in one union and no trouble arose. There was not the least reason why they should not belong to one union, but if these words were allowed to stand and Clause 48 was passed, the members of the Typographical Union and the members of the News Boys' Society might belong to the same union, and a dispute affecting one might affect the other. The clause would admit of the association of two such unions and that was entirely improper.

Hon. F. DAVIS: There appeared to be some misconception as to the intention of the clause. It had been stated that if one union in a related industry created a dispute, it would necessarily cause all the other unions to take part in the dispute. Such was not the case. If the stonecutters had a dispute affecting their trade particularly and referred it to the court, all members of the building trades joined in a general association would not cease work. It could only be decided by a majority of the trade whether the stonecutters should go to the court.

Hon. Sir E. H. Wittenoom: Do not you think they would do as they were told?

Hon. F. DAVIS: The clause was as much in the interests of employers as employees, because it would tend to industrial peace.

Hon. Sir E. H. Wittenoom: Could you guarantee that?

Hon. F. DAVIS: The probabilities were in that direction. Large unions tended to conservatism.

Hon. M. L. Moss: That is why you are favourable to them.

Hon. F. DAVIS: No, but he could see benefits for employers as well as employees. It would tend to do away with small sectional disputes which held up trades and would tend to create and maintain better relations between employers and employees than would be the case while sectional unions had power to approach the court and deal with matters by themselves.

Hon. E. M. CLARKE: Reference had been made to the mining industry. Taking the timber industry as an example: there were fellers, haulers, railway men, lumpers and others connected with that industry, and if one went out on strike the lot would strike. In the building trade the hod carriers could cause a stoppage of work. He did not mind the dog wagging the tail, but he objected to the tail wagging the dog. The danger was that the men would be led away by agitators. He knew instances where two or three unmarried men with nothing at stake had dominated a union.

Hon. J. D. CONNOLLY: If ever an extreme case had been quoted it was the one instanced by the Minister that afternoon. Taking the pastoral industry, if there was a dispute among the clerks in a wool store the whole of the employees in the industry, shearers, stockmen, carters, wool-classers, well sinkers, fencers, and all the rest must necessarily be brought before the court and a dispute would be created throughout the industry just on account of a small body of men having a grievance.

Hon. J. Cornell: You may as well say if the tar boy has a dispute the shearers must go out.

Hon. J. D. CONNOLLY: According to the clause what affected one might affect the other.

Hon. F. Davis: But a majority might decide against going to the court.

Hon. J. D. CONNOLLY: The clause did not mention a majority. It merely stated that if a dispute occurred in one branch the whole of those connected with that trade might be cited. If a strike took place, then all the other men would have to come out or they would be called scabs and blacklegs. There was never a strike that had not been controlled by a minority.

Hon. F. Davis: Nonsense.

Hon. J. D. CONNOLLY: That had been exemplified over and over again when a secret ballot had been taken. If it had gone to a show of hands it would have been another matter.

Hon. F. DAVIS: The hon. member had misrepresented the position; he wished the Committee to believe that the minority who spoke loudly decided when a dispute should take place, or when an appeal should be made to the court. These things were decided by ballot and in such cases there could be no intimidation.

Hon. H. P. Colebatch: There is no provision for a secret ballot in this Bill.

Hon. F. DAVIS: Having had a hand in the taking of ballots on such questions he knew that it was always the majority that decided the issue.

Hon. Sir E. H. Wittenoom: Are the voting papers signed?

Hon. F. DAVIS: No; there was no necessity to sign them. No union could go to the court until the majority had decided on the question, and the same thing applied in the case of disputes.

Hon. E. McLARTY: Mr. Kirwan had referred to him as having voted with the Government on this matter on a previous occasion. If he (Mr. McLarty) thought the Government were right, he would vote for them on every occasion. On that previous occasion he was of the opinion that they were right and he had not heard sufficient reason advanced since then to make him alter his opinion. It was easier to deal with a large body of men than it was with a small body. One section of a union might favour going out on strike and if other sections were brought into the dispute, those who might be in the majority might be inclined to take such steps as to prevent the strike from happening. The majority in such cases might see the fallacy of throwing hundreds or perhaps thousands out of employment owing to a little difficulty which might perhaps be easily settled. The grouping of industries would be more likely to facilitate the settlement of disputes and he would vote for it as he had done on a previous occasion.

Hon. T. H. WILDING: The measure asked that preference should be given to unionists and that the common rule should apply. What would be the position so far as the agricultural industry was concerned if that was brought about? It would mean that the lumpers of Fremantle, and the men working on the railways, as well as those engaged in the agricultural industry would be grouped. Then if the lumpers wanted an increase of 6d. or 1s. a day and they did not get it, they would go out on strike and that would mean that the railway employees and the agricultural labourers would be called out. That would be a nice position for those engaged in agriculture.

Hon. B. C. O'BRIEN: Mr. McLarty seemed to have grasped the point at issue. If members listened to Mr. Wilding it would appear that if the lumpers of Fremantle claimed an extra 6d. and did not get it they would hang up all industries and be responsible for chaos everywhere. Such a thing was not likely to occur. Even if the word was struck out the position would not be altered. With the grouping of the unions there would be better methods than existed now of bringing about mediation and an amicable understanding.

Hon. J. E. DODD: This particular clause had been copied from the New Zeland Act of 1905 and it had been perpetuated in the New Zealand law of 1908 and again of 1911. The clause was almost word for word with the section of the New Zealand Act. It related to an industry and not industries, but the same instance of the grouping of industries was given, namely masonry, carpentry, bricklaying, and painting. It would be immaterial to him which way the division went; in fact, he would be only too glad to have the arbitration laws repealed altogether. He was looked upon as the most consistent advocate of arbitration in the State, but at the same time he would be happy to give his vote in favour of the repeal of the arbitration laws. He was satisfied after the discussion that had taken place in the Chamber that no hope could be expected for arbitration. If the Bill was not accepted he would be only too pleased

to assist to bring about a repeal of the arbitration laws.

Hon. R. G. Ardagh: Hear, hear.

Hon. J. E. DODD: Hon. members were arguing from the standpoint of what was going to happen if there was no Bill, and that these related industries would bring about strikes, when in theory if not in practice, the Bill was to do away with strikes.

Hon. M. L. Moss: The only difference is that now you have an Act and strike, and afterwards there will be no Act and you will still strike.

Hon. J. E. DODD: There was no hope under the present Act. What members were arguing against was going to happen whether there was an Act or not; they could not prevent the workers in related industries oganising and uniting. Members were arguing from the standpoint of the old times before the Chartists.

Hon. J. F. Cullen: What is the Minister's standpoint?

Hon. J. E. DODD: To bring about a better state of affairs. There was only one way in which members would bring about their desires, and that was by a reversion to the old conspiracy laws, and such a reversion was not going to hurt the party to which he belonged. He had been in several strikes and he knew that the more they sought to coerce, and the more they sought to bring about a reversion to the old conspiracy laws, as in New South Wales, the more the Labour party would come out on top. He was not greatly concerned which way the division went. The matter of arbitration was, to his mind, altogether beyond us at the present time and it seemed that it would be useless to argue any longer. Hon. members were arguing from a wrong standpoint; they did not grasp the question at all, and it was useless to try to convince them.

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

Ayes	10
Noes	9
Majority for	1

AYES.

Hon. E. M. Clarke	Hon. R. J. Lynn
Hon. H. P. Celebatch	Hon. M. L. Moss
Hon. J. D. Connolly	Hon. T. H. Wilding
Hon. J. F. Cullen	Hon. Sir E. H. Wittenoom
Hon. V. Hamersley	Hon. C. McKenzie (*Teller*).

NOES.

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

Amendment thus passed.

On motion by Hon. M. L. MOSS clause further amended by striking out of paragraph (c) of the definition of "industry" the words, "or a group of industries."

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

That the following proviso be added at the end of the definition of "industry," "provided that the agricultural and pastoral industries shall not be included in this definition."

This was the same amendment as Mr. Wilding had moved yesterday.

Hon. J. CORNELL: Stress had been laid yesterday on the thinness of the House. To-night there were two members present more than there were last night, and not nearly as many as when this matter had been previously discussed. A lot had been said about the Labour party being a machine, and also that some of the amendments were brought forward to stop the agitator. To those who said that the Labour party was a machine he reciprocated the sentiment, and to those who said that the party was domineered by agitators he again reciprocated the sentiment.

Hon. Sir E. H. Wittenoom: But it is not a machine, is it?

Hon. J. CORNELL: A more perfect machine than that of which he was said to be a cog.

The CHAIRMAN: The question before the House is the addition of a proviso.

Hon. J. CORNELL: It was impossible to speak without reiteration on this question which had been so often debated. His desire was to express his opinion in re-

gard to the attitude certain hon. members had adopted. Some members who had supported the Minister were now absent from the Chamber—some who had been within the precincts of the House—and without imputing motives, he thought there was an honourable understanding.

Hon. J. F. Cullen: Two have paired.

Hon. J. CORNELL: Hon. members now desired in a House just as thin as it was when any previous discussion took place on this portion of the Bill——

Hon. M. L. Moss: No, last time the division was 8 against 8.

Hon. J. CORNELL: There were 23 members present when this provision was first agred to, but no objection would be taken by hon. members to the thin House to-night because the thinness was on the Minister's side.

Hon. M. L. Moss: No, it is not; you are as solid as a rock.

Hon. J. CORNELL: It was useless appealing to hon. members to adhere to their previous decisions. One hon. member who came from the same district as he did had twitted the Honorary Minister with quoting an extreme case, but so far as representing his constituency was concerned, that hon. member, too, was an extreme case.

The CHAIRMAN: The hon. member must know that he is out of order.

Hon. J. CORNELL: It was to be hoped that hon. members who were opposed to discussing the matter in a thin House would do as Mr. O'Malley advised "Brother" Chinn to do, sit tight. He requested Mr. Moss to be reasonable, and to back up his opinions of the previous night by again drawing attention to the thinness of the House. Hon. members would achieve nothing by this amendment.

Hon. Sir E. H. Wittenoom: Then why object to it?

Hon. J. CORNELL: Nothing would tend more to make the workers of the State look to the Federal Parliament for redress than the proposal of the hon. member. The agricultural labourers would still be able to avail themselves of the Federal Act. Could we wonder at the workers looking to the Federal Parliament for redress when a House representing a third of the adult suffrage of the State was not prepared to extend the provisions of arbitration to all sections of the community? Striking out these words would not put an end to the agricultural labourers combining. As an agitator, he would have only one course to pursue in regard to agricultural and pastoral labourers, and that was to advise them to seek redress under the Commonwealth.

Hon. Sir E. H. Wittenoom: But do not forget the oath you took to secure peace among all parties.

Hon. J. CORNELL: Peace on earth and goodwill towards all men he advocated, but striking out this provision in the Bill showed that members were not prepared to advocate peace for the agricultural labourers or to extend goodwill towards them.

Hon. T. H. Wilding: Why do you want to drag in the agricultural labourers?

Hon. J. CORNELL: Why did the hon. member want to keep them out? He would avail himself of his free pass and visit the hon. member's constituency to see whether Mr. Wilding was right in posing as the champion of the agricultural labourers there. Hon. members claimed to be the father confessors and protectors of the agricultural labourers, yet they would debar them from going to the Arbitration Court. There was no need to say much, as hon. members had apparently made up their minds, but they were taking up an illogical position. The shearers could look after themselves as they had done before the advent of conciliation and arbitration, and the agricultural labourers, with the advice of agitators, would sooner or later look after themselves and see that they got justice by combining, and they would not avail themselves of the advice of their employers.

Hon. J. W. KIRWAN: Mr. Connolly had interjected that if he (Hon. J. W. Kirwan) were to stand for election he would not get more than 12 per cent. of the electors.

Hon. J. D. Connolly: I did not say that. I will explain.

The CHAIRMAN: Both hon. members are out of order, and if they are well advised they will drop the matter.

Hon. J. W. Kirwan: I think my remark, which the hon. member heard, was in order.

The CHAIRMAN: It was absolutely out of order.

Hon. J. D. CONNOLLY: The hon. member once sought re-election and was unsuccessful; he got only 12 per cent. of the electors to vote for him.

The CHAIRMAN: Both hon. members are out of order, their remarks being absolutely irrelevant.

Hon. J. W. KIRWAN: If the hon. member considered that would be the position now, he would be only too delighted to resign his seat to-morrow if the hon. member would do the same and contest an election.

The CHAIRMAN: The hon. member is out of order. I again repeat it.

Hon. J. W. Kirwan: I am very sorry, but what I said I have said.

The CHAIRMAN: The hon. member is simply aggravating his offence.

Hon. J. W. Kirwan: Well, my remark stands good.

Hon. J. E. DODD: There was one way of killing the Bill and there was another way. He preferred Mr. Sanderson's way of doing it. And there was one way of keeping business back and another way. Evidently hon. members were seeking in many different ways to retard business.

Hon. J. F. Cullen: What does the Minister mean?

Hon. J. E. DODD: What I say.

Hon. J. F. Cullen: The Minister is blocking his own Bill.

Hon. J. E. DODD: The Minister meant exactly what he said. There was more than one way of retarding business and hon. members knew more than one way of doing it. This matter of agricultural labourers was fought out last session and was not accepted by the other Chamber and would not be accepted this time. It would be more to the point if hon. members voted against the Bill, instead of wasting time and putting up a lot of expense in bringing about futile debates. The first excuse was that the House was too thin. As a matter of fact, to-night the House was thinner than before. There was criticism and sneering about agitators, but the worst agitators in the State and the men seeking to do the most harm to the community were those who tried to block arbitration last year and who sought to do it this year by every means fair and otherwise. It was no use mincing matters when we saw the tactics being indulged in repeatedly.

Hon. T. H. Wilding: What unfair means have we adopted?

Hon. J. E. DODD: They were apparent to everyone without reiterating what had already been said. The hon. member referred to "agitators," but he would not be occupying a seat in the House to-night if it had not been for agitators in the past, the greatest men in the world who had brought about reforms. Christ was looked upon as an agitator and was executed by the priests and scribes and pharisees, many of whom we had to-day trying to defeat ameliorative measures such as that before the Committee. It was immaterial how the division went, because another place would not accept the amendment. Personally he would be only too happy to try and bring about some agreement between the two Houses by which the Bill could be accepted.

Hon. M. L. MOSS: The hon. member's observations could not be allowed to pass unnoticed. What did the hon. member mean by talking of unfair means? What was done was in strict accordance with constitutional practice. The Standing Orders were used to recommit the Bill on a matter of first importance to every industry in the State, and it was done after due notice and not on a snap vote. It would be grossly unfair if the decisions taken yesterday in an admittedly thin House went to another place for consideration on the casting vote of the Chairman of Committees.

Hon. J. E. Dodd: Yesterday was not the first time.

Hon. M. L. MOSS: Even assuming the principle was adopted previously by a large number, which he was not in a position to dispute, nevertheless members

had resorted to fair and constitutional methods for the reconsideration of the matter before coming to a final decision.

Hon. J. E. Dodd: It may be constitutional, but not fair.

Hon. M. L. MOSS: The hon. member should not reiterate that. Unless something was done to join issue with the hon. member the Press report of the proceedings would show that the last word uttered in the debate was that unfair tactics had been resorted to.

Hon. J. Cornell: We would say "ungentlemanly."

Hon. M. L. MOSS: They were not ungentlemanly, and the hon. member later on would be sorry for the interjection. We could all disagree on matters and still be good friends. It did not matter how many times it might occur, he hoped they would still remain good friends. Nor did it matter who had used the word "agitator," or what word had been used. We were voting on a very large principle, namely, the question of whether or not it was practicable to apply an industrial law of this kind to the agricultural and pastoral industries. As he had said before, those opposing the principle had resorted merely to correct constitutional methods to secure a revision of the vote.

Hon. J. F. CULLEN: The Honorary Minister and those who were working with him had done more to retard the Bill than had those opposed to certain of its principles. The Minister had assumed that because the Bill had been brought down with a good object it must be accepted just as it was.

Hon. J. E. Dodd: That is an unfair statement.

Hon. J. F. CULLEN: Apparently it had been expected that the Bill should be accepted in all its unworkableness, its want of logic and its want of consistency.

Hon. J. E. Dodd: You have had three months in which to discuss the Bill.

Hon. J. F. CULLEN: No, the Bill had been before the Council for less than two months, and had been only one of a score of items of business engaging the attention of the Chamber during that time. He represented the largest province of rural workers in the State and claimed to know something about the position and desires of those workers. In spite of a hard-pressed agitation by a man who was not a rural worker there had been no movement amongst the rural workers to get inside the four corners of arbitration legislation. If an agitator tried to work up disputation between the rural workers of the State and their living, surely it was the duty of a representative of the chief agricultural province to speak for that great industry. In spite of the hard-pressed agitation referred to, the rural workers had turned a deaf ear, and the agitator had only secured a few men who were not rural workers of the State. It was doubtful whether that agitator had secured half a dozen rural workers in his organisation. A central court could not deal with the problems of the rural workers. A large majority of the rural workers were what might be called apprentice workers; that was to say, they were learning the business, and pretty well every one of them were learning to be an all round man on the farm, learning to do every part of the work on the farm. To apply to such workers hard and fast rules such as would be applicable to secondary industries would be futile and impossible. He looked forward to the time when probably some system of wages boards might be established to deal with the problems of rural workers; but to precipitate the administration of a central arbitration court into the very complex problems of the rural workers would be futile, and a serious blow to a great primary industry. He advised the friends of the Bill not to indulge in charges of holding up the Bill. The Minister had insinuated that criticism of the Bill was dictated by opposition to the Bill. He (Mr. Cullen) was satisfied that all who had spoken in criticism on the Bill were desirous of having a workable Bill. As the Bill had come to the House it was a mockery and a farce. The critics of the Bill were helping to make it workable. If Ministers were unwilling to have their Bill criticised and improved then the responsibility must rest with Ministers.

Hon. T. H. WILDING: The Minister had referred to him as having used the

word "agitator." He did not remember having made use of that term.

Hon. J. E. Dodd: I did not say that; I spoke of your general references to the term "agitator."

Hon. T. H. WILDING: At all events he had no recollection of having used the word.

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

Ayes	10
Noes	8
Majority for	2

AYES.

Hon. E. M. Clarke	Hon. M. L. Moss
Hon. H. P. Colebatch	Hon. T. H. Wilding
Hon. J. D. Connolly	Hon. Sir E. H. Wittenoom
Hon. J. F. Cullen	Hon. R. J. Lynn (*Teller*).
Hon. V. Hamersley	
Hon. C. McKenzie	

NOES.

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

Amendment thus passed.

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

That in line 4 of the definition of "Worker" the following be added:—"but shall not include any person engaged in domestic service."

It would be a needless waste of time to recapitulate the arguments in support of the amendment.

Amendment passed; the clause as amended agreed to.

Clause 7—Resolution and rules to be passed before application made for registration:

Hon. M. L. MOSS: It was not proposed to move any amendment to this clause.

Clause put and passed.

Clause 48—Industrial disputes in related industries:

Hon. M. L. MOSS: It was his intention to vote against the clause.

Clause put and negatived.

Bill again reported with further amendments.

BILL—SHEARERS' ACCOMMODATION.

Report Stage.

Order of the Day for the consideration of the report of the Committee read.

Hon. F. DAVIS: I would like to ask your ruling in regard to paragraph 4 of Clause 6. There are some words in that paragraph relating to Asiatics, and yesterday the definition of Asiatic was excluded. I would like to ask your ruling whether it is necessary to recommit the Bill to deal with this matter, or whether it will be regarded as a consequential amendment.

Hon. W. KINGSMILL: I have examined the amendment at the request of the hon. member and it is purely formal and consequential such as may be made under Standing Order 213.

Hon. F. DAVIS: I am not sure what procedure should be followed regarding the Bill at this stage. Will you direct me as to whether the Bill should be returned to the Legislative Assembly with requested amendments?

The PRESIDENT: The Bill bears this impression, "This Public Bill originated in the Legislative Assembly and the purposes for the appropriation of the revenue were first recommended to the House by His Excellency the Governor during the present session." The hon. member had, therefore, better move that the Bill be sent to the Legislative Assembly with a request to make suggested amendments.

Report of Committee adopted, and a Message accordingly returned to the Assembly with a request that the Council's amendments be made.

BILL—SUPPLY £492,225.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: The supply asked for under this Bill is based on the Estimates for the current year, so far as Consolidated Revenue is concerned, and in the case of the General Loan Fund on last year's

Estimates being one-fifth in each case. This Bill will represent one month's supply and will enable us, we imagine, to carry on until the Estimates are passed. The amount asked for is £287,468 out of Consolidated Revenue, and £204,757 out of General Loan Fund. The money is required for the purpose of carrying on the public administration, for the purpose of paying the salaries of civil servants and carrying on public works already authorised by Parliament. I beg to move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—RIGHTS IN WATER AND IRRIGATION.

Second Reading.

Debate resumed from the previous day.

Hon. H. P. COLEBATCH (East): I will detain the House for only a very few minutes in supporting the second reading of this Bill for the reason that I regard it as being almost entirely a Committee measure. In a country like this where practically the only defect we have is a certain scarcity of water in different parts of the State, any proposal that aims at taking the fullest possible advantages of all the water supplies we have would be assured of a sympathetic hearing. I would go so far as to say that the safest method in which the expenditure of public funds can possibly be employed in Western Australia is in water supply and irrigation, and any direct losses, often more apparent than real, that may result from works of this kind, are in the long run bound to be more than compensated for by the indirect gains.

Hon. J. F. Cullen: If they are economically carried out.

Hon. H. P. COLEBATCH: That follows in regard to every public work and I, for one, am prepared to give credit to the present Government for a desire to carry out these undertakings well, and I have every confidence in the capacity of their professional advisers. If we take as a case in point the great goldfields water supply scheme, in regard to this undertaking the general taxpayer has always and is still making some small contribution towards a sinking fund, but I doubt whether anyone would be so short-sighted as to argue that the small loss occasioned to the revenue was not compensated for over and over again by the indirect benefits of this scheme throughout the whole of the districts which it traverses. If I did not desire to confine myself as closely as possible to the Bill before the House I might be tempted to express, not only regret that this great goldfields water scheme is not administered in what I would term a more statesmanlike manner than at present, but also would endeavour to point out by facts and figures that it might be possible to make this scheme do far more for the mining industry, the agricultural industry, and the fruit industry than it is doing at present or has done under previous Administrations. I do not intend to dwell upon this question, but will reserve any comment I have to make for a future occasion, but I know that in certain quarters the unsympathetic administration of the goldfields water supply scheme is likely, I admit improperly if members like, to prejudice people against the proposal now before the House. It should be unnecessary, even if this were entirely a party Chamber, for anyone to urge that a measure of this kind ought to be considered entirely distinct from any party bias, and I hope the Colonial Secretary will pardon me if I say that I think he marred the otherwise excellent speech in which he introduced this measure into the Chamber by a reference of a party nature. The hon. member sought to commend this Bill to the consideration of the House, partly on the merits of what a previous Government, a Government who held office in this State some seven years ago, a Government including several gentlemen who are members of the present Ministry, a Government who received their mandate from

those who were responsible for the present Government, a Government of whom the leader of the House was himself a member, I say he endeavoured to commend the Bill to the House by telling us what that Government had done for the producing section of the community in the matter of affording facilities of transit. We must all regard these two things as going hand in hand, the provision of water and the facilities of transit, because they are two things the man on the land must have if he is going to succeed, and the two things must work hand in hand if we are going to get the best results from them. The Minister was endeavouring to show that the Labour Government in the past had initiated the policy of giving the producer railway facilities, and, therefore, might well be entrusted with the task of providing the producer with a better water supply than he has at present. The exact words as I took them were—

> The policy adopted by the State in 1904–5 and continued since of building agricultural railways has transformed the face of nature.

I am not going to deny the claim in regard to the transformation of the face of nature, but members will notice the, to my mind, subtle and significant reference to the year 1904-5, the year the Labour Government were in office. If I were inclined to play the role of captious critic, I might point out that the policy of providing agricultural railways commenced with the York-Greenhills line built in 1896, and was followed by the Northam-Goomalling line in 1899.

The Colonial Secretary: I was referring to the light railways.

Hon. H. P. COLEBATCH: Quite so. I recognise that the Minister was referring to the light agricultural railways. These light agricultural railways were initiated in three Bills simultaneously submitted. The Wagin-Dumbleyung, the Katanning-Kojonup, and the Goomalling-Dowerin railways initiated the policy of light railway construction, the policy of building railways as cheaply and as quickly as possible on the heels of settlement. The year 1904-5 terminated on the 30th June, 1905, but in any case the Labour Government went out of office on the 5th August, 1905, and the first readings of these three Bills which initiated the light agricultural railway policy, were moved in another place on the 20th December, 1905, four months after the Labour Government had left office.

The Colonial Secretary: We prepared the Bills.

Hon. H. P. COLEBATCH: We will take it that they prepared the Bills. But each one of those proposals was strongly opposed by the present Premier, the present Minister for Lands, and the present Attorney General, and on the second reading of each of these Bills in another place the House was divided and every member of the Labour party without a single exception, voted against those light agricultural railways.

Hon. J. D. Connolly: Then why did they prepare the Bills?

Hon. H. P. COLEBATCH: I do not know, and I do not care, and if hon. members will not take my word, they can refer to *Hansard* of that time and they will find that in another place there was a division on the second reading on every one of those Bills, and every member of the Labour party voted against the construction of those railways.

The Colonial Secretary: In connection with the route.

Hon. H. P. COLEBATCH: The question of route was never raised; they voted against the whole project. The present Minister for Lands, closing a lengthy speech in opposition to this matter, said "I shall give my most uncompromising opposition to the proposal."

The Colonial Secretary: The Katanning-Kojonup line.

Hon. H. P. COLEBATCH: The three were discused as one measure, and it was in that comprehensive discussion that this expression was uttered by the present Minister for Lands. Subsequently the Bills were submitted separately and the Labour party voted against the second reading of them. The Colonial Secretary now claims our support to this Bill because in years gone by his Government transformed the face of nature. I think I have satisfied the House that the trans-

formation was carried out by another Government in the face of the opposition of every member of the Labour party. I am prepared to admit that in that year 1904-5 there was a transformation, but it was not a transformation of the face of nature, it was a transformation of the face of the State's financial account. It was a transformation from a handsome surplus into a deficit that burdened the country and embarrassed the succeeding Administration for three or four years. I am going to support this Bill, but members will realise that it will occasion considerable expenditure and having gone to the trouble of demonstrating that the transformation of the face of nature which the Colonial Secretary referred to was really carried out by another Government than his own, I think I am entitled to ask the House whether it is not possible that history may repeat itself with regard to this other transformation of our financial position. The Minister said that the Government transformed the face of nature. As a matter of fact what the Government did was to transform a handsome surplus into a burdensome deficit, and in considering this Bill and other measures we have to ask ourselves whether there is any danger of history repeating itself. Is there any danger of a similar transformation occurring during the present time? So far as the general objects of this Bill are concerned I am entirely in sympathy with them, and I wish to commend the enthusiasm of the Commissioner for the South-West, Mr. Connor, for the work he has done, and I firmly believe that if he receives from the Government and Parliament the assistance I know both are anxious to give him, he will do a great deal in this matter of transforming the face of nature, particularly in the districts over which he exercises a certain amount of advisory control. I said at the outset that I regarded this as almost entirely a Committee measure, but, after listening, as I did last night, very attentively to the practical comments of Mr. Hamersley, I feel inclined to go a step further and say that the Committee consideration of this Bill, in view of the many technical points, and the large interests involved, could better be carried out, not by the Legislative Council sitting as a Committee of the whole, when matters necessarily have to be despatched sometimes without sufficient information, but first of all by a select committee that would have the opportunity of taking evidence from all parties interested. This select committee would have the opportunity of examining the expert advisers of the Government, and this I regard as very important, because I do think that abuses will arise from giving the Bill a wider application than is at present intended. It seems to me there are certain parts of the State to which it might apply at once, and other parts to which there is no necessity to apply it. I understand it has been said that there is no intention of applying it to more than certain parts of the State. If that is the case let that be expressed. I have a strong objection to what may be called drag-net legislation. I do not like to see Bills placed on the statute-book with the idea that only one portion of them is to be exercised, or that they are to be exercised in only one portion of the State. If that is the case in connection with this Bill, it should be expressly stated that it is to be applied to one portion of the State, and then at a later date, if it is found desirable to extend its operation, it will be a simple matter to bring in an amending measure. There is great danger in legislating on the understanding that the legislation is not to be carried out. We are aware that by far the larger percentage of shooting accidents arise from the careless handling of guns supposed not to be loaded, but we are not likely to fall into that error under present conditions, because only recently Mr. Cornell, whose candour often gives us a more clear insight into the ultimate ends and intentions of the party to which he belongs, than the careful utterances of responsible Ministers, speaking on the situation generally, told us that the gun was loaded to such an extent that he did not know when it would go off, nor from which end. I fear that this Bill, unless it is revised by a select committee, may cause a hardship to people whom neither the

Ministry nor Parliament have any intention of applying it to at the present time. A select committee could examine the expert advisers of the Crown and find out what authority they required and the portion of the country and the extent of the country over which it was desired that authority should be given. The select committee could also examine land owners and other people who think, possibly wrongly, that their rights are going to be invaded by this measure, and they could inquire into the financial aspect of the Bill. If that is done I hope neither the Committee nor this House will take too conservative a view of the financial aspect. The Bill may entail at the outset some small loss, but if it is well administered we may easily face such a loss in view of the many indirect benefits that may be expected. I intend to support the second reading of the Bill, in the belief that the members of this House will see the wisdom of referring it to a select committee, and in the belief that the resulting measure will be such as to more than justify the hopes of the Minister that it will affect a "transformation of the face of nature," and prove successful in developing a branch of our agricultural industry that has been somewhat neglected in the past.

Hon. J. F. CULLEN (South-East): I understand that another hon. member intends to move for the appointment of a select committee on this Bill, and upon that head, I will only say that I think it would be a wise course to follow, and that the Minister in charge of the Bill will do well to consent to assist to bring about such an appointment. I think the whole House will recognise that the Crown must control the natural waters. The problem under a Bill of this kind must be to reconcile that necessary control with the freedom of enterprise with regard to landowners and occupiers. To hastily legislate in regard to anything that can be done without, I think would be a serious misfortune. The difficulty in this country is that we have no great mountain systems and no great river systems. If the Government, in addition to transforming the face of nature, could only move mountains for us and establish a few ranges in the State, it would be a great work, or without the mountains, if they could adopt some means of precipitating rainfall enough in the interior to give us river courses, that too, would be a great work. Good as the intentions of the Government are, of course those two things are beyond them, and what the Legislature has to do is to recognise the limitations of our powers and of our resources. Even in the watercourses we have, or in a very large number of them, the water is unfit for irrigation purposes, and is often barely good enough for stock purposes, and would be dangerous in its application to the land. Ministers are apt to conclude that so much area will afford so much opportunity for irrigation, and the wealth that comes from irrigation. Before legislation of this kind could be intelligently framed, or economically carried out, it would be necessary to have the country investigated by capable irrigationists and I hope the Bill will provide for such investigation and that Ministers will be content to go slowly. Now, with regard to avoiding restrictions on necessary private enterprise, certainly the provisions of this Bill will need a great deal of amendment. This House, and the Legislature in general, must recognise that a great deal has been done already by private enterprise in this country. Artesian bores have been sunk at enormous cost, dams have been constructed, also at great cost, by private enterprise. I am not now referring to what the Government have done, either in the way of boring or of constructing dams. A great deal has been done by private enterprise, and it would be a pity to give any cause for apprehension on the part of those who have been so enterprising, or on the part of other property owners who may contemplate launching out in the same direction, that they will be unduly restricted in their operations. I think that wise legislation will encourage to the utmost enterprise on the part of the people, for the State cannot do everything, and it is right that the private owners should be encouraged to do their part. If I may be permitted to

say it, the private owner will get as much for twenty shillings as the Crown usually gets for forty shillings. Ministers may doubt it but they can get evidence if they will compare some of their bores and dams with the work done near by by private enterprise. They will discover that the prevailing illusion that it is no robbery to take more Government money than ought to be taken has greatly affected the value obtained for Government expenditure. As the last speaker mentioned, this is largely a Bill for consideration in Committee, and I think it could be well referred in the first instance to a select committee.

Hon. F. Davis: Would we get it before Christmas if we did?

Hon. J. F. CULLEN: There is no immediate hurry. If it be necessary to carry it over to next year, the delay will not be serious. It would be more serious to pass an ill-considered measure that might launch expenditure which would not be in the best interests of the country. But I have no reason to suppose that a select committee would unduly delay the measure. Five or six of the members best capable of inquiring into such a matter and receiving the help of the Government experts, would, I am sure, do more in a couple of weeks to frame this Bill so as to make it workable, than could be done in double the time in the larger consultation of this House. I shall vote for the second reading, and I shall follow with great interest the passage of the Bill, first through a select committee I hope, and then through the Committee of the whole. I am sure that the intention of the Government is the best. I only want to see that the Bill embodies, not only good intentions, but also workable provisions.

Hon. A. SANDERSON (Metropolitan-Suburban): I do not know that there has been any Bill brought forward in this or any other session that has aroused more active interest in the district in which I live than the Bill now before the House. As some members well know, it is a district with creeks running all over the place.

Hon. J. F. Cullen: Happy district!

Hon. A. SANDERSON: It is a happy district, and if it only had a reasonable chance, I believe it would be a great asset to this country. This Bill is followed with the closest attention by every settler in the hills, including myself. I have been asked even by Labour supporters what it means. I have tried to be as fair as I can, and the best thing that could be said for it was that it is legislation drawn from the East with a little local colouring. But I have been asked—and this is a question that affects the small as well as the large proprietors—is it going to interfere with existing rights, and if it is, is compensation to be paid when those rights are taken away? What answer is one to give to that question? I cannot forget what we heard after the night of the last election, that there was to be no stagnation, and no confiscation in the policy of the Labour Government. When it is suggested that a select committee be appointed, I can only express the hope that that select committee will find its labours not quite so difficult as those of the select committee on which I have been engaged for some weeks past. My principal objection to this Bill is that it places the control and responsibility in the hands of the Minister, and I have not sufficient confidence either in the Government as a whole or in the individual Minister to entrust to his tender mercies the rights and privileges, if there are any left, of the property owners. When we hear from a responsible Minister of the Crown that the Government are going to bleed the fat man—

Hon. J. F. Cullen: It is water they are going to take, not blood.

Hon. A. SANDERSON: When we hear such a statement, how can they expect that people who have got any property of any kind in this country will be prepared to hand over their destinies to the present Ministers?

The Colonial Secretary: You ought to vote against the Bill.

Hon. A. SANDERSON: At the present moment, and in the present circumstances, I will be prepared to take that responsibility, realising clearly, I think, what I am doing. In the present circum-

stances of the country, with the present Ministry in power, I would be prepared to vote for the rejection of this Bill if it were not that I am guided at times by members of more experience in this House. Evidently the Bill is not to be rejected, and in those circumstances I will be quite satisfied to send it to a select committee, almost hoping that I shall not be a member of that committee. The question, perhaps, affects me personally and my neighbours too closely to allow me to give an impartial vote on the subject.

The Colonial Secretary: That is why you will not trust the Government.

Hon. A. SANDERSON: The reason I will not trust the Government is that a responsible Minister of the Crown had the audacity to say that the Government are going to bleed the fat man in order to put their finances right, and they are going to ruin every day. The reason I will not trust the Government is that their administrative ability, apart from their financial ability, as shown in every department of State, is not of a very high order. The Ministers come forward and say there will be no confiscation and no stagnation, but if there is no stagnation at the present time, compared with the condition of things when the Ministry took office, I would like to know what stagnation is. I do not know that there is anything very difficult to understand, at any rate, with regard to the outlines of a sound financial policy, and when Ministers tell us that their object is to bleed the fat man, how can they expect prosperity to come to the country? When a Minister of the Crown takes that view without a rebuke from his colleagues, who in his senses is prepared to come here and spend his money in the development of the country?

Hon. F. Davis: It is a remarkable thing that people do invest money here.

Hon. A. SANDERSON: Who are the people investing money here at the present time? The Tramway Company certainly have made a good investment with the Government; I admit that. The Government cannot raise any money; that is notorious. The Premier says that he is going to raise a million pounds, irrespective of the conditions of the financial market. That is very encouraging to the investors in this country. I do not wish to press that point, because I have no desire to do anything to embarrass the Ministers. They have their hands sufficiently full at the present moment, and I see no reasonable prospect of turning them out of office before their term has run its due course. They, at any rate, are on a very good wicket, and I do not know that their supporters in the Lower House are prepared to turn them out whatever they do. So far as the finances are concerned, fortunately those much-maligned private banking institutions have sufficient power to protect, not only themselves, but also the country against the Ministry we have in power at the present time.

Hon. F. Davis: Then why worry?

Hon. A. SANDERSON: I am not worrying; the worry is on the Ministerial side, and it will be considerably more before they have finished. I am prepared to take the responsibility of voting against the second reading, but I do not press that view because more experienced members tell me that it would be preferable to refer the Bill to a select committee. I am prepared to do so with this proviso, that I shall not be called upon to act on another select committee this session.

Hon. D. G. GAWLER (Metropolitan-Suburban): I think most hon. members will be in accord with the main principles in this Bill, which I take to be for the conservation of water, and the promotion of closer settlement. They will also be anxious to see that no confiscatory provisions are included. We are all in agreement with what the Colonial Secretary said as to the desirability of promoting closer settlement in this State, and no doubt we shall all be desirous of, as far as we possibly can, assisting that idea, but the provisions of the Bill are very wide. I take it that the main ideas running through the Bill are that the Crown takes possession of the rights of all water now existing in the State, and will lease those rights back to those who have hitherto

been the owners. The Colonial Secretary, in stating the law on the Bill, was stating it correctly when he said that the common law rights of owners of water at the present time were really no greater than the rights which would be given to them under this Bill. That is to say, at the present time a man with running water running through his property under common law has no right to so use that water as to sensibly diminish the flow of the water to the man below him; nor has he the right to contaminate it; and the Minister has urged that the result of the provisions of this Bill will be that a man will only get back what he has under common law, that is to say, he will get back the right to use the water for his family and his stock and to irrigate a garden to the extent of three acres. I consider that the size of a garden of three acres is far too little, and I am prepared to see it made very much larger. What the Minister says may be the case with regard to running water, but I venture to say that the common law rights with regard to other water, and more especially artesian waters, do not rest on the same principle, and that the Bill very considerably interferes with the common law rights of owners in these cases. I think hon. members all know, without my telling them, that the principles of common law, are that the man who owns a piece of land has everything above that land and below it to the centre of the earth, and that includes the waters.

Hon. F. Davis : Does that apply where minerals are concerned ?

Hon. D. G. GAWLER : No. In the Crown grant the minerals are reserved, but that is not so with water. Therefore, I venture to say that the position in regard to artesian waters is very different from what is set out in the Bill. Of course it has always to be considered that in many cases people who have been in the habit of irrigating larger gardens or orchards than three acres, have purchased their blocks with these rights and have paid extra for these rights. Another instance of hardship occurs where a man with heavily timbered land possibly owns a watercourse which may not have had any water in it at the time he got the land, but the effect of clearing the land has been that the watercourse has become a running watercourse. That man has supplied that watercourse at his own expense and with his own labour, and it seems to me to be a case of hardship under the Bill. In regard to artesian waters, up in the far north-west of the State many men have put down bore after bore at great expense, and not always with success, but this Bill does not propose in the least to compensate them for the time and money expended and for the risk taken. I am also given to understand, and I believe it to be the case, that there are men in the State who proposed to purchase extensive boring plants —I heard of a case to-day—but hearing of this Bill, the orders have been cancelled. If so, the State will lose the value of the discovery of these waters. This is a serious matter which must be taken into consideration. I understand there is a proposal to refer this Bill to a select committee, not for the purpose of shelving the Bill or delaying it—I would not be a party to that—but because there are many people in the State who, rightly or wrongly, think they have rights and that they are hardly used in the Bill and whose circumstances are unknown to the House. It is because I want to give representatives of these people the opportunity to come and have their side of the case put before a select committee so that members of the House will know exactly the way in which the Bill will affect them, that I desire to see a select committee appointed. I shall be prepared to do this. I understand the Bill is required really to promote closer settlement. I cannot believe that the Bill will apply to the large North-West areas or to areas north of a certain line in the State, which I do not consider fit for closer settlement or could ever be used for closer settlement for a long time to come, and so I am of the opinion that north of a certain line should be exempted from the operations of the Bill. I see no reason for bringing in artesian waters and

I do not see any reason for bringing in a large portion of the State.

Hon. W. Kingsmill: We must regulate artesian waters. That is the best part of the Bill.

Hon. D. G. GAWLER: If running waters are conserved in places where closer settlement will be of advantage to the State, that is in the South-West, a good object will be effected and a great deal gained, and in these circumstances hon. members will see the view I take of the Bill. I shall have pleasure in supporting any motion to send it to a select committee.

Hon. E. M. CLARKE (South-West): I have taken a deep interest in this irrigation business for many years. I claim there is no one who takes a more lively interest in it. I realise that irrigation is going to make this place, more particularly the South-West. We have only to consider the amount of money that has been spent in Victoria on water schemes, not spent in a way this Bill suggests, that is letting it out to private individuals, but on irrigation schemes costing something like four million pounds, a million and a half of which has been written off as a bad debt. When we consider this, it is high time we should be seized with the fact that something should be done in this State to bring about a better condition of affairs, to make stuff grow where hitherto it has not grown. I realise that the Government should have the power —in fact, I believe they have it under the Public Works Act—to resume land for dams and for channels and for the general purposes of an irrigation scheme; but this Bill goes considerably further than that; it goes almost as far as it can go. I was looking over it to see what it did leave to the private person, and I find there is one crumb of satisfaction to the private person. It does leave him the well in his back yard, provided that he pumps the water from it. If the water comes to the surface naturally he has no right to it, the well belongs to the Government, but if he has to pump the water, it is his. I spent some three days going over a scheme in Victoria. To my mind when I was there they were not using it as much as I had thought. It appeared to me to be an exceptionally good season there and the growers were not making use of the scheme to the extent I expected; but I am satisfied if this Bill is passed in its present condition, so far from increasing irrigation, it is going to retard it. Look at the facts as they are at the present time. The Government have an experimental farm in the South-West and it is a success. They have demonstrated what can be done by irrigation; that is, the previous Government did it; I am not going to give the existing Government the credit for it, because they found it there already in their hands; but private enterprise is responsible for the existence of that farm. This is probably a bold statement to make, but it is absolutely true. Before there was any private enterprise in the direction of ringbarking, the river used to stop flowing every year; but on account of the ringbarking that has been done, the Government are now enabled to form an irrigation scheme. In various places there are quite a number of people spending hundreds and hundreds of pounds on irrigation schemes and they have their plants already installed. When they realise that if this Bill passes in its present form with conditions by which their existing rights are taken away from them—when I say taken away, I mean they are to be controlled by a grandmotherly Government which says, "This is ours and you must not do so and so"—sooner or later, in fact at once if the Bill ever passes, we shall find, as Mr. Gawler has mentioned in regard to artesian waters, these persons will not proceed further. There is an old gentleman I know very well at the Harvey. He has a good pumping plant there, and when I told him that under this Bill he would be only able to use the water on three acres it absolutely made him feel rather sick. The Government at the present time if they did something practicable on the lines I suggest as with that Brunswick river, if they went along a lot of these streams and ringbarked the timber, would be doing something private enterprise cannot do, because most of the land

is Crown land. It may be said, and there is reason in it, that on the lands let to persons for the cutting of the timber they have no right to go there and ringbark. That is absolutely true as applied to jarrah, but I venture to say that up a great many of these streams the greater quantity of the timber growing along the banks is red gum or flooded gum. I suggest that the Government should ringbark all the useless jarrah and the red gum and other trees that are of no value for timber purposes, and then we would have as a second edition of what is existing on the Brunswick farm, namely, a big bow of water all through the summer where years ago there was not a drop in the stream except in a few holes. It seems to me that the whole and sole object of the Bill—and I am sorry to have to say it—is to vest in the Crown every inch of land in the State. We can see it from the beginning to the end of the measure. It is no use denying it; there it is; and it is no use denying the fact that the Labour party have, as one of the planks of their platform, to which I am bound to refer, because this is so much wrapped up in it, the non-alienation of Crown lands with a view to the ultimate nationalisation of all lands. I have pointed out an instance in which the Government have to thank private enterprise for the supply of water that is watering the lucerne growing at Brunswick.

The Colonial Secretary: I would like the hon. member to explain how this Bill will vest every inch of land in the State in the Crown.

Hon. E. M. CLARKE: The hon. member can leave out a few feet or a few yards of land, but still there is that in it, and we cannot get away from it. The Labour party's platform contains the plank of non-alienation of Crown lands with a view to the ultimate nationalisation of all lands. That includes every inch, if the hon. member wishes it, and there is no getting away from it. I notice that the Minister for Works said that some person down that way went to him and complained that some one up above him had commandeered all the water with the result that he got none. That can be found in *Hansard*. I venture to say that if the Minister for Works had done what would have suggested itself to any business man he would have heard the other side of the story. However, he chose to listen to an *ex parte* statement. If he had inquired into it he would have found the conditions were not as represented to him. I realise that the Bill is going to do a lot of harm if passed in its present form. There is in Bunbury a gentleman who has a little bit of a bore. He is a Labour supporter, too, and a decent sort of fellow. Under the Bill that bore will come within the control of the Government. I want to know why it should do so. If in a case like that a man has to ask the Government for permission to put down a bore, or to deepen a bore which already exists—if that is not taking away the rights of the individual I do not know what is. The question arises, what will be left to us? There is no mention of taking our premises, certainly, and there is that saving clause which leaves us a well, provided we pump it up. It has been suggested that the Bill should go to a select committee. I think it is a very good idea. I say most emphatically that the Bill must not pass in its present form. It is too far-reaching; it will retard the progress of the State. When I tell you there are people who are spending thousands on irrigation, assuming that they have the right to the water they produce, it will be seen that if this is not confiscation, goodness knows what is. I shall support the second reading if it is understood that the Bill is to go to a select committee. If not, I think I shall vote against the Bill in its entirety.

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

BILL—INEBRIATES.

In Committee.

Resumed from the 29th October; Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Clauses 12 to 20—agreed to.

Postponed Clause 8—Treatment of persons arrested for drunkenness:

On motions by the COLONIAL SECRETARY, clause amended by inserting

after "drunkenness" in line 1 the words "and visibly suffering from the effects thereof"; also by inserting "such" after "any" in line 1 of Subclause 2; also by adding at the end of Subclause 3, the words "and for the purposes of such detention shall be deemed an inebriate"; also by adding to Subclause 3 a proviso as follows:—"Provided that any such person shall during his detention be kept in some portion of the institution set apart for the reception of such persons."

Hon. V. HAMERSLEY: In the case of anyone being detained under the clause would they be detained at the expense of the country, or at their own expense?

The COLONIAL SECRETARY: There would be two classes of institutions. There would be an inebriates' retreat, to which persons might voluntarily go and if those persons had the means they would be required to pay for their maintenance. If they had not the means the State would look after them, but they would be expected to do something in return in the shape of work. Those convicted of drunkenness would be sent to some institution set apart for the purpose, instead of being sent to gaol, and if they were in a fit condition they would be called upon to do something useful.

Hon. H. P. COLEBATCH: Although he had opposed the clause in its original form there was not now much harm in it, since it had been amended by the Minister. It seemed to set up three classes, namely, inebriates, first-class drunks, and second-class drunks, and the task of deciding whether a man was a first or a second-class drunk would, apparently, remain in the discretion of police constables. That being the case it seemed the provision under the clause would be exactly as the existing provision; because to-day if a constable, having arrested a man for drunkenness, saw that that man was suffering from some physical ailment requiring medical attention, the constable would immediately see to it that the sufferer got that proper attention. So, too, in the Bill it would rest entirely in the discretion of the constable. There was now no objection to be offered to the clause.

Hon. J. F. CULLEN; It was understood that the Minister proposed to recommit the clause. He would suggest to the Minister that in addition to preparing for any further amendment the Minister should glance over the Bill and see whether it might not be made a little more exact with regard to refund of costs by inebriates who were able to make refunds.

The Colonial Secretary: There is a provision in the Bill.

Hon. J. F. CULLEN: The question was as to whether or not the provision was haphazard. The whole Bill was haphazard. The Minister should carefully consider the matter.

The Colonial Secretary: I have been carefully over it.

Hon. J. F. CULLEN: That assurance was pleasing to him, because the clause appeared to be haphazard. When the Government came to administer this law he hoped they would not launch into an enormous scheme of expenditure.

The CHAIRMAN: Was the hon. member speaking to Clause 8?

Hon. J. F. CULLEN: Yes.

The CHAIRMAN: It was impossible to trace any connection whatever with Clause 8.

Hon. J. F. CULLEN: That was the haphazard clause which called upon the ingenuity and intellect of policeman and magistrate. In regulating the administrative powers of policeman and magistrate he hoped the Government would avoid heavy expense.

Clause put and passed.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the COLONIAL SECRETARY, Bill recommitted for the further consideration of Clauses 3 and 4.

Clause 3—Institutions for inebriates:

The COLONIAL SECRETARY moved an amendment—

That the following new subclause be inserted:—"(3.) An institution may, if the Governor thinks fit, be established by setting apart some portion of an

existing hospital of whatever kind, for the purposes of this Act."

In some country districts like Geraldton it might be advisable to set apart a portion of the hospital for the reception of inebriates and power was required to enable that to be done.

Hon. J. D. CONNOLLY: The only difference which the amendment would make would be that instead of the Government establishing an institution they could declare a portion of a hospital to be an institution. It did not make provision for the Government to declare any institution a place for the reception of inebriates.

The Colonial Secretary: That is not intended.

Hon. J. D. CONNOLLY: There were institutions which provided largely for inebriate women and in some cases for men. There were the Salvation Army rescue home, and the nuns at the Home of the Good Shepherd. Instead of those institutions doing the work at their own cost, apparently it would be compulsory for every person declared an inebriate to be kept by the State in a State institution. Women were often given the option of going to one of these institutions instead of being sent to the gaol at Fremantle, but in view of the definition if a person was declared an inebriate he must be taken to a Government institution.

The COLONIAL SECRETARY: It was not the intention of the Government that private institutions should be included. The Government desired to have control of all institutions established by this measure. They did not wish to extend the operations of the measure to any private institution. In New South Wales the operations of private institutions had not been successful.

Hon. J. F. Cullen: Successful, but not adequate.

The COLONIAL SECRETARY: That was so.

Hon. D. G. Gawler: I suppose under this Bill the Salvation Army cannot receive any of these people?

The COLONIAL SECRETARY: There was nothing to prevent them from taking in inebriates voluntarily.

Hon. J. D. CONNOLLY: It would be necessary for anyone declared to be an inebriate to go to the Government institution. He only hoped that the Government institution would be as successful as the others he had mentioned.

Hon. H. P. COLEBATCH: There was no reason why this measure should interfere with the institutions to which Mr. Connolly had referred. It was not compulsory for a magistrate to declare a person an inebriate. If the magistrate thought the case could best be dealt with by allowing the person to go to a private institution and he was prepared to go, he would not be declared an inebriate. When the magistrate took the extreme course, however, the institution in which the person would be detained must be a Government institution. He agreed with the Minister.

Hon. J. F. CULLEN: Splendid voluntary work for inebriates had been done in New South Wales, but all the ground had not been covered. It was his desire to make that point clear.

Amendment put and passed, the clause as amended agreed to.

Clause 4—Inspector general and officers:

The COLONIAL SECRETARY moved an amendment—

That in paragraph (a) "institutes" be struck out and the word "institutions" inserted in lieu thereof.

That was merely to correct a misprint.

Amendment passed; the clause as amended agreed to.

Bill again reported with further amendments.

House adjourned at 10.15 p.m.