

much discussion on the Bill in general, but consider each point separately and try to get the Bill enacted before the close of the session.

Question put and passed.

Bill read a second time.

#### ADJOURNMENT.

The House adjourned at 13 minutes past 11 o'clock, until the next day.

### Legislative Council,

Wednesday, 5th February, 1902.

Paper presented—Questions (2) : Fremantle Harbour Works, Cost and Extras; 2, Testing of Pipes—Question: Court Fees, Divorce and Separation Suits—Motions (2) : Railway Refreshment Rooms, to provide; 2, Inspection—Judges' Pension Bill, second reading, Committee stage—Fourth Judge Appointment Bill, third reading—Gaols Act Amendment Bill, third reading—Criminal Code Bill, third reading—Early Closing Bill, in Committee, Clause 13 to end, Recommittal (2), reported—Bush Fires Bill, Assembly's Amendments—Industrial Conciliation and Arbitration Bill, second reading (resumed)—Adjournment.

THE PRESIDENT took the Chair at 4:30 o'clock, p.m.

#### PRAYERS.

#### PAPER PRESENTED.

By THE MINISTER FOR LANDS: Re-turn in connection with the Coolgardie Water Supply, caulking of pipe joints.

Ordered: To lie on the table.

#### QUESTION—FREMANTLE HARBOUR WORKS, COST AND EXTRAS.

HON. G. BELLINGHAM asked the Minister for Lands: 1, What is the cost to date of the Fremantle Harbour Works, including extras. 2, What was the original estimate of the works.

THE MINISTER FOR LANDS replied: 1, The total amount debited to vote for Fremantle Harbour Works to 31st December last is £1,180,375 11s. 5d., but this includes the cost of many

extensive works which were not contemplated in the original design for these Harbour Works, and which cannot be considered as necessary adjuncts. 2, The only estimate of cost of these works was that contained in the Report by the Engineer-in-Chief, dated 21st December, 1891 (Parliamentary Paper A2, 1892), which was £800,000, and so much of the works comprised in that estimate have been completed within that estimate. There have been authorised from time to time considerable extensions to the works originally contemplated, which extensions are still being carried out.

#### QUESTION—COOLGARDIE WATER SCHEME, TESTING OF PIPES.

HON. G. BELLINGHAM asked the Minister for Lands: If the Government intend issuing invitations to members of Parliament to the testing of pipes on the Coolgardie Water Scheme.

THE MINISTER FOR LANDS replied: No arrangements will be made until the date is fixed for testing the pipes. Members will certainly be invited.

#### QUESTION—COURT FEES, DIVORCE AND SEPARATION SUITS.

HON. R. S. HAYNES asked the Minister for Lands: 1. If the Government has caused the court fees payable on divorce and separation suits to be reduced so as not to exceed the sum of £5. 2. If not, will the Government have the reduction made in pursuance of the resolutions of this honourable House.

THE MINISTER FOR LANDS replied: These fees are determined by the Judges, whose attention has been called to the resolutions of the House.

#### MOTION—RAILWAY REFRESHMENT ROOMS, TO PROVIDE.

HON. G. BELLINGHAM (South) moved:

That, in the opinion of this House, it is desirable that railway refreshment rooms be provided at Northam and Kalgoorlie, also that the premises at Southern Cross be extended.

The afternoon express left Perth at half-past three, and arrived at Northam about half-past six, staying there for 18 minutes only. The nearest hotel was fully five minutes' walk from the station; conse-

quently people travelling on the line had not sufficient time to get their meals at that hotel. He had been to the hotel several times, and the meals were not too good. The new station was built about 12 or 18 months ago, and there was any amount of room on the platform for a refreshment room. With reference to Kalgoorlie, trains going from Perth and carrying passengers through to Menzies necessitated a delay of about an hour; consequently passengers arriving at Kalgoorlie and waiting for the express to go on wanted luncheon, or if they could not get lunch they wished to have a cup of tea, a scone, or something of that sort. There was a hotel right opposite the station, but the price for lunch was exorbitant, being half-a-crown or three shillings. The same thing as applied to passengers already referred to applied also to passengers coming down from Menzies and the out-back districts. Throughout the Great Southern and the Bunbury lines, refreshment rooms were provided at the railway stations independently of hotels, which in several instances were only a minute or two from the station; so there was no reason why refreshment rooms should not be provided on the goldfields line, where the traffic was three or four times as great. The matter had been brought before the House once, he thought, during this session, and it was also brought forward last session, but for some reason the Government had not seen fit to cater for the travelling public on the eastern goldfields line. If these refreshment rooms were erected, the cost would be very small, amounting to not more than £200 or £300, and the Government could get a revenue of £3 or £4 a week for each of the rooms. At Southern Cross there was already a small refreshment room about 15 or 16 feet long, right on the station. There was only a bare wooden counter, and he understood the people there paid £3 a week for that. The structure could be lengthened for a matter of £50, so as to give more accommodation for the people to get at the counters. Trains during Christmas holidays and also other passenger trains that went through to the goldfields carried a very large number of passengers. The time was limited for the stoppage of trains at these various stations, the consequence being that there

was such a rush that one could not get near the refreshment rooms.

HON. J. T. GLOWREY (South): This motion was one that thoroughly commended itself to him. Anyone travelling on the goldfields lines must realise that the discomforts inflicted on passengers were very severe. A similar motion to that now before the House having been adopted during the last session, the question which now exercised his mind was whether it was of any use to pass motions which received no attention. The subject now under consideration was important, since it affected the comfort of a large section of the travelling public. The improvements required might be made at small expense. The accommodation for travellers between Chidlow's Well and Southern Cross was simply disgraceful. One had to fight for refreshment, and ladies in particular could not hope to receive any attention. He trusted the Minister for Lands would do what in him lay to see that this motion, if adopted, was not cast aside.

HON. W. MALEY (South-East): It would be a pity if this motion were left to be supported solely by goldfields members. Plainly, something should be done immediately in the direction asked for by Mr. Bellingham. Kalgoorlie was not, as coastal people were apt to think, a terminal station; but one at which refreshments should be provided for persons going farther into the interior. At Northam there was great difficulty in getting refreshments. One had to wander down the street and take pot luck.

HON. T. F. O. BRIMAGE: And chance missing the train.

HON. W. MALEY: Just so. The opportunities of saying anything in favour of the goldfields were so rare that they should not be missed. He had great pleasure in supporting the motion.

HON. E. McLARTY (South-West): The motion would certainly have his support, though at the same time it was hardly necessary to take up the time of the House with matters of this description. The request was so reasonable that it certainly would be granted.

HON. G. BELLINGHAM: The Government would not recognise its reasonableness.

HON. J. T. GLOWREY: Goldfields members were tired of bringing these

matters under the notice of the Government.

HON. E. McLARTY: Surely such a request as this, if brought to the attention of the Minister for Railways, would be granted.

HON. R. S. HAYNES: A similar motion had been passed by the House six months ago.

HON. J. T. GLOWREY: The only result of representations to the Minister was promises.

THE MINISTER FOR LANDS (Hon. A. Jameson): It was a matter of regret to him to learn that a similar motion had already been before the House and had not received attention. No doubt the question had been overlooked owing to late political exigencies. The House had no reason to fear that its resolutions here would be disregarded.

HON. R. S. HAYNES: We had heard that story often before.

THE MINISTER FOR LANDS: Certainly he would do his utmost to see that the motion was given effect to.

HON. R. S. HAYNES (Central): Resolutions of this House were treated by the Government as so much waste paper. Resolution after resolution was passed, and there the matter stopped. When the time came he would draw the attention of the Government to the fact that three resolutions had been passed by this House in favour of reducing divorce fees, and had been absolutely disregarded. To call attention to the fact, he would try to block the Judges' Pension Bill. [Several interjections.] He made that statement as a threat. Mr. Glowrey, on the 24th September, 1901, had carried through the House a similar motion to the present one. Since that date there had been plenty of time to give effect to it. In reading the report of the debate on that motion he observed that the then leader of the Government in this House had not even taken the trouble to acknowledge the motion, which was simply put before the House, supported, and passed. And there the matter was allowed to rest. The House ought to take measures to prevent its resolutions being flouted. An important resolution affirming the desirability of certain action in regard to the foreshore of the city of Perth had been totally disregarded. Hon. members should stand shoulder to shoulder, and, irrespec-

tive of whether they were in favour of a motion or not, see that regard was paid to the wishes of the majority in this Chamber. Surely, we had as much right to have attention paid to our resolutions as the other Chamber.

Question put and passed.

Resolution transmitted to the Legislative Assembly, with request for concurrence.

#### MOTION — RAILWAY REFRESHMENT ROOMS, INSPECTION.

HON. G. BELLINGHAM (South): moved:

That, in the opinion of this House, it is desirable that a system of inspection of railway refreshment rooms be adopted.

Hon. members who had travelled on the Eastern Goldfields line would bear him out in saying that an inspector was badly needed. The tea and coffee supplied at the railway stations were undrinkable, and the scones by which these beverages were accompanied were like bullets. This remark applied to refreshment rooms all along the line. He wished to call particular attention to Boorabbin. Certainly any person who had once paid half-a-crown for a meal at the refreshment room there would never enter the place again. Inspectors should travel along the railway line and see that proper liquor was supplied, and also that the tea or coffee and scones, for which the travellers paid a shilling beyond Southern Cross and 6d. on the Perth side of it, were of good quality. The refreshment station at Spencer's Brook, too, supplied liquor and edibles that were simply a disgrace.

Question put and passed.

Resolution transmitted to the Legislative Assembly, with request for concurrence.

#### JUDGES' PENSION AMENDMENT BILL. SECOND READING.

THE MINISTER FOR LANDS (Hon. A. Jameson), in moving the second reading, said: This is almost purely a formal measure. The Bill consists really of a clause providing that pensions shall not be granted without the consent of Parliament to any Judge resigning his office within five years of his appointment. Hon. members will no doubt recognise this Bill as the outcome of various dis-

cussions which have occurred in both Chambers as to the desirability of imposing safeguards against any gentleman not in a thoroughly sound condition of health being appointed to the fourth Judgeship. The desire of the Government, of course, is to make a suitable appointment; and in order to strengthen their position and to show their earnestness in the matter they have introduced this Bill. The measure cannot, of course, apply to the present Judges. But any Judge appointed after this measure becomes law will not, if he resign his office before he has served five years, be able to draw a pension. Arguments may, and will no doubt, be used against the measure; but I think on the whole hon. members will be in favour of it as a means of guarding the economic interests of the country. I hope hon. members will give the Bill earnest consideration, and I trust they will see their way to support the second reading.

HON. E. M. CLARKE (Minister): I second the motion.

HON. R. S. HAYNES (Central): I regret to say that I think this Bill ought to be rejected. Before I conclude, I shall move in that direction. During September of last year this question was before the House. A motion was moved by Mr. Moss affirming the desirability of reducing the pensions of Judges. Mr. Moss referred to the law of New Zealand. In that State, it appears, a Judge who serves 10 years is entitled to three-twelfths of his salary; if he serves 15 years he is entitled to six-twelfths; and after 21 years' service he is allowed eight-twelfths. A retiring Judge must be over 60 years of age, or must resign by reason of bodily infirmity. The provision I have stated is undoubtedly better than the proposals of this Bill; because there is a sliding scale: for 10 years' service so much pension, for 15 years so much, and so on. The motion was fully considered by the House, and I think the House would have unanimously rejected it. The matter did not, however, come to a vote, because Mr. Moss lost his seat. What has happened since last September to cause this House to change its mind? Hon. members do not, or at any rate ought not to, arrive at decisions hastily. I opposed the motion on that occasion; and I shall oppose the present Bill; and I shall give solid reasons for

doing so. My first objection to the Bill is that it was passed through another place in one sitting. The measure was introduced into the Legislative Assembly yesterday, passed through all its stages yesterday, and received here and read the first time yesterday. A Bill which first saw the light of day yesterday afternoon in the Legislative Assembly is before us for the second reading to-day. That fact in itself ought to be sufficient to put the House on its guard, even if nothing had gone before. But what reasons are laid before this House to-day to induce us to depart from the attitude which we took up in September? To my mind the leader of the House has given no sound or forcible reason in favour of the measure. Is not this a Bill which interferes with vested rights?

THE MINISTER FOR LANDS: No.

HON. R. S. HAYNES: I differ from the hon. member. The clause says:

Notwithstanding anything contained in the Judges' Pension Act, 1896, to the contrary, no pension shall be granted, without the consent of Parliament, to any Judge resigning his office within five years of his appointment.

The measure is retrospective in that respect. It is not retrospective as far as resignation goes. If a person had resigned through ill-health before the passing of this Bill, the Bill would not affect him; but if he resigns after the Bill is passed the words become operative. The clause says no pension shall be granted without the consent of Parliament to any Judge resigning his office in the future, if he resigns within five years of his appointment, so that consequently if Mr. Justice Parker—I am sorry to use Mr. Justice Parker's name so frequently, but I am only using it to show the injustice that will be done—retires within the next five years he will get no pension, although he accepted office on the distinct understanding of the Act as it then stood that if he retired from the Bench through illness within six months, or within one week after he took office, he would be entitled to a pension. Once a man acquires a right, you should never take that right away from him. That is one of the principles I think the House have acted upon in the past, and I hope they always will be ready to act upon it in the future. I am only pointing out what the effect of this will be. I will not say this

legislation is directed at one Judge, but we are sitting here in solemn conclave to pass a Bill which will operate against one individual in our community, and only one individual at the present time. Now we are to have two classes of Judges; we are to have one class who will get pensions and another class who will not have pensions. I suppose we shall be able to distinguish those Judges who have put by for a rainy day, if there is no pension. It reminds me of an opera called "Les Manteaux Noirs," where one brother got so many millions an hour, and the other only about 30 millions a year, and the one with 30 millions a year was spoken of by his brother as "Poor-House Bob." No doubt the Judges who will not get a pension will be classed differently from others. That is sufficient to show that whatever legislation we are going to introduce with respect to our Judges, it ought not to apply to only one Judge on the bench. One Judge on the bench should not get more emolument than another, the Chief Justice excepted.

MEMBER: Does the Bill not apply to them all?

HON. R. S. HAYNES: It applies to one, but does not touch the others; it touches the last Judge. That is one reason why it should not be passed. Another reason is this: If a Judge serves five years and one day he gets a pension, but if he serves 4 years 11 months and 29 days he does not.

THE MINISTER FOR LANDS: Unless Parliament gives it.

HON. R. S. HAYNES: I have no doubt he can come cap-in-hand to Parliament. The result is that we are holding out an inducement to a Judge while upon the bench to make friends of members of Parliament. That is to be deprecated. Frequently Judges have had to stand up against the inroads of Parliament and at times the illegal and autocratic acts of Ministers. It is the duty of the bench to shelter the public from any attacks by people in authority who abuse their rights or overstep the bounds of prudence; and if a Judge had to depend in the first five years upon being in the good graces of Parliament, as to whether he would get a pension on retiring from the bench, I know which side he would take. Which ever way this Bill is viewed, it is a wrong

Bill; but one of the worst features of the Bill is that if a Judge during the first two years of his tenure of office become ill or is afflicted with a malady, he will still continue to sit on the bench. Take for instance, Bright's disease, which is a terrible one. Perhaps the man does not appear ill, but we know it has a direct effect upon his temper, and for three years that man will heroically sit on the bench in order to get the pension. He ought not to, for he is physically unfit; but he will do so for the purpose of getting a pension, not so much for himself, but for his family.

HON. J. W. HACKETT: Would not that apply under the present Act?

HON. R. S. HAYNES: No. Under the present Act so long as a Judge satisfied the Government that he was physically unfit, he could retire and get a pension.

THE MINISTER FOR LANDS: He must have been in office 15 years.

HON. R. S. HAYNES: The Act at the present time is this. A Judge can retire when he is 60 years of age (he must be 60 years of age), and he must have served 15 years on the bench to get his pension, or he must have a certificate from a medical officer that his health renders him unfit. That medical certificate has to be to the satisfaction of the Government. That is how the Judges stand at the present time. Last night an attempt was made to restrict the right of the Government, and the answer made, and very properly so I think, was "You must trust that the Government will discharge their duties."

MEMBER: You voted against it.

HON. R. S. HAYNES: I did not. An amendment was moved that was irregular, and I urged that if you were going to move one, it should be in proper form. However, I am wandering —

HON. G. BELLINGHAM: Why did you not vote against it, then?

HON. R. S. HAYNES: I am wandering from the point somewhat. Last night the House disapproved of interference with the rights of the Government in any way, having the fullest confidence that the Government would do what is correct. It seems to me it would be quite improper to pass any legislation which would lead to either of the results I have pointed out. First, it would keep

a Judge under the check of Parliament; he would be under the power of Parliament, and the whole object of our Constitution is that a Judge shall be absolutely irresponsible and free from the dictates of Parliament, especially of Ministers. Before a Judge can be removed, there has to be an address from both Houses of Parliament to the Monarch. The object is that a Judge shall stand between those who have the executive power and those who are governed by them. He is a buttress between the two, and has to be as independent of one as of the other. This Bill makes a Judge dependent upon Parliament for five years. The next thing I point out is that it interferes, or at all events it aims and is directed at—I ought not to say that it aims at it, but it will affect only one man in our midst. I say the measure deals with only one person at present.

HON. G. RANDALL: That is the Judge to be appointed, is it not?

HON. R. S. HAYNES: No; Mr. Justice Parker. I assure the hon. member that if any Judge after the passing of this Bill retires within five years of his appointment, he will not get a pension. I am sure any legal members of the House will support me in that reading of the measure.

HON. J. M. SPEED: The present Government appointed him, and they know what he is.

HON. R. S. HAYNES: That is begging the question. I am only dealing with the Bill as it stands. I say it is dealing with one man. The next point is that it has a tendency to induce Judges to perform the duties at a time when they might not be fit for them. That is to be deplored, and I, as one of the counsel who have to appear before Judges, say I do not want it to occur again. I am sure that members who appear at the Bar will bear me out that we have had enough of it, and do not want a repetition.

HON. J. M. SPEED: This Bill will not make it any worse, nor any better.

HON. R. S. HAYNES: Under the present Act if a Judge is really physically unfit to sit upon the bench, he will have no difficulty in convincing the Government by means of medical certificates that he is unfit. Having done that, he is entitled to his pension forthwith. Therefore there

is no inducement for him to remain on the bench if he is physically unfit. I therefore assert that on these three grounds the Bill ought not to be passed, and therefore I move that the words "this day six months" be substituted for "now."

HON. A. B. KIDSON (West): I have pleasure in supporting Mr. Haynes on this subject, and before going farther I congratulate the Minister on the fact that on this occasion the Government are earnest in introducing the measure. Had the Minister not assured the House of that, I certainly should not have come to such conclusion from his words or the manner in which he uttered them. In fact I was surprised that the hon. gentleman in introducing the measure did not do so with more energy than he did.

HON. J. E. RICHARDSON: He left that for you.

HON. A. B. KIDSON: I will give you some energy directly. He seemed to me to say, "Here is the Bill. The House can pass it or not, as they like." That appeared to me to be the tone in which he introduced the measure. I should like to have heard the Minister give some explanation why the measure was introduced at all. I certainly did not hear any good and valid reason why it was introduced. He says there was some discussion in and out of Parliament, and I think that was the only reason he gave. But what I want to get at is, why is a Judge to be compelled to serve five years to get a pension?

MEMBER: The country cannot afford to pay it.

HON. A. B. KIDSON: I should like to point out to the hon. member what the country wants, and what it can afford to pay. They can afford to pay for a fourth Judge at a time when, in the opinion of the legal members of this House, and of the whole Bar practically, a fourth Judge is not necessary.

HON. T. F. BRIMAGE: Members of the Bar are not the country.

HON. A. B. KIDSON: I should like to point out that what the country does want—I do not think anyone will contradict me—is the best man we can get.

MEMBER: In good health, too.

HON. A. B. KIDSON: The country wants the best men it can get, and does not want to pay for it. You are prac-

tically asking a gentleman, in order to occupy the position of Judge, to throw up a very remunerative practice: I am talking of the very best men. He may meet with an accident and be incapacitated from carrying out his duties, and yet he would get no pension.

HON. G. BELLINGHAM: He is not forced to do it.

HON. A. B. KIDSON: I did not say he was forced to do it, but it is admitted that what the country wants is that the best men shall occupy the position. If this sort of legislation is going to be enacted, the country will not get the best men, because the best men will not give up their practices to be treated in that way. I am positive that no gentleman occupying a first-class position would take the post. You want to get the best men.

HON. C. E. DEMPSTER: A certainty is better than an uncertainty.

HON. A. B. KIDSON: There is no certainty. The hon. member says exactly what I say to him. By this Bill, certainty is converted into uncertainty. The Judge is given no certainty if he be appointed subject to a proviso that he must serve five years before becoming entitled to a pension. Why should a Judge have worse treatment meted out to him than any other civil servant? A Supreme Court Judge occupies one of the highest positions in the State; more confidence is reposed by Parliament and the Government in a Judge than in any other public officer; and yet it is proposed to treat a Judge in a worse manner than any other civil servant.

HON. C. E. DEMPSTER: Pay him well for the time he is on the bench.

HON. A. B. KIDSON: But that is not done. I call £1,400 per annum a miserable salary for the position; and it is not proposed, mark you, to increase the Judges' salaries; I have never heard any suggestion to that effect from the Government. While proposing to leave the salary as it is, the Government wish to partly take away the right to a pension. If hon. members are willing to say, "Let the Bill stand over until the Government bring in another Bill increasing the salaries of Judges," then I shall be quite with them. Let us pass a measure increasing the salaries before we tamper with pension rights. Lately there has been a regular

wave of legislation affecting the Judges. To my mind, if any public officials of this State should be free from discussion so far as practicable, it is the Judges. Yet lately a perfect cycle of discussion has revolved around them. Every hon. member will agree with me, I think, when I say that in the gentlemen holding judgeships to-day we have as good a Bench as it is possible to obtain. Then why all this discussion? With regard to Mr. Parker, I agree entirely with what Mr. Haynes has said. Why was Mr. Justice Parker attacked?

HON. F. T. CROWDER: Because he has done nothing for the country.

HON. A. B. KIDSON: I may point out to the hon. member who makes that statement that Mr. Justice Parker accepted his judgeship on certain terms and conditions. He threw up his private practice in order to take the judgeship.

HON. E. McLARTY: Question!

HON. A. B. KIDSON: The hon. member may say "question," but I am stating facts which are beyond question. Mr. Justice Parker threw up his private practice.

HON. R. S. HAYNES: The best practice in Perth.

HON. A. B. KIDSON: Hon. members cry out because Mr. Justice Parker applied for sick leave shortly after his appointment. It does seem to me that a measure of this kind throws suspicion on the Judges, and seems to spring from a belief that the Judges are not acting properly.

HON. F. T. CROWDER: Nothing of the sort.

HON. A. B. KIDSON: A slur is also cast on the Government. It seems to be assumed, or inferred, that the Government have done something they should not have done, and that this measure is needed to prevent them from committing the same fault again.

SEVERAL MEMBERS: This is a Government measure.

HON. A. B. KIDSON: I know that. Nevertheless, the measure seems to bear the construction I have put on it. If it is not to be so regarded, what is the necessity for it at all?

HON. F. T. CROWDER: Public opinion demands it.

HON. G. RANDELL: Can Parliament take away a right already bestowed?

HON. R. S. HAYNES: Yes; Parliament can do that.

HON. A. B. KIDSON: I am sure hon. members are desirous of doing what is right, and have no wish to do anyone an injustice. Mr. Parker has accepted his appointment on certain conditions, which conditions this measure will affect to Mr. Parker's detriment. Therefore, I say, the Bill is monstrously unjust and unfair. The terms on which Mr. Justice Parker was appointed should be allowed to stand. It is manifest injustice to take away from him something he is already entitled to. Looking at the matter in all its aspects, I hope, therefore, that hon. members will not pass the measure. I will not say I am utterly opposed to legislation of this kind. Certainly, I am not altogether in favour of the system of pensions. The present Bill, however, may very well be allowed to stand over until the Government have introduced a measure increasing the salaries of Judges to such an extent as to render their Honours altogether independent of pensions. I say, "Increase the salaries and do away with pensions, if you like; but do not take away the right to pensions wholly or in part while leaving the salaries as they are." Such a course would be absolutely unjust. Let the House before passing the measure, adopt a suggestion that the salaries of Judges be increased; and then let the Government bring down the necessary legislation. Do not let us at one fell swoop alter the position which has been in force for a number of years, so taking away the vested rights of one Judge, at any rate. Let the Bill be thrown out, and let the Government bring in legislation dealing with the whole subject as I have suggested.

HON. F. T. CROWDER (East): The general feeling in both Houses of Parliament seems to be that some such measure as this is needed in order to take away from any and every Government the power of appointing to a judgeship a person whose appointment, by reason of considerations of health, will not be for the benefit of the community. I quite concur in the remarks which have fallen from Mr. Haynes and Mr. Kidson as to the effect of the present Bill on Mr. Justice Parker's appointment; but that difficulty can easily be remedied in Committee. This Bill must not apply to

appointments already made. I unreservedly admit that it would be against the honour of any Parliament to pass a Bill varying the terms under which an appointment had been accepted, to the detriment of the person appointed. In Committee I shall endeavour to have the Bill amended to this effect: that a Judge who has held his position for five years shall be entitled to a pension of one-fourth his salary; after a 10 years' tenure, half salary as pension; in the case of 15-years tenure, the whole salary as pension. Moreover, I shall move in Committee that the words "with the consent of Parliament" be struck out; because I do not believe in allowing the feelings of members of Parliament to be brought to bear in a matter of this kind.

HON. R. S. HAYNES: What you propose is worse still.

HON. F. T. CROWDER: The question of a Judge's pension should not depend on the merciful or charitable feelings of members of Parliament. I should have been glad to see Mr. Bellingham's amendment, or suggestion, in connection with the Fourth Judge Bill, adopted. No Government should have it in their power to appoint to a judgeship a person who may after possibly a very short service be compelled to resign and draw his pension. As we must make a start at some time or other, let us begin now. We are dealing with the future, and not with the past. The sooner a Bill of this kind is enacted, the better it will be for the country. I shall support the second reading of the Bill, reserving to myself the right to move amendments in Committee.

HON. R. S. HAYNES: You cannot amend this Bill.

HON. C. E. DEMPSTER (East): This House, like any other legislative body, has, no doubt, made mistakes in the past; but there is no reason why it should not endeavour to avoid making mistakes in future. To my mind it is very undesirable that pensions should be granted unless substantial service has been rendered to the country. I think hon. members will agree with me that it is wrong to affirm the principle of what I may term gratuitous pensions. I say this without entertaining feelings of animosity towards anyone who may be affected by the measure. Let hon. mem-



bers ask themselves whether, in the interests of the country, it is wise to grant a pension where no adequate services have been rendered? Judges, while holding their appointments, are well paid; and there is, in fact, no real reason for granting pensions, at any rate unless exceptionally good and lengthy service has been rendered to the State.

HON. J. M. SPEED (Metropolitan-Suburban): With a few slight alterations, this Bill will represent a step in the right direction. As Mr. Dempster has said, it is not right that pensions should be granted unless valuable services have been rendered. I agree with what Messrs. R. S. Haynes and Kidson have said as to the Judges' salaries. Undoubtedly, a Judge ought to be well paid. In nearly every instance when a member of the bar has accepted the very honourable position of Judge, he has done so at considerable pecuniary sacrifice. My opinion is that almost every Judge appointed here has left a private practice which returned him much more than the amount of a Judge's salary.

SEVERAL MEMBERS: No.

HON. F. T. CROWDER: It suited them to accept judgeships.

HON. J. M. SPEED: It suited these gentlemen, certainly; but they accepted judgeships for the sake of the honour, and not for the sake of the emoluments, attaching to the office. I think the remark that lawyers accept judgeships at a pecuniary sacrifice applies almost throughout the British dominions. The average income made by a successful barrister or solicitor is much greater than the salary paid to a Judge. When the Bill is in Committee, I intend to move that the words "with the consent of Parliament" be struck out. If for any special cause a Judge retire during his first five years of office, there is no necessity to ask the consent of Parliament to the payment of a pension; because the Government may be trusted to see that any person who has held the honourable position of Judge shall receive that to which he is properly entitled.

HON. R. S. HAYNES: Yes; especially if he stands up against the Government.

HON. J. M. SPEED: I have a high opinion of the Judges. I cannot fall in with all the views expressed by Mr. R. S.

Haynes, who in one breath praises the *personnel* of the Bench and in the next describes the Judges as physically incapable and mentally warped.

HON. R. S. HAYNES: I made that remark concerning only one Judge; and you know the Judge I refer to.

HON. J. M. SPEED: I do not share that view. I believe that the Judges do their duty justly and honourably, in accordance with the oath they have taken. Such, at any rate, has been the tradition of British Judges in the past; and I believe their conduct will be in accordance with that tradition in the future. The fact that the Bill passed through another place with very little discussion shows clearly enough the feeling obtaining there. The principle of the measure is evidently recognised as a sound one. I shall support the second reading of this Bill, as practically a step towards the abolition of pensions.

HON. R. S. HAYNES: Is it competent for the House to amend the Bill?

THE PRESIDENT: Yes: certainly.

HON. R. G. BURGESS: There is no money in it.

THE PRESIDENT: It is perfectly competent for the House to amend the Bill in any way they like.

Amendment (six months) put and negatived.

Question (second reading) put and passed.

Bill read a second time.

#### COMMITTEE STAGE.

THE MINISTER FOR LANDS moved that the President do leave the Chair for the purpose of the Bill being considered in Committee.

HON. R. S. HAYNES moved, as an amendment, that the Committee stage be taken on the next day. There was no hurry for it now. This had nothing to do with the merits or demerits of the Bill, but was for the purpose of calling attention to something he had referred to before, that being neglect to comply with the requirements of this House. This House had already passed two resolutions, neither of which had received the slightest attention—he would not say from the Government, but from the Judges. He had to-day asked the Minister for Lands, "If the Government has caused the court fees payable on

divorce and separation suits to be reduced so as not to exceed the sum of £5. If not, will the Government have the reduction made in pursuance of the resolutions of this honourable House." Dr. Jameson gave him the stereotyped reply, that the attention of the Judges had been called to the resolutions of the House. He (Hon. R. S. Haynes) was just about tired of this answer. A question had been asked by Mr. Moss, and he (Hon. R. S. Haynes) moved in this matter some three years ago. He thought that every session the matter had been before the House. The Minister for Lands replied that the resolution referred to was forwarded to the Chief Justice by the then Attorney General on the 21st of September, 1900. That was nearly two years ago, and the papers had not yet been returned. The fees in relation to divorce cases in this State were nearly three times as high as in Great Britain, and probably ten times as high as in any other State—petitions for separation and divorce made by women who had been deserted by their husbands. The Court fees amounted to £15 and £16. He moved this amendment for the purpose of calling the attention of the Government to the—he would not say want of courtesy of the Judges, but their omission to deal with the matter.

**THE MINISTER FOR LANDS** (Hon. A. Jameson) said he had no objection to the Committee stage being taken to-morrow, particularly as he wished to refer to certain things, but he must protest against the reason given by the hon. member. Undoubtedly it was discretionary with the Judges to accept a resolution or motion of this kind or not; that was to say, they might act upon it or not, as they chose, and he must support the position of the Judges in this way.

Amendment put and passed.

#### FOURTH JUDGE APPOINTMENT BILL.

Read a third time, on motion by the **MINISTER FOR LANDS**, and *passed*.

#### GAOLS ACT AMENDMENT BILL.

Read a third time, on motion by the **MINISTER FOR LANDS**, and transmitted to the Legislative Assembly.

#### CRIMINAL CODE BILL.

Read a third time, on motion by the **MINISTER FOR LANDS**, and returned to the Legislative Assembly with amendments.

#### EARLY CLOSING BILL.

##### IN COMMITTEE.

**SIR GEORGE SHENTON** took the Chair.

Consideration resumed from the previous day, on the amendment to Clause 13, moved by Hon. A. B. Kidson.

**THE MINISTER FOR LANDS:** This State seemed to be the only one in Australia that insisted upon 48 hours. On the last occasion he was endeavouring to point out that Clause 13 should be read in connection with Clause 10. There we said "No shop assistant shall be employed in any shop or about the business of any shop (not being a shop mentioned in Schedule 1)," etc. By that clause we had 56 hours of labour. By Clause 13 it was reduced to 53, and he was pointing out that this applied not only to exempted shops but to all shops. If we reduced the number to 48, it would mean that women and young persons under 16 would not go to business till half-past nine, and that seemed rather a late hour. It was provided in the Bill that the hours for shops should be from eight o'clock to six, with one hour interval for meals. By Clause 10 half an hour might be allowed after the shop was closed. It might or might not be allowed by the measure. If the amendment were passed, the result would be that these persons would go to their business at half-past nine and could retire at half-past six, which would be highly inconvenient. As at present, with 53 hours, the clause gave the full time without half an hour beyond. If this half hour was going to be used after six o'clock by the women and young persons, they would go to business at half-past eight. If we reduced the time to 48 hours, it would, as he had said, be half-past nine before they went to business. The clause as it stood would be in line with the law in the other States with regard to these matters. In Victoria, under the Workshops and Factories Act of 1896, the time was 52 hours, excluding meal times. Persons must not work longer than nine hours in one day, except on one day in the week,

when it might be 11. On holidays they made it 11, whereas we made it 12 hours. In regard to those employed in factories, under another clause they worked for eight hours only. In New Zealand also the time was 52 hours, and there one must not work in one day for a longer period than 9½ hours. In Queensland also it was 52 hours. The reason for its being 53 hours here was that it suited the time of our shops. Moreover, that was the position in South Australia and New South Wales. So far as he could ascertain, the system of 48 hours had not been observed. Women and young persons had been going to work in various shops at eight o'clock and half-past eight, only a few going at nine o'clock. This matter might have been winked at, but undoubtedly the people affected regarded the provision as highly inconvenient. It was to be noted, moreover, that the proposed restriction tended to place women and young persons in the unfortunate position of finding it difficult to obtain employment. He hoped hon. members would give the matter careful consideration, and would not hurriedly decide to reduce the hours. Under no circumstances should we reduce the number of hours to 48. It would be sufficient to reduce them to 50; and then women and young persons could go to business at nine o'clock in the morning. If the amendment were adopted, it would be most difficult and inconvenient to carry on the business of a shop with the two classes of assistants mentioned.

**HON. J. D. CONNOLLY:** Notwithstanding the arguments of the Minister for Lands, he would support Mr. Kidson's amendment. The leader of the House appeared to have lost sight of the fact that the amendment applied only to women and young persons under the age of 16 years. From nine to six was quite long enough for such people to work.

**HON. F. T. CROWDER:** Hon. members should vote for the clause as it stood. New Zealand had gone farther in legislation of this class than any other country. The clause in the New Zealand Act bearing on this point was as follows:—

A woman, or a person under eighteen years of age, shall not work for hire or maintenance in or about any shop, nor at any work in connection with the shop, for a longer period than fifty-two hours, excluding meal times, in any

one week, nor for a longer period than nine hours and a half, excluding meal times, in any one day, except on one day in each week, when eleven and a half hours' work may be done: Provided that the persons employed in a shop or workroom may, with the consent of the inspector, be employed for a period not exceeding three hours in any one day beyond the ordinary working hours on not more than forty days in any one year for the purpose of stocktaking.

If New Zealand, the home of all this advanced legislation, was satisfied with this clause, we might rest content with that now before us.

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

Ayes	...	...	...	9
Noes	...	...	...	13

Majority against ... 4

**AYES.**  
 Hon. J. D. Connolly  
 Hon. J. M. Drew  
 Hon. A. G. Jenkins  
 Hon. A. B. Kidson  
 Hon. R. Laurie  
 Hon. W. Mailey  
 Hon. B. C. O'Brien  
 Hon. J. M. Speed  
 Hon. R. S. Haynes  
 (Teller).

**NOES.**  
 Hon. G. Bellingham  
 Hon. T. F. O. Brimage  
 Hon. R. G. Burges  
 Hon. E. M. Clarke  
 Hon. F. T. Crowder  
 Hon. J. W. Hackett  
 Hon. S. J. Haynes  
 Hon. A. Jameson  
 Hon. E. McLarty  
 Hon. C. A. Piesse  
 Hon. G. Randell  
 Hon. J. E. Richardson  
 Hon. C. E. Dempster  
 (Teller).

Amendment thus negatived.

**HON. A. B. KIDSON:** In view of the result of this division, he would not move the second amendment on the Notice Paper.

Clause put and passed.

Clauses 14 to 16, inclusive—agreed to.

Clause 17—Record to be kept by shop:

**HON. G. RANDELL:** No penalty attached to this clause. The case was not met by Clause 20, Sub-clause 2; because that sub-clause did not create an offence or provide a remedy. The old Act contained a similar section, which was incapable of enforcement. Perhaps the Minister of Lands would give the matter his attention.

Clause put and passed.

Clauses 18 to 24, inclusive—agreed to.

Clause 2—Interpretation:

**HON. A. B. KIDSON:** The first amendment in this clause of which he had given notice was contingent on the striking out of Clause 8. As for the second amendment, the Minister for Lands would no doubt recognise that the definition of "shop" should be amended.

He moved that the clause be farther postponed.

Motion put and passed, and the clause postponed.

Clause 8 (reconsidered)—Shopkeeper may sell after the closing time:

HON. R. S. HAYNES: In order to meet the objection that this clause tended in favour of aliens, such as Chinese, Hindoos, Afghans, Greeks, and Italians, he moved that in line 2, after the word "shopkeeper" the following be inserted, "being a natural born or naturalised British subject." It was the irony of fate that we should be directing legislation against Italians and Greeks, representatives of the only two civilised nations of Europe which had supported Great Britain in the Boer war. Whilst every other nation of Europe had insulted England's monarch and her army, the Italian and Greek nations, against whom the legislative battery was now being turned, had recognised the justice of the British cause. However, that was beside the question. He was quite prepared to adopt any reasonable objection which could be urged against the clause. He desired to be as reasonable as he could, because he thought that this was a much debated matter, and he wished as far as possible to effect a compromise. This seemed to be a compromise which met the objection urged against the Bill, that the Bill would have the effect of bringing in an undesirable class. He proposed to move an addendum to the clause later on giving the Governor power to define the districts to which the clause should not apply. In certain parts where there were not many residents there was no necessity to keep shops open after six. It was not his object to take the side of the small shopkeeper against the large one; though his sympathies were in favour of the weaker or struggling man as against the man who had his foot firmly down, because the man who had his foot firmly down was able to look after himself. He did not like to see a monopoly. The result of this would be to keep so many thousand persons employed in shops; and he did not know that legislation ought to be passed for the purpose of bringing into existence a class of people we did not want to see very numerous. However much we might like shop assistants, their calling was

certainly not a trade or business we would like to see persons rush into to the exclusion of other employments. A shop assistant became in the end something like a human machine, working from nine in the morning till six in the evening on a miserable pittance of about £2 10s. a week, which was about the outside wages he would get; and on that one supposed he had to support a wife and family. Most of them would not get as much as £2 10s. Later on when the large businesses got hold of them their salaries would be cut down to £2 5s., or two guineas, and afterwards, he thought, to £2. The Committee would be quite right in endeavouring to assist shop assistants, who we knew were practically sweated, and were practically helpless. We ought, as far as possible, to assist them, but he did not think we ought to do anything to bring about an increased number. He would rather see persons endeavouring to embark in enterprises on their own account.

HON. A. B. KIDSON: Presumably the amendment was in order? The original motion was to strike out the clause.

THE CHAIRMAN: Yes; the Committee could amend the clause as much as they liked, and throw it out at the end, if they so desired.

HON. A. B. KIDSON: At the commencement of this discussion it was pretty clearly understood that the question to be tried was whether or not the measure was to be on the lines of the old Act, or upon the lines of the present Bill. The object of the amendments tabled by him was to place the measure upon the same lines as those of the old Act, which the public wanted. He did not wish to throw the Bill out altogether, because it was possible to amend it in the direction he had stated. The question was whether the public desired the old measure or not. If not, let us have the new one by all means. If we passed the amendment suggested by Mr. Haynes it would so mix up the measure that nobody else would know where he stood. The result would be that the amendments would go down to another place and not be agreed to, and the Bill would be wrecked. Doubtless the hon. member and other members would be only too pleased if the Bill were wrecked. He intended to persist in the course he had adopted at the

outset, and that was to endeavour to make the measure on the same lines as those of the old one.

HON. W. MALEY : Mr. Haynes would, he was afraid, only confuse the issues by bringing in this amendment. He (Hon. W. Maley) had given notice of a clause which really embodied what the hon. member required. He was placed in a rather anomalous position, and he trusted the House would discriminate. He hoped the clause would not be lost through this effort of the hon. member to jump his (Hon. W. Maley's) position with regard to the new clause of which he had given notice. It had been said that the public demanded certain things. We wanted to lead public opinion as far as we could. Very often the public were wrong. In many respects the public were like children, who were sometimes pleased with the most hideous toy. So far as New Zealand legislation was concerned, that country was not a State of our Commonwealth, and he objected to bringing our legislation into line with that of New Zealand. The excision of this clause would be opposed only by those shopkeepers who in the past had been on the exemption list. He personally knew of a case of two shops in the same building, of which one, being exempt, was kept open until midnight, whilst the other had to be closed at six o'clock. The distinction was iniquitous.

HON. R. S. HAYNES : Perhaps it would be well to accept Mr. Kidson's challenge on this clause. It was advisable to have a clear-cut issue, and he asked leave to withdraw his amendment.

Amendment by leave withdrawn.

HON. J. D. CONNOLLY : This clause was admirably adapted to serve the interests of Asiatics and other undesirable aliens. Otherwise, there was little use for it; therefore he had pleasure in supporting the motion for its excision. The argument that in the absence of this clause employees would find it difficult or impossible to start in business for themselves was indeed a weak one. Such employees had just as good a chance of launching out on their own account if compelled, in common with other shopkeepers, to close their doors at six o'clock. Without Clause 8 there would be just as much inducement as ever to employees to free themselves from the exceedingly hard

conditions of work and the low rates of pay said to prevail in large shops.

Amendment (Mr. Kidson's) put, and a division taken with the following result:—

Ayes	...	...	...	14
Noes	...	...	...	9

Majority for ... .. 5

AYES.	NOES.
Hon. G. Bellingham	Hon. E. M. Clarke
Hon. T. F. O. Brimage	Hon. F. T. Crowder
Hon. R. G. Burges	Hon. J. W. Hackett
Hon. J. D. Connolly	Hon. R. S. Haynes
Hon. C. E. Dempster	Hon. S. J. Haynes
Hon. J. M. Drew	Hon. A. Jameson
Hon. J. T. Glowrey	Hon. W. Maley
Hon. A. B. Kidson	Hon. J. E. Richardson
Hon. B. Laurie	Hon. E. McLarty
Hon. B. C. O'Brien	(Teller).
Hon. C. A. Piesse	
Hon. G. Randell	
Hon. J. M. Speed	
Hon. A. G. Jenkins	
(Teller).	

Amendment thus passed, and the clause struck out.

At 6-24, the CHAIRMAN left the Chair.

At 7-35, Chair resumed.

HON. R. S. HAYNES moved that the consideration of Clause 2, "interpretation," be farther postponed until after new clauses had been dealt with.

Put and passed, and the clause postponed.

New Clause :

HON. A. B. KIDSON : Before moving the new clause in the Notice Paper, he asked what alteration the Minister had to suggest.

THE MINISTER FOR LANDS : Such words as "The municipalities and districts mentioned in schedule so-and-so shall be declared districts forthwith on the passing of the Act," might be added to the clause; also those places might be set forth in a schedule.

HON. A. B. KIDSON : Did the Minister mean that those places should be declared in the Bill?

THE MINISTER FOR LANDS : Yes.

HON. A. B. KIDSON : It was his desire that the Act should come into operation in the places named in the amendment he had to propose. The words "shall be declared" appeared to convey that something was to be done in the future.

THE MINISTER FOR LANDS : That was the language of the draftsman.

HON. A. B. KIDSON: The draftsman must have had the idea of a proclamation in his mind.

THE MINISTER FOR LANDS: It was considered convenient to bring the Act into operation by proclamation, since under those circumstances the hours and conditions might be so altered as to suit the requirements of various places. In Bunbury, for instance, where a train left at half-past seven, it was inconvenient to make the hours for shops from eight in the morning till six in the evening.

HON. A. B. KIDSON: An easy way out of the difficulty would be to omit Bunbury. If the Minister's suggestion were adopted, the intention of the Act might be defeated. The Government might see fit to declare that the closing hours of shops in Perth should be eight o'clock or nine o'clock.

THE MINISTER FOR LANDS: The Government had no desire to omit from the operation of the measure any places which were under the old Act.

HON. A. B. KIDSON: Any places in respect of which alterations of the conditions was desirable might be omitted from the Bill.

THE MINISTER FOR LANDS: The difficulty was that those places were not known.

HON. A. B. KIDSON: That being so, he must press his amendment. His desire was to fix the places definitely; but he was prepared to meet the Minister by eliminating the names of places to which it was considered inadvisable to apply the Bill without alteration. He moved that the following be added as a new clause:—

This Act shall come into operation within the municipalities of Perth, Fremantle, Helena Vale, North Fremantle, Northam, Southern Cross, Coolgardie, Kalgoorlie, Boulder, Karonna, Bulong, Menzies, Norseman, Broad Arrow, Geraldton, Bunbury, Collie, and the district of Cottesloe on the first day of March, 1902.

These were all places which came under the old Act.

HON. J. M. SPEED: The difficulty was that we might pass this Act one day, and the Government on the next might, in the exercise of their discretion, render the measure nugatory.

HON. A. B. KIDSON: That was so; but he felt satisfied that the Government

would not do anything contrary to the wishes of the House. It was right and proper that if any district desired to remain outside the operation of the measure, it should be permitted to do so.

THE MINISTER FOR LANDS: The clause might be amended by adding to it the following words: "The municipalities and districts mentioned in Schedule 2 shall be declared districts forthwith on the passing of the Act." Then Schedule 1 might enumerate the municipalities of Perth, Fremantle, Helena Vale, and so forth, and also define the district of Cottesloe.

HON. A. B. KIDSON: The difficulty was that the Government could extend the time for Perth, Coolgardie, and Kalgoorlie, for example, by proclamation; and this the supporters of the Bill did not desire. If the Government would give an assurance that the closing hour for those places would be six o'clock, he would be quite satisfied.

THE MINISTER FOR LANDS: The desire of the Government was to meet the wishes of hon. members, but to do it in the way proposed by the Bill.

HON. A. B. KIDSON: Would the Minister for Lands give an assurance that the closing hour would be six o'clock for populous centres?

THE MINISTER FOR LANDS: Certainly; without any doubt. He would move the insertion at the end of Clause 3—

THE CHAIRMAN: The Committee could not now deal with Clause 3, which had been passed. The only method by which that clause could be reconsidered was to recommit the Bill. Mr. Kidson's amendment proposed the insertion of a new clause to stand as Clause 3.

HON. A. B. KIDSON: The matter might stand over, on the understanding that the Government would recommit the Bill. He asked leave to withdraw his amendment.

Amendment (new clause) by leave withdrawn.

New Clause:

HON. F. T. CROWDER: Members seemed determined to have an Early Closing Bill, and the object of this new clause was to make the measure a more or less reasonable piece of legislation.

He moved that the following be added as a new clause :—

It shall not be deemed an offence against the provisions of this Act if a storekeeper employ any person, or keep open his shop at a port, after the prescribed time of closing, merely for the purpose of supplying goods to any ship, steamer, or boat arriving at such port.

HON. R. S. HAYNES: The word "passenger" might well be inserted between "any" and "ship."

HON. F. T. CROWDER: This new clause was copied from the New Zealand Act.

HON. A. B. KIDSON: We had heard enough of the New Zealand Act. Western Australia led the way in respect of early-closing legislation.

HON. F. T. CROWDER: Even in that home of radical legislation, New Zealand, ports were exempt from the operation of the Early Closing Act. Steamers frequently arrived at Fremantle after eight o'clock in the evening, and left again early in the morning. The shops were closed during the hours that the vessels were in port, and thus the Fremantle traders were debarred from doing thousands of pounds' worth of business annually. If the people of Fremantle were fools enough, through their members, to object to this new clause, then they deserved to go without it.

HON. A. B. KIDSON: The members representing Fremantle were not such fools as possibly they appeared to other members, nor perhaps such fools as were certain members representing other constituencies. No doubt, the people of Fremantle would be highly grateful to Mr. Crowder for the interest he took in their welfare, though the hon. member would possibly do well to devote his entire attention to the welfare of his own constituents. The people of Fremantle did not desire the amendment. Had they desired it, his attention would have been drawn to the matter. The adoption of the new clause would practically destroy the measure.

THE MINISTER FOR LANDS: The object of the proposed new clause could be effected by Clause 24 of the Bill, which gave the Governor power to suspend the operation of the measure by proclamation. If a request to that effect were made by any section of the community, say on the

occasion of a festival, the Governor in Council could take action and suspend the operation of the measure.

HON. R. S. HAYNES: Only temporarily, though.

THE MINISTER FOR LANDS: Yes; only as a temporary measure.

Amendment (new clause) put and negatived.

New Clause:

HON. F. T. CROWDER moved that the following be added, to stand as Clause 14:—

Where members of both sexes are working in the same shop or business establishment, there shall be sufficient water-closet or privy accommodation for both sexes, separate, in such manner as to insure privacy, to the satisfaction of the inspector. Where members of one sex only are employed in a shop or business establishment, sufficient water-closet or privy accommodation shall be provided to the satisfaction of the inspector.

Of his own knowledge there were at the present day many establishments in Perth where the requirements of Clause 14 were not met. An inspector should have power to define what was proper accommodation.

THE CHAIRMAN: This matter was dealt with not only in the Building Act but also in the Public Health Act. There was full power under those Acts to deal with this matter, and he thought the proposal now made was hardly germane to the Bill, which was one for the early closing of shops, and to regulate the hours of employment in shops and other places of business.

HON. R. S. HAYNES: The present law was disregarded in Perth—he was not speaking so much of shops as of offices. A number of people were engaged as typewriters. There were large blocks of offices in the central part of the city where there was absolutely no provision, and he knew of one place where there were half-a-dozen females.

HON. A. B. KIDSON: The hon. member (Hon. F. T. Crowder) was to be commended for introducing this clause into the Bill. Some of the provisions of the Acts dealing with the subject were more honoured in the breach than in the observance, and in nine cases out of ten the convenience referred to was not provided.

THE CHAIRMAN: If it was the wish of the Committee to insert the new clause

in the Bill, there was nothing to prevent members from so doing.

THE MINISTER FOR LANDS said he was entirely in accord with the spirit of the new clause. It was very desirable indeed; but we already had legislation on the subject, and it might be carried out. We had the power, and perhaps members would be satisfied if he saw the Minister in charge of the administration of the Act with a view to getting the provisions under the existing law carried into effect.

THE CHAIRMAN: The title of the Bill was simply "An Act for the early closing of shops, and to regulate the hours of employment in shops and other places of business." The Standing Orders distinctly laid it down that no clause should be passed that was not consistent with the title of the Bill; therefore he ruled this new clause out of order.

HON. G. RANDELL: It was not desirable to have two sets of inspectors to carry out the same sort of work. He knew there were many cases in which the existing law had been enforced. He was quite in accord with the view that provision should be made in all these shops, and he was sure that could be done by having the Building Act and the Health Act enforced. He was sure that it was only necessary for the attention of the Central Board of Health to be drawn to this matter for the provisions of the law to be carried out.

HON. F. T. CROWDER: The new clauses were such as were contained in the New Zealand Act.

THE CHAIRMAN: That could not be helped. He had to carry on the business of the House in accordance with Standing Orders.

THE MINISTER FOR LANDS: The matter having been brought to his attention, he would see that the present Act was more strictly enforced.

New Clause:

HON. W. MALEY moved that the following be added as a new clause:—

This Act shall remain in force for one year, or until such time as an Act is passed to regulate and limit the hours of labour.

The intention of the founder of this legislation was, he believed, to limit the hours of labour, but, by this measure, we were limiting the number of persons

who could find employment. We had a certain number of establishments in the city, and if we provided that in those shops where people might be employed 16 hours such persons could only be employed eight hours a day we reduced the capital value invested by 50 per cent., we limited the opportunities of people to make money, and we decreased our trade and our importance. He had left the clause open, so that amendments might be inserted. He did not wish to force his views down the throats of members. He trusted that they would deal gently but firmly with the clause.

HON. A. B. KIDSON: It was to be hoped that the clause now proposed would not be inserted, for there was no object in passing it. When the last Act was passed, there was a limit imposed, it being provided that the measure should operate for three years. That was for the purpose of giving the measure a trial, so that the measure would lapse in the event of public opinion being that it should not continue in force. The Act had, however, been found to suit. The object of the hon. member could be accomplished by repealing the measure if necessary. When he was in England, the House of Lords were considering this point in connection with the early closing of shops. A very strong select committee was appointed, and the report of that committee was strongly in favour of early closing. One of the main points they put forward was that no Shops and Factories Act would take the place of an Early Closing Act.

HON. F. T. O. BRIMAGE: What the object of the new clause proposed was, he could not see. We had had a trial of the Early Closing Act, and in his opinion it had acted well, and he thought the new measure would do equally well.

HON. J. D. CONNOLLY said he was rather in accord with the spirit of the new clause, but he did not think it quite set out what was intended. He believed that in the opinion of many members it would be better to have a Bill to limit the hours of labour than an Early Closing Bill, and then the measure would apply to everyone. He suggested as an amendment that the words "until such" be struck out, and "a less" substituted in lieu; also that the word "if" be sub-



stituted for the word "as." The clause would then read:—

This Act shall remain in force for one year or a less time if an Act is passed to regulate and limit the hours of labour.

**THE CHAIRMAN:** The best thing would be to take the sense of the Committee on the new clause as it at present stood.

Amendment (new clause) put, and a division taken with the following result:—

Ayes	...	...	...	5
Noes	...	...	...	16

Majority against ... 11

**AYES.**  
Hon. G. Bellingham  
Hon. J. D. Connolly  
Hon. W. Malet  
Hon. B. C. O'Brien  
Hon. J. T. Glowrey  
(Teller.)

**NOES.**  
Hon. T. F. O. Brimage  
Hon. R. G. Burges  
Hon. E. M. Clarke  
Hon. C. E. Dempster  
Hon. J. M. Drew  
Hon. J. W. Hackett  
Hon. R. S. Haynes  
Hon. S. J. Haynes  
Hon. A. Jameson  
Hon. A. G. Jenkins  
Hon. A. B. Kidson  
Hon. R. Laurie  
Hon. G. Randell  
Hon. J. E. Richardson  
Hon. J. M. Speed  
Hon. F. T. Crowder  
(Teller.)

Amendment thus negatived.

Clause 2 (reconsidered) — Interpretation:

**HON. G. RANDELL** moved that in the definition of "Minister" the words "Colonial Secretary or other" be struck out. The effect of the amendment would be to define the word "Minister" as any Minister of the Crown charged with the administration of the statute.

Put and passed, and the words struck out.

**HON. G. RANDELL** moved that in the definition of "shop" the words "or pack" be struck out.

Put and passed, and the words struck out.

**HON. R. S. HAYNES** moved, as a farther amendment in the definition of "shop," that the word "pawnbroker" be struck out. If pawnbrokers were included within the scope of this Bill there would be a conflict of laws, since their hours had already been provided for under the Pawnbrokers Act.

**THE CHAIRMAN:** But it had not yet been intimated to the Legislative Assembly that the Pawnbrokers Act had been passed by another place.

**HON. A. B. KIDSON:** Had not the hours of pawnbrokers under the Pawn-

brokers Bill been altered at the instigation of the Minister?

**THE MINISTER FOR LANDS:** No doubt Mr. Haynes would remember that the Pawnbrokers Bill was made subject to the lapsed Early Closing Act in every particular. It was well that the word "pawnbroker" should appear in this definition of shop; since pawnbrokers would then be included under the system of inspection and the general regulations provided by the Act.

**HON. R. S. HAYNES:** A pawnbroker never had more than one assistant. As it was, the pawnbroker had to close between the hours of six in the evening and eight in the morning, and moreover had to close on one afternoon per week.

**HON. J. D. CONNOLLY:** It was his impression that the closing hour had been altered from six to seven.

**HON. R. S. HAYNES:** That did not matter.

**HON. J. D. CONNOLLY:** If the word "pawnbroker" were struck out of the definition, pawnbrokers would be altogether outside the Early Closing Act.

**HON. R. S. HAYNES:** This subject having been already dealt with during the present session, it was not competent for the House to deal with it again.

**THE PRESIDENT:** The House had during this session dealt with the subject.

**HON. G. RANDELL:** There was no necessity for retaining the word "pawnbroker," since pawnbrokers were not included in the schedule of exemptions.

**HON. A. B. KIDSON:** Mr. R. S. Haynes had rather missed the point. The object of bringing the pawnbroker into line with the hairdresser was to prevent his employees from being worked beyond certain hours. Perhaps it would be proper to put pawnbrokers in the exempt schedule.

Amendment put and passed.

**HON. R. S. HAYNES** moved, as a farther amendment in the definition of "shop," that the word "undertaker" be struck out. What was the use of enacting that an undertaker's place was a shop, and bringing him under the clause relating to shop assistants, when he was exempted in the next clause? It was no wonder that the manner in which our enactments were drawn occasioned ridicule when brought before the courts for construing the meaning.

**THE MINISTER FOR LANDS:** Although the undertaker was mentioned in the exempt clause, his place of business should come under the definition of shop, in order that the undertaker might be within the scope of the Act. If not mentioned in the "shop" clause, he would be omitted altogether.

**HON. R. S. HAYNES:** The object of the Act was to regulate the hours of employment in shops and other businesses, and its scope should be limited to the attainment of that object. We first included pawnbroker or made him liable by Clause 3; then exempted him by the schedule. No clause applied to an undertaker, because an undertaker was exempt from the operation of the Bill. He moved that the words "or undertaker" be struck out.

**HON. A. B. KIDSON:** If the hon. member would look at Clause 4, he would see it was only the question of closing time which did not apply to undertakers. All the other provisions applied to them.

**HON. R. S. HAYNES:** The amendment would be pressed. If the restriction were imposed with regard to undertakers' shops, people might, in case of epidemics, putrify until such time as the employees were allowed to work. Did the hon. member think there was going to be such a rush that an undertaker would keep open after 6 o'clock?

**THE MINISTER FOR LANDS:** That was a good reason for including the undertaker in this.

**HON. R. S. HAYNES:** Doctors did not close at 6 o'clock.

**THE MINISTER FOR LANDS:** It was not clear that an undertaker's establishment was a shop; but at the same time we exempted undertakers by the schedule. The undertakers were exempted with regard to the hours of closing, but it was not proposed to exempt them from all the other conditions.

**HON. R. S. HAYNES:** Would the hon. member name one?

**THE MINISTER FOR LANDS:** Clause 13, with regard to women and young persons; Clause 12, in regard to meal hours; and Clause 11, as to half-holidays and exempted shops. Undertakers were not exempted from those clauses under the Bill.

**HON. R. S. HAYNES:** The Minister said that one clause which should apply

to an undertaker was that providing for a half-holiday on Wednesday or Saturday afternoon. Consequently, if there were a desire to bury a person on a Wednesday afternoon, that wish could not be complied with.

**THE MINISTER FOR LANDS:** An undertaker was exempted by the schedule with regard to closing hours.

**HON. R. S. HAYNES:** The hon. gentleman mentioned Clause 11. By that clause a shop must be closed one half day in the week as well as Sundays.

**THE MINISTER FOR LANDS:** Not so; an undertaker was exempt.

**HON. R. S. HAYNES:** The hon. gentleman said the clause applied to undertakers.

**THE MINISTER FOR LANDS:** The matter had been explained by him.

**HON. R. S. HAYNES:** The Minister referred to Clause 13, which had reference to the limitation of hours of employment of women and young persons. That being the object of the clause, undertakers should be exempted from its operations.

**THE MINISTER FOR LANDS:** Members, he thought, understood his contention, namely, that an undertaker by Schedule 1 was exempt with regard to the hours of closing, but we did not propose to exempt him from all the other clauses of the Bill.

**HON. R. S. HAYNES:** What clauses were we going to apply to the undertaker?

**THE MINISTER FOR LANDS:** As pointed out, Clauses 11, 12, and 13; and all those clauses with regard to inspection; in fact, the whole Bill with one exception as to hours.

**HON. R. S. HAYNES:** The Minister referred to Clause 11 having reference to half holidays. One of the reasons put forward why bank clerks should not be included was that there might be a rush on the banks, and they might be kept a little bit later to make up their balance. If undertakers were to be subject to this clause, apparently if it became necessary for a person to be buried at a particular time the burial must be put off. He hoped the House would strike this out.

**THE MINISTER FOR LANDS:** Was it the stipulation as to the half holiday the hon. member objected to?

HON. R. S. HAYNES: Yes; also the stipulation that undertakers should not work beyond a certain number of hours in the week.

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

Schedule 1:

HON. W. MALEY moved that all words after "druggists" be struck out. Members who had spoken were anxious to have an early closing measure passed. Let us make the measure really an early closing one, and let those gentlemen stand to their guns. He wanted a member to tell him any one shop that was not on the exemption list. One could not do so off-hand. He went through a building in Perth where there were 12 shops, and eight of them were on the exemption list. That was how it was the public did not rise up in a body and come to the House and say, "We will have nothing to do with the Bill." On the one hand we had favoured individuals who were allowed to make their wealth, employ their capital, and have their shops open 24 hours, if they liked. whilst we told other men that they were to keep their shops open only for a given time. The Bill was not a fair one, and he said "shame" on the men who brought in legislation of this sort, which pressed harshly on a certain class, whilst it did not on others. He did not expect much success with regard to this amendment, but it was his duty to bring it forward. He had consistently voted in favour of a limitation of the hours of labour. When it was a question whether assistants should be employed until two or half-past he voted for two o'clock. We wanted a measure limiting the hours of labour, so that the poorer classes would be protected against the extortionate rapacity of the rich. That was the principle on which this Bill was founded, but as a matter of fact we went beyond that, and did an injustice to a large portion of the community. What sense was there in exempting a newspaper office? A newspaper could be sent from an office free of charge, with a wrapper round it. Newspaper offices were exempted simply to procure the support of the Press for this iniquitous legislation. We had florists. Why should they be open all night? He

hoped this discussion would be reported by the Press.

[Hon. J. W. Hackett interjected.]

HON. W. MALEY: Mr. Hackett having interjected, it was certain that there would be some sort of a report. He noticed that whenever Mr. Hackett interjected there was a full report in the next day's *West Australian*. At the same time, members who did their duty failed to receive any notice from that journal.

HON. J. W. HACKETT: The reporters were very discriminating.

HON. A. B. KIDSON: One could only wonder what was the reason of this little outburst on the part of Mr. Mailey. As one who had introduced an early-closing measure on a previous occasion, he was quite ready to take any share of the shame involved. Obviously Mr. Mailey must have spoken without the slightest consideration. The hon. member's utterances were generally put forth without much consideration.

HON. W. MALEY: The hon. member should not be personal.

HON. A. B. KIDSON: The hon. member could be pretty personal on occasion.

HON. W. MALEY: Rare occasion.

HON. A. B. KIDSON: The hon. member probably had not looked at the schedule. The great majority of the businesses exempted were such as dealt in perishable articles.

HON. W. MALEY: Such as newspapers.

HON. A. B. KIDSON: The hours of labour in connection with a newspaper office were necessarily quite different from those obtaining in other trades.

HON. F. T. CROWDER: Was whisky a perishable article?

HON. A. B. KIDSON: Whisky having been mentioned, he would venture the opinion that a proposal to apply Early Closing legislation to whisky-shops would receive a fair amount of support. But perhaps the liquor trade would be better dealt with under a distinct measure. The great majority of the shops exempted undoubtedly dealt in perishable articles. At the same time it was difficult to see why a tobacconist should be exempt. It was true that the closing time had been fixed by the lapsed Act at half-past seven. Why, he did not know. His personal

inclination had been to close the hairdressers' shops at six o'clock.

THE CHAIRMAN: In putting Mr. Maley's amendment, that in Schedule 1 all the words after "chemist and druggist" be struck out, he would reserve to Mr. Kidson the right to move his amendment dealing with milkmen.

HON. R. S. HAYNES said he also had an amendment to move.

Amendment (Mr. Maley's) put and negatived.

HON. A. B. KIDSON moved that in Schedule 1 the word "milkmen" be struck out and "milkshops and dairies" inserted in lieu. Milkmen were not milkshops.

Put and passed.

HON. J. D. CONNOLLY moved that the word "hairdressers" be struck out. It was all very well to exempt druggists' shops and restaurants, but the necessity for exempting hairdressers' shops was not apparent.

Put and negatived.

HON. J. D. CONNOLLY moved that the word "tobacconists" be struck out. If people could provide themselves with a pound of tea before 6 o'clock, they could equally provide themselves with a plug of tobacco.

HON. R. S. HAYNES: To a large extent he was in sympathy with the amendment. Certain tobacconists now closed at 6 o'clock.

HON. F. T. CROWDER: Where were their shops?

HON. R. S. HAYNES: There was no necessity to advertise these tobacconists, but there were in Perth some who closed at 6 o'clock, whilst others kept open and kept their employees at work until 10, half-past 10, and even 11 o'clock. The object of this measure was to limit the hours of labour. By providing for the closing of tobacconists, a severe blow would be struck at a very dangerous trade carried on under the cloak of selling cigars and cigarettes. There was no necessity to do more than hint at the trade. That was one reason for eliminating tobacconists from the exemption schedule; and another was that to extend the hours of tobacconists was to open the door to much discussion and to large claims for farther exemption.

Amendment (that "tobacconists" be struck out) put, and a division taken with the following result:—

Ayes ... .. 11

Noes ... .. 9

Majority for ... .. 2

AYES.  
Hon. T. F. O. Brimage  
Hon. J. D. Connolly  
Hon. F. T. Crowder  
Hon. C. E. Dempster  
Hon. A. G. Jenkins  
Hon. E. McLarty  
Hon. B. C. O'Brien  
Hon. C. A. Piesse  
Hon. G. Randell  
Hon. J. E. Richardson  
Hon. R. S. Haynes  
(Teller).

NOES.  
Hon. R. G. Burges  
Hon. E. M. Clarke  
Hon. J. T. Glowrey  
Hon. J. W. Hackett  
Hon. S. J. Haynes  
Hon. A. Jameson  
Hon. A. B. Kidson  
Hon. R. Laurie  
Hon. J. M. Drew  
(Teller).

Amendment thus passed.

HON. R. S. HAYNES moved that after "newsagents" the words "stationers and booksellers" be inserted. Those words were in the old Act, and he thought they might appear in the new.

Amendment put and passed.

HON. B. C. O'BRIEN moved that the word "florists" be struck out. The argument which applied in the case of a tobacconist's and other shops would apply to florists'. If there were any objection, he was amenable to reason.

Amendment put and negatived, and the schedule as amended agreed to.

Schedules 2 and 3, preamble, and title --agreed to.

Bill reported with amendments.

#### RECOMMITTAL.

On motion by the MINISTER FOR LANDS, Bill recommitted for amendment of Clause 3.

THE MINISTER FOR LANDS moved that the following words be added to Clause 3: "The municipalities and district mentioned in Schedule One shall be declared districts forthwith on the passing of this Act."

Put and passed.

New Schedule:

On motion by the MINISTER FOR LANDS, new schedule added to the Bill, defining the municipalities to which the Bill should apply, also the Cottesloe District.

Bill reported with farther amendments, and the report adopted.

## BUSH FIRES BILL.

## LEGISLATIVE ASSEMBLY'S AMENDMENTS.

Schedule of seven amendments made by the Legislative Assembly now considered, in Committee.

SIR GEORGE SHENTON took the Chair.

Amendment No. 1—In Clause 2, strike out the words "November, 1901," and insert "March, 1902," in lieu:

HON. E. M. CLARKE (in charge of the Bill) moved that the amendment be agreed to.

HON. R. G. BURGESS: The penalty under this clause appeared to be only a fine of £50, whereas the desire of the Committee had been to make the penalty imprisonment. Perhaps the hon. member in charge of the Bill would inform the Committee whether there was power under any other clause to impose imprisonment instead of a penalty of £50.

HON. E. M. CLARKE: The hon. member hardly thought the penalty severe enough?

THE MINISTER FOR LANDS: Did the hon. member propose to increase the penalty?

HON. R. G. BURGESS: Yes. The penalty should be imprisonment, as suggested by the late Mr. Lukin.

THE CHAIRMAN: The hon. member could move an amendment as indicated when the penalty clause was considered.

Question put and passed, and the amendment agreed to.

No. 2—agreed to.

No. 3—Clause 7, add at end of clause: "Nothing in this section contained shall authorise any act or thing contrary to Section 6":

No. 4—Clause 12, line 9, strike out the words "with intent or":

On motions by HON. E. M. CLARKE, amendments (two) agreed to.

No. 5—Clause 12, line 11, strike out the words "felony and being convicted thereof shall be liable," and insert the words "an offence and liable on summary conviction" in lieu:

HON. E. M. CLARKE moved that the amendment be agreed to.

HON. R. S. HAYNES: Under the old Act the question had arisen as to whether a person could be convicted for setting fire to indigenous grasses. This House had proposed to make the penalty for setting fire to indigenous grasses imprisonment for one year. Consistency was

an admirable feature in legislation, and seeing that the Assembly had agreed to the Criminal Code Bill, which, by Clause 444, made the penalty 14 years' imprisonment, we could afford to dispense with the penalty provided in this Bill.

THE MINISTER FOR LANDS: Though not in charge of the Bill, he desired to point out that Clause 12 of the measure dealt with attempts to light bush fires. What Mr. Haynes referred to was one of the gravest offences possible, namely the crime of arson. There was a great distinction between the two. Arson was most severely punished all the world over.

HON. R. S. HAYNES: Arson was not referred to in the marginal note to Clause 444 of the Criminal Code Bill. This clause had been adopted by mistake from the Queensland Code. In that State men sometimes set fire to the grass and burnt the squatters' buildings; and that was the reason why the clause was included in the Queensland Code. As the clause stood in our Act, however, a man was liable to fourteen years' imprisonment for setting fire to a sapling or shrub.

THE MINISTER FOR LANDS: Did the hon. member propose that the words in Clause 12 should be struck out?

HON. R. S. HAYNES: Inasmuch as the Criminal Code dealt so admirably with the matter, there was no necessity for the words. Would it not be better to notify the Legislative Assembly that this House did not agree with the proposed amendment? Then, on farther consideration, the Legislative Assembly might see fit to strike out the clause altogether. The word "felony," it was to be remarked disappeared altogether under the Criminal Code. The proper course would be to refuse to assent to the Assembly's amendment. Then the Lower House would have an opportunity of reconsidering the clause.

THE CHAIRMAN: It would be necessary to state to the Legislative Assembly the Council's reasons for disagreeing.

HON. G. RANDELL: The Criminal Code Bill, Clause 444, provided for a very different kind of offence from that in view under the Bush Fires Bill. This measure dealt with cases of fires being lighted, possibly by inadvertence.

HON. R. S. HAYNES: How could one tell whether a fire was lit by inadvertence

or by design? Who was to say what was in a man's mind?

HON. G. RANDELL: The amendment was in the direction of reducing the punishment for the offence, and also of bringing the Bill in accord with the Criminal Code by making the lighting of bush fires a crime instead of a felony.

Question put and passed.

No. 6—Clause 12, lines 11 and 12, strike out the words "three years with or without hard labour," and insert the following words in lieu thereof: "one year with or without hard labour, or to a fine not exceeding £100":

No. 7—Clause 14, strike out all words after the word "aforesaid," in line 5:

On motions by Hon. E. M. CLARKE, amendments (two) agreed to.

Resolutions reported, report adopted, and a message accordingly transmitted to the Legislative Assembly.

# INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

## SECOND READING.

Order read, for second reading of the Bill.

HON. G. RANDELL: It was to be hoped the House would not go on with the debate to-night.

Debate (after bells had been rung for a quorum) resumed from the 30th January.

HON. G. RANDELL (Metropolitan): As it is the wish of members to proceed with the business, I rise reluctantly to speak on this important Bill to amend the law relating to the settlement of industrial disputes by conciliation and arbitration. Of course a Bill of this description is not new: it is a measure to supersede one now in operation. Speaking generally, I think there are many improvements in it likely to make the law more effective; but there are some features to which I take strong exception. I find that there are differences either from our own Act, which it is proposed to repeal, or from the New Zealand Act. In the first place, I will point out to members that paragraph (d) of the Interpretation clause says:—

The claim of members of an industrial union of employers to preference of service from unemployed members of an industrial union of workers.

Paragraph (c) says:—

The employment of children or young persons, or of any person or persons or class of persons, in any industry, or the dismissal of or refusal to employ any particular person or persons or class of persons therein.

I believe these are matters which are to come under the consideration of the board, or the court—I am not quite certain which, just at the moment—and action on their part may be demanded by a union. I think that is limiting altogether improperly the definition of "workers," and giving preference to men who belong to a union, which strikes very much at the root of the liberty of the subject in this country. A man outside a union is deserving of as much consideration as a man within it, and in many cases very much more. This legislation is putting pressure upon a man who has independence of mind, and who is willing to run the risk of asserting it, and of incurring the displeasure and anger of a large body of men. If such a man does so conscientiously, and he is otherwise a good man, he should be assisted rather than otherwise by the bodies which are created under this Act—the board or the court. Of course I am only going to speak very shortly to the question, because after the discussions we have had on the Early Closing Bill it is not so fresh to my mind. The clause says:—

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

I object to the words "or clerical" in this definition. It is, I think, departing entirely from the provisions of the old Act, which defined "worker." This definition is somewhat limited by another clause of the Bill. I think it will be mischievous to include in the definition persons engaged in clerical work. That provision did not find a place in the measure which we passed only a short time ago, and I think it will be productive of a very great injury to members of the community at large. In my opinion the first intention of introducing such a measure as this should be to confine it to mechanics and the ordinary day labourers. And this Bill is entitled "An Act to amend the law relating to the settlement of industrial disputes by conciliation and arbitration." I do not

know why it states "to amend the law," because it is a new Bill, and the old Act is, I believe, to be repealed; therefore it is a Bill relating to the settlement of industrial disputes by conciliation and arbitration. Page 17 contains, I think, one of the most valuable provisions in the whole of the Bill, and in regard to it I took the opportunity of interjecting "a very good part of the Act," when the hon. gentleman was introducing the subject of these special boards of conciliators. I think that is an admirable provision for the settlement of disputes. In certain cases where certain technical knowledge was required a board of experts would be appointed whose work would cease, or at least whose profits would cease as soon as the work for which they had been appointed had been performed. The Bill enables the Government to appoint these by notice in the *Gazette*, without the formality or trouble of an election, and I take it that this part of the Bill relating to special boards of conciliators will be a most excellent and operative portion of the measure. It will very much tend to simplify disputes, and will meet questions which possibly could not be met by ordinary boards or courts. There is a provision in Clause 52 that—

The board may, upon such terms as it thinks fit, refer the dispute to a committee of its members, consisting of an equal number of the representatives of employers and workers, who shall endeavour to reconcile the parties.

It is not quite clear what is meant by that sub-clause, which contains the words "upon such terms as it thinks fit, refer the dispute to a committee of its members." The ordinary acceptance of the phraseology employed here would be that the reference would be to members of the board. I take it that is not what is intended; but that it means members of the union, or those who appeal for the settlement of a dispute which is arising.

THE MINISTER FOR LANDS: What clause is that?

HON. G. RANDELL: Sub-clause 4. That is clear from the latter part of it, and in my opinion the provision is a very good one. I think, however, it must be made quite clear that it is intended that employers and workers shall be included in that clause. That is not apparent by the first part of the wording; but, as I

say, I believe the intention is to refer the matter to representatives of employers and workers, so that they may come to some arrangement without appearing before the board. That is a very wise provision, and a very important one.

THE MINISTER FOR LANDS: It is the same in the old Act.

HON. G. RANDELL: I draw the attention of the Minister to it, and I am certain the clause should make it quite clear that representatives of the workers and employers are intended.

THE MINISTER FOR LANDS: It is the same as in the old Act.

HON. G. RANDELL: Sub-clause 2 of Clause 85 reads:—

Power to extend the award so as to join and bind as party thereto any specified industrial union, industrial association, or employer in the State not then bound thereby or party thereto, but connected with or engaged in the same industry as that to which the award applies: Provided that the Court shall not act under this sub-section except where the award relates to a trade or manufacture the products of which enter into competition in any market with those manufactured or produced in another industrial district, and a majority of the employers engaged and of the industrial unions of workers concerned in the trade or manufacture are bound by the award.

That seems to give a very considerable power to join in the issue persons who have had no dispute with their employers, and who are not hurt. I think that requires very careful consideration at the hands of the Committee. I am not condemning the clause at present. It is somewhat technical in its construction, and it requires very careful consideration to see what is intended, and to ascertain the exact meaning of the words that are used. I will read Clause 98, in which there is an excellent provision which appears not to have been introduced into the present Act:—

Any person who—

- (1.) Takes part in, or does or is concerned in doing any matter or thing in the nature of a lock-out or strike; or
- (2.) Before a reasonable time has elapsed for a reference to the board or Court of the matter in dispute, or during the pendency of any proceedings before the board or Court in relation to an industrial dispute, suspends or discontinues employment or work in any industry; or
- (3.) Instigates to or aids in any of the above-mentioned acts,

shall be guilty of an offence, and, upon summary conviction, on the information or complaint of the Registrar, or of any industrial union, be liable to a penalty not exceeding Fifty pounds. Provided that nothing in this section shall prohibit the suspension or discontinuance of any industry, or the working of any persons therein, for any other good cause. That is a very wise provision, and one likely to have a beneficial effect. We have seen within the sphere of events in this State during recent times a tendency on the part of certain irresponsible persons—I think I may call them men who have to justify or give a reason for their existence—to interfere and cause great trouble. These men have been guilty of incitement to strikes prejudicial to the best interests of the country. A certain event which occurred here not long ago has, I think, been condemned by all reasonable people through the State.

HON. J. W. HACKETT: What is the penalty?

HON. F. T. CROWDER: A fine of £50 and no imprisonment.

HON. G. RANDELL: The penalty appears to be limited to a fine of £50. I do not wish to refer to that aspect of the matter more particularly. Certainly, the people who attempt to prompt, or foster, or create bad feeling between employer and employed are deserving of punishment.

HON. F. T. CROWDER: Fine, but not imprisonment?

HON. G. RANDELL: If the hon. member desires a farther penalty, he can move to that effect in Committee. The spirit of the clause is good, and I believe it will operate beneficially. One provision which has been taken strong exception to by the draftsman of the Act, the gentleman who introduced the Bill in another place, is contained in Clause 107. The words which have been added, and to which I also think strong exception should be taken, are as follow:

Or of any association or society of Government servants.

The spirit of the whole Act desires that any difficulty shall be confined to the particular trade in which it has arisen, and that persons who have no particular interest in the matter, and who are not associated with those concerned in a particular line of work, should not be embraced in the dispute. To admit into

the Act the principle set up by the words I have quoted is likely to have a most damaging and prejudicial effect on the welfare of the State in which we live. Speaking for myself, I object to the whole clause. I do not believe that the Government ought to be brought under the Arbitration and Conciliation Bill at all. I do not think it well that the Minister should be made amenable to a board or court.

HON. J. W. HACKETT: Why should not the Government feel the prick as well as anybody else?

HON. G. RANDELL: Because the Government is the representative of the interests of the whole State. I will take the railway strike as an illustration. The state of things created by that strike was absolutely insufferable. It is monstrous that a body of civil servants—I may call them so—like the railway employees should be able, by inconsiderate acts of which they have not realised the ultimate effects, to interfere with the trade and commerce of the whole State, and prevent supplies from being taken to distant parts of the goldfields — [MEMBER: Paralyzing the community]—and causing great anxiety as to the future to every person except, perhaps, themselves, who have caused the dislocation. I think that when a man accepts employment under the Government he, to a certain extent, gives up his liberty and has no longer the right to indulge in the luxury of striking, to which he may perhaps have previously treated himself on more than one occasion. The Government employee has every opportunity to bring his grievance before the Minister and Cabinet of the day, as well as to carry it into Parliament. If Government employees have good grounds for complaint, there is not the slightest doubt that Parliament, at any rate as at present constituted, will extend to them every sympathy and every help which the Legislature can afford. Members of Parliament are bound to do this, as representatives of the people. Therefore, I say, Government employees have that protection thrown around them, whilst the man in private employ enjoys no such advantage. I am not prepared to say that strikes are not at times necessary. I believe there are among employers men who will, as it is called, squeeze and press their



men unduly; but such employers are, I think, few and far between. Employers know too well the difficulty of obtaining the labour necessary to carry on the industries in which they are engaged to act without due consideration for their men. Employers have good reason to bear in mind the consequences which may result from undue harshness towards their men. The paid servants of the labour bodies occasionally stigmatise employers generally by opprobrious expressions. The employers know the eyes of these servants of labour are on them; and in their own interests they will, I think, treat their men well. It would take too long to go into the question exhaustively. My intention this evening is only to bring to the attention of the House certain matters, in order that hon. members may be prepared to deal with them when we get into Committee of the whole House. When in Committee, I shall move that the words which I have already referred to as inserted in Clause 107, "Or of any association or society of Government servants," be omitted. Those words strike at the very root of the measure, and if they are permitted to stand will work great mischief. However, I understand that those who moved in the matter now see the error of their ways and are willing that the words should be struck out.

HON. J. W. HACKETT: Do you refer to the new Ministry?

HON. G. RANDELL: I am not prepared to answer for them, though I think I know the feelings of the Ministry pretty well. I have been informed that certain gentlemen in another place who were rather eager to have these words introduced, did not realise what would be the result; namely, that we should pass here legislation ahead of anything to be found in any part of the world, and certainly well ahead of Australian and New Zealand legislation.

HON. J. W. HACKETT: Let all the employers be in the same boat.

HON. G. RANDELL: I shall refer now a little more particularly to the words I have quoted. I believe the Government introduced the remainder of the clause, and were quite willing that the associations formed should be recognised, and that the Minister should be regarded as an employer under the Act. My own

feeling, which I know is shared by a number of members, is that it is very undesirable to place Government employees on the same footing as private employees, for the reasons already stated. We cannot run the risk of having the business of the country brought to a standstill by these men. Of course, it may be answered that the Conciliation and Arbitration Bill will most probably obviate strikes. I think, however, that the men have every opportunity of bringing any grievances they may have before the Minister, through certain channels, and so obtaining redress. As far as I see at the present moment, Government employees have very little, if anything, to complain of. The tendency of the amendment introduced into Clause 107 is, I think, to create such a state of things as will result in consequences disastrous to the general business and trade of the community. All hon. members are desirous that the worker, the artisan, whether in Government or in private employ, should receive fair remuneration; but there is a degree beyond which it is impossible to pass. The principles of political economy, into which I have not time to enter now, forbid anything of the kind. Hon. members know what would be the result if the wage fund, for instance, disappeared; or if the opportunities of entering into new industries should be restricted or entirely destroyed by reduction of hours, increase of wages, and so on. Hon. members will recognise how disastrously such proceedings must eventually result. I feel sure that even those who belong to the ranks of the workers will see that what I have stated must be the ultimate effect of legislation of this description, if carried too far. I trust we shall be wise enough to see when it is time to stop. I commend Clause 107 to the special consideration of hon. members. I am not in harmony with the views apparently held by Mr. Hackett, as regards putting the Government in the same position as private employers.

HON. F. T. CROWDER: The position is this: if the Government come under the Act, the men cannot strike.

HON. G. RANDELL: I should favour legislation making it penal for Government servants, especially railways employees, to strike.

MEMBER: That is possible under the Bill.

HON. G. RANDELL: I think such a result will ultimately come about by the natural force of circumstances. These, however, are my views on the matter; and I do not hesitate to express them. Some hon. members would, perhaps, scarcely care to go so far. Even if they held the opinions I have expressed, they would not care to proclaim them openly as I have done. I do not know that I have anything particular to hinder me from expressing my views. I am perfectly independent, and I hope other hon. members will show themselves perfectly independent. I trust the House will realise its duty of preventing the passage of legislation which is leading us into pitfalls and traps, whence perhaps there may be great difficulty in escaping.

HON. J. M. SPEED: What did you say last session when you introduced the present Conciliation and Arbitration Act?

HON. G. RANDELL: Never mind what I said last session. The hon. member has a good memory. I am not now particularly sure what I said. If the hon. member will quote any remark of mine, however, I shall, no doubt, remember it. I know the hon. member has cast in his lot with a certain party for the reason, as he has stated, that the party in question is going to carry everything before it.

HON. J. M. SPEED: A very good reason, too.

HON. G. RANDELL: The hon. member stated that the party in question is going to rule both in Parliament and out of it. If that is the only reason the hon. member has—

HON. J. M. SPEED: No; pardon me.

HON. G. RANDELL: For joining the so-called Labour party—

HON. J. M. SPEED: That is only your argument.

HON. G. RANDELL: I do not say it is so; but, if it is so, the hon. member will have cause to regret his action. The democracy of Greece killed its best men—not merely threw off and neglected men who had served it faithfully for years, and who had done wonderful deeds for the benefit of their country, but from some impulse of the moment, to which people living under extremely democratic institutions are liable, in some cases even

pursued them to death. The hon. member may rest assured that should the time come when he is not prepared to go the length demanded by the Labour leaders, they will discard him and take up somebody else. We have seen in the case of a recent election how a man who, as Mr. Speed himself has both publicly and privately stated, had done exceedingly good work—some of the best work yet done in the Legislature—for these very people, was rejected when he asked for their suffrages. I have been, perhaps, a little diffuse, and I shall say no more at present. When the Bill is in the Committee stage, I shall speak more explicitly on some of these clauses.

HON. J. T. GLOWREY (South): I move that the debate be adjourned until the next Tuesday.

HON. C. E. DEMPSTER (East): I second that.

THE PRESIDENT: I may point out that we are getting towards the end of the session, and we shall be near it next Tuesday.

HON. J. W. HACKETT: Is there a possibility of our meeting on Monday?

HON. J. T. GLOWREY: I thought it would be irregular for me to make any farther reference, in moving the motion. If the hon. member can do so, I presume I should not be out of order in doing so.

HON. J. W. HACKETT: We are not discussing it.

THE PRESIDENT: I will put the question. I can only draw attention to the case. The hon. member moves that the debate be adjourned until next Tuesday, and I ask whether that is not rather a long time.

HON. J. W. HACKETT: With the permission of the House I would like to point out that such an adjournment would be looked upon as an attempt by this House to burk the Bill. There is no doubt about it.

THE PRESIDENT: Of course members would accept that responsibility.

HON. G. RANDELL: When I rose to refer to the question, I thought it was half-past 10, whereas it was half-past nine.

HON. F. T. CROWDER (East): Members cannot get home for the next hour, and may as well go on with the discussion.

Motion (adjournment of debate) put and negatived.

HON. C. E. DEMPSTER (East) : I regret this Bill has been brought before the House. At one time, when it was first introduced, the very name of it would have made one consider it a desirable measure, providing for conciliation and arbitration. We all know the importance of conciliation under all circumstances; but from what I have heard of this Bill, I am thoroughly satisfied it is not the measure it has been represented to be. I have repeatedly had conversations with practical men from New Zealand who have been subject to the working of this Bill, and they have denounced it in every way they possibly can. I have also read statements by Judge Backhouse, who has had considerable experience in this matter, and he also denounces it, and it has undoubtedly caused a very great amount of trouble in New Zealand at the present time. When the Bill was first introduced or spoken of in this House, New Zealand was referred to as one of the places where it had worked so advantageously; but having inquired into it and heard all that has been said against it, and the way it has worked there, I believe the measure will be most undesirable here, at all events in the form in which it has been introduced, and therefore it will be most necessary for every member to carefully consider every clause before we pass it. Everyone here recognises the importance of conciliation, and fair treatment of every class of the community—not only the working men but every other class—and I am sure it can never be considered we shall be protecting the interests of the working men by doing everything we possibly can to injure the employer. What would the employees do without the employers? Capital and labour must go together. I am sure working men of good sense have reason enough to know that justice should be extended as much to the one as to the other. In this House legislation has been brought forward time after time without the slightest regard to the employer, and it is evident to me that some men think they are only doing their duty to the working men by having their knives into the hearts of the employers whenever they can. I contend it is a great mistake, which should not exist. The working men must depend upon the employer, and the employee

should do by the employer as he would wish to be done by, if he himself were an employer. I have had a considerable amount of experience of working men, and I find they possess as good feelings as any others in the community. There are fine honourable working men, and there are men who are undesirable workers, who are agitating and working up ferment among others. On the other hand you find good honest men willing to work and do everything they possibly can, and yet they spend in the grog shops every penny they earn. We do not want to deal with working men as persons who will be working men for ever. A working man who is intelligent, industrious in his habits, and saving will get on in the world, and will become an employer and capitalist. We want to look to his advancement in the future as well as his position at the time he is a working man. Surely if one is a working man now he does not expect to be a working man all his life, therefore I think we should have consideration for employer and employee under all circumstances, and it is the duty of this House at all times to protect the employer as well as the employee. Every reasonable, just, and honest working man will uphold us in doing so. We must not overlook many opinions which can be found as to the working of this Bill in New Zealand, and I exhort every member to carefully consider the remarks of Judge Backhouse, who has had a very great deal of experience in the working of this Bill, and to endeavour to amend the measure in a way which will suit the circumstances of the State. Mr. Randell has also referred to very important matters with reference to the working of this Conciliation and Arbitration Bill. He has alluded to the great importance of excluding the Government from certain conditions here, because we can see, as he explained to us, that the employees who were engaged in the railway strike not only did themselves an injury, but they paralysed the trade throughout the whole of the State in every district where railways are required. They became almost starved, and they will be starved out, if this be allowed to continue. The men themselves will see the injustice of allowing this to go on. I would never be afraid to stand up before any number of working men

and freely assert my opinions on this matter. And I know that men would be men. Although there may be some who would be brutes, the great majority of working men are as good as we are in their feelings, and have as good a feeling towards the honest employer as the honest employer has towards a good and honest servant. I have employed a great many men, and have never been taken to any local court for non-payment of wages or anything of that sort, but I have always been able to establish good feeling and good-will with the men I have had to deal with. I am proud of it, and I feel sure that almost every man who likes to extend proper consideration to working men will be appreciated, and the working men will do their best for him. There are some in this State—perhaps too many—whose only object seems to be to set parties at variance and create ill-feeling between employers and employed. That is wrong, and every thinking man must come to the same conclusion, that it is wrong, both in relation to the interests of the State, and everyone belonging to those people. I would like to see every man look forward to improving his own position, and to see him as an employer with a holding in the country. I do not want one to be a working man all his life. The idea of being working men all their lives is not, I am sure, entertained by those who may be styled working men at the present time. But they have a hope that they will rise and will employ men, that they will be able to make respectable homes for themselves, and to get something for their families to live upon after they themselves die. That I am sure should be the ambition of every honest well-disposed man in the State. We should do all we possibly can to create good feeling between employers and employed, and an employer should always remember that a working man is as good in many respects as himself.

HON. J. M. SPEED: Sometimes better.

HON. C. E. DEMPSTER: Yes; I believe that. An employer should extend to an employee the kindly consideration which he would expect a working man to extend to himself. That is the sort of feeling it is our duty in this House to encourage, and I feel assured that, if we work together unitedly, we can do a great

deal in this respect. I shall not labour the question, but I sincerely hope that when this Bill is in Committee we shall carefully consider every clause, and deal with it in such a way that it will be fair, just, and reasonable.

HON. F. T. CROWDER (East): The Bill is not one with which I am very much in love; but at the same time I do not object to the second reading. As I consider that the principle of the Bill is to stop strikes, I am in favour of it. If this Bill with amendments will operate in the direction of stopping strikes, then I consider it should be brought into force. So far as Clause 107 is concerned, I have considered the matter carefully, and I cannot help thinking that what is sauce for the goose is sauce for the gander. What is sauce for the men I employ is also sauce for the men employed by the Government. I am quite open to reason. I am not here with my mind made up, but am prepared, as I always am on every other point, to listen to argument. The difficulty with regard to the question raised by Mr. Randell is a great one, but I believe the object of the Bill is to drag men in under this measure. If the employees on the railways who were engaged in the last strike had been under this Conciliation Bill, that strike could not have taken place; therefore I think that, if members will consider it from that point, they will see it is just as well that all Government employees should be brought under the working of this measure the same as private employees are. I quite agree with a good many of the remarks of my hon. friend who has just sat down (Hon. C. E. Dempster), and I likewise have read a good deal of the opinions expressed as to the working of the Conciliation Bill in New Zealand. I must admit that the working of the Bill in New Zealand has not been altogether a success. At the same time, I think I can see my way, with the assistance of this House, to effect several alterations in the measure that will make it, if not altogether a direct success, anyhow more of a success than it would be if it left the community open to disastrous strikes which may take place. If we can do anything at all to curb and prevent strikes, which not only ruin those who take part in them, but men, women, and children all

over the State who have nothing whatever to do with them in any way, it is our duty as legislators to do it; and as that, to my mind, after carefully reading the Bill, is the principle that underlies the whole of the measure, I have much pleasure in supporting the second reading.

HON. J. M. SPEED (Metropolitan-Suburban): I shall merely say a few words in respect of this Bill. As my hon. friend Mr. Randell knows, I am very pleased to see it here before us. The Bill introduced last session has not attained results which have satisfied the desire of the community, either employers or workers. There is no doubt that the railway strike was caused through the fact that the men could not come under this Act. I am of opinion that this measure will tend to the benefit of everyone concerned. Let hon. members consider the enormous losses caused by strikes. I have obtained a table of computations of the losses caused by strikes in European countries during the year 1900. It appears that in the United Kingdom alone there were 648 trade disputes, affecting 188,538 working people; and it is calculated that these disputes caused a loss of 3,153,000 days' labour.

HON. J. W. HACKETT: In England alone?

HON. J. M. SPEED: In the United Kingdom alone. I maintain that the greater part of that loss did not fall on the workers. The workers did not die: they and their wives and children had to be supported by the capital of the community. The loss resulting from strikes must eventually fall on the man with money.

HON. R. G. BURGESS: The loss is made good out of the pockets of honest workmen.

HON. J. M. SPEED: Eventually the money comes out of the pockets of the men who call themselves rich. This Bill is for the protection of the worker, but also for the protection of the man of capital. Many people say that the measure is solely for the benefit of the striker; but I maintain that it is equally for the benefit of the capitalist, if not more so. The capitalist, I say, is the man who will reap most benefit from the measure. The worker, under the best of circumstances, will probably not reap more

than his day's labour produces. Under present circumstances, if the worker loses a day's labour, he still has to live, and his wife and children have to live as well as he; consequently either the Government or the richer people of the community have to support the worker and his family. All this legislation is said to be for the benefit of the worker; but in many respects it is undoubtedly for the benefit of the capitalist. So far as the various clauses of the Act are concerned, I do not think there is much in the criticisms which have been passed. Of the two amendments I have placed on the Notice Paper, I am not very anxious to carry one. The other deals with the matter of appeals in the case of bogus unions. Clause 20, Sub-clause 2 provides that the registrar may, for certain reasons, cancel the registration of unions. In Committee, I intend to move an amendment empowering unions to apply to the registrar for the cancellation of registrations granted erroneously or by mistake, and of bogus registrations. Albany affords a case in point of the registration of a bogus union.

HON. J. W. HACKETT: Is not that difficulty provided for under Clause 20?

HON. J. M. SPEED: No; not sufficiently.

HON. J. W. HACKETT: Not by the first few lines of the clause?

HON. J. M. SPEED: No. The clause only vests certain powers in the registrar.

HON. J. W. HACKETT: He is the judge.

HON. J. M. SPEED: Later, the clause provides for an appeal from the registrar to the president of the Arbitration Court. I shall ask the House to agree to an amendment providing that in case the registrar refuse to grant an application for the cancellation of a union, the applicants may appeal to the president. I think it only reasonable that such a power should exist, because there are no means of compelling the Registrar to act. Moreover, the Bill, if passed as it stands, may put the registrar in a very unpleasant position. I think power should be given to any union to apply for the cancellation of the registration of another union. The remedy is summary, and I do not think exception will be taken to it. I consider the New South Wales Act a great improvement on the present Bill. Un-

doubtedly, we shall eventually have to get Supreme Court Judges to decide all cases arising under the measure. Such a course will be both quicker and more satisfactory to everyone concerned. Boards of conciliation in New Zealand seem to have resulted only in keeping the parties at arm's length and sending them eventually to the court. Thus a great deal of unnecessary expense was incurred and much useless machinery was set in motion, the result being satisfactory neither to employers nor employees. If necessary, two courts will have to be established. It would be better to appoint two Supreme Court Judges for the work than to constitute numerous boards of conciliation, whose operations are not likely to result satisfactorily, as a rule. Of course we know the desire of the Government is to retain the boards; but I think eventually it will be found better to do away with the boards altogether, thus referring all cases to the Court.

HON. B. C. O'BRIEN (Central): Before the motion is put, I desire to say that I shall give the measure hearty support. The Bill is a good, comprehensive one, and as such should commend itself to Parliament and to the country. A measure of this nature has been required for some considerable time; and there is no doubt the present Bill has been drafted with every regard for the interests of both employer and employed, by men who have had considerable experience of such legislation. It has been discussed and amended in another place by people conversant with the subject. I have reason to believe the measure is one which will give entire satisfaction to both employer and employee. The object in view is to smooth away the difficulties which arise from time to time between the employer and his servant. I consider the present measure likely to bring about an era of industrial peace and prosperity. In regard to Mr. Randell's criticisms of Clause 107, I think that when we consider this clause coolly and carefully in committee we shall find that there is nothing objectionable in it. I see no reason why the Government should not be brought within the scope of this Bill, just like any private employer. I think it will be possible to convince the House that under this clause the Government,

as an employer of labour, will be distinctly benefited. I have pleasure in supporting the second reading.

Question put and passed.

Bill read a second time.

#### ADJOURNMENT.

The House adjourned at 10-25 o'clock, until the next day.

### Legislative Assembly,

Wednesday, 5th February, 1902.

Hospital (Central) Inquiry, Select Committee's Report—Question: Supreme Court Buildings, Freestone—Question: Military Contingents, Discharges and Purlough—Question: Boring on Goldfields—Question: Land Grant, Royal Agricultural Society—Question: Railway Bridge, North Fremantle—Question: Railway Refreshment Room, West Northam—Agricultural Bank Inquiry, Report—Brands Bill, Recommittal, reported—Motion: Firewood Supply on Goldfields, to construct Railway; debate unfinished—Motions (private members), as to continuing debate (division)—Supplementary Estimates: Vote, "Entertainment Allowance", (adjourned), progress—Loan Estimates: "Departmental" (Works, etc.), progress—Dividend Duty Act Amendment Bill, in Committee (resumed), reported—Roads Bill, Recommittal, reported—Coal Mines Regulation Bill, in Committee (resumed), progress—Gaols Act Amendment Bill, first reading—Light and Air Bill, in Committee, reported—Land Act Amendment Bill, in Committee, progress—Adjournment.

THE SPEAKER took the Chair at 4-30 o'clock, p.m.

#### PRAYERS.

#### HOSPITAL (CENTRAL) INQUIRY.

##### SELECT COMMITTEE'S REPORT.

MR. J. M. HOPKINS brought up the report of the select committee appointed to inquire into the desirability of erecting a central hospital on the eastern goldfields.

Report received, read, and ordered to be printed.