any stretch of imagination, that I am a betting man. Still, I enjoy myself at the trots when I attend there accompanied by my wife. I do not take my children there, because the Trotting Association, to their credit be it said, will not allow children within the grounds. In any case I would not take children to that form of sport, because it is no place for them. The trotting people employ an efficient staff, and one need not be ashamed to take his closest friends to any of the meetings.

Hon. Sir James Mitchell: This Bill does not permit gambling.

Mr. SLEEMAN: But we know that a certain amount of gambling goes on at race meetings.

Hon. Sir James Mitchell: Does it?

Mr. SLEEMAN: Yes, just a little.

Hon. S. W. Munsie: A number of those people who voted against the Lotteries Bill almost break their necks in the scramble to get to the tote windows.

Mr. SLEEMAN: The Bill provides that "Fremantle district" shall mean the area within a circle having a radius of five miles from the town hall, Fremantle. I hardly know yet where the Fremantle Trotting Club will hold its meetings, because one of the suburbs of the Port is putting up a good fight to have the meetings there. Then again, only a few weeks ago the Melville Road Board offered the club an area of 19 acres free of cost for 50 years. This will give members an idea that some of the local authorities are in favour of establishing the meetings on the Fremantle Oval?

Mr. Sampson: Would the Melville Park ground come within the area mentioned in the Bill?

Mr. SLEEMAN: Yes, it is about three miles from the town hall.

Mr. Sampson: It is not proposed to hold the meetings on the Fremantle Oval?

Mr. SLEEMAN: No. The trotting club possesses the polo ground, which will make an ideal track. Some years ago a referendum was taken on this subject, and the decision was in favour of trotting being established. At the present time if any of the residents of the port wish to attend a trotting meeting they are obliged to first take a tram, then a train, and then a tram again. I believe the establishment of trotting in Fremantle will be the means of other business going to the town. The farmer, for instance, will benefit by reason of his having to provide fodder. There will be no American petrol used and we shall find down there a class of animal of which we need not be ashamed. You, Mr. Speaker, know something about this, for you yourself at one time bred trotting horses that were a credit to the State.

Mr. Taylor: Is the member for East Fremantle against you?

Mr. SLEEMAN: Certainly not; he is a very fair gentleman. I commend the Bill to the House and trust there will be no difficulty in passing it.

On motion by Mr. Wilson, debate adjourned.

House adjourned at 8.45 p.m.

Legislative Council,

Friday, 5th December, 1924.

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The President took the Chair at 3 p.m. and read prayers.

QUESTION—RAILWAY MOTOR TROLLIES.

Hon. J. R. BROWN asked the Colonial Secretary: 1, Is it a fact that there are at the Midland Junction Railway Workshops numerous motor trollies or tricycles intended for length runners on the railways? 2, If so, why are these trollies or tricycles not made available for the purpose mentioned?

The COLONIAL SECRETARY replied: 1, There is one motor tricycle and 12 partly constructed motor trollies at Midland Junction Railway Workshops. 2, The tricycle is undergoing repairs, whilst the 12 trollies cannot be completed until tyres on order are received.

BILL—WAROONA-LAKE CLIFTON RAILWAY.

Read a third time and passed.

BILL—CLOSER SETTLEMENT

Further Recommittal.

On motion by Hon. J. Nicholson, Bill further recommitted for the purpose of considering Clause 10.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

Clause 10—Owner may require the whole to be taken:

Hon. J. NICHOLSON: Yesterday I promised to submit my amendment to the Crown Law Department. I did so, and I have just received the result of their deliberations. The Solicitor General has furnished me with two amendments, both having the same object in view. I have considered them, and I think the one I am about to move is the simpler. I move an amendment—

That all words after "Act," in line 1, be struck out, and the following inserted in lieu:—"Comprises less than the whole of the owner's lands situated within 10 miles of any boundary of the land taken and worked as one property with the land taken the owner shall have the right to require the whole of such land to be taken."

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

Bill again reported with a further amendment.

BILL—FORESTS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. J. A. GREIG (South-East) [3.14]: About six years ago the House passed the Forests Act, one of the principal objects of which was the dedication of certain forest lands to the Forests Department. Although six years have passed, that dedication has not been made. Probably the Colonial Secretary, when replying to the debate, will tell us the reason why. I presume the reason for its not having been done is that the Forests Department and the Lands Department have not been able to agree as to what are forest lands and what are agricultural lands. Quite a lot of our agricultural land grows good forest, and both departments would like to have control of that land. We must face this position sooner or later. I am of opinion that good forest country should be reserved for forests for many years to come. We have many millions of acres of good agricultural land open for development, quite apart from the forest land. I would be quite agreeable to the Lands Department taking over the gullies in the forests, because it would then be possible to arrange a system of working the forests in conjunction with agriculture. The growing of produce in the timber areas, too, would assist to reduce the cost of living of the men working in the timber industry. The sandalwood industry is in charge of the Forests Department. This Bill is designed chiefly to take the share of the revenue derived by the Forests Department from sandalwood and pay it into Consolidated Revenue. Under the Forests Act, three-fifths of the revenue of the Forests Department is retained for reforestation, and the balance is paid to Consolidated Revenue. I cannot see that any effective work can be done in the matter of reforestation of sandalwood. The wood grows so slowly that it would not be worth while to plant new forests of it. Again, sandalwood always grows on good, rich agricultural soil. On my farm in the Williams district some very fine sandalwood had grown. Twenty-three years ago there was one little tree about two inches thick. I protected it, and to-day it is not an inch thicker.

Hon. J. J. Holmes: That is because you killed the kindred trees.

Hon. J. A. GREIG: The road board also protected sandalwood trees, and the only ones killed were those within half a chain. The timber, however, is a very slow grower, and it would not be economical to try to reforest it. Therefore I offer an objection to the Bill. The Minister told us that the revenue received by the Forests Department from sandalwood royalty last year was £44,271. If that amount be taken from the revenue of the department it will mean a serious deduction in its income. I think the revenue derived from sandalwood represented about one-half of the department's total income last year. When the Forests Bill was before us six years ago we laid down a policy for reforestation generally, and I want to know whether the department will be starved for money to carry on that work if deprived of the revenue from sandalwood. I should like to be informed, also, whether the sandalwood industry will then come under the Lands Department, or still be administered by the Forests Department. Will the Forests Department have to incur any expense in administering this branch from which it will derive no revenue?

Hon. J. Cornell: The royalty from other timber will be used to pay for the administration of the sandalwood industry.

Hon. J. A. GREIG: So far as I can gather, our forest lands are estimated to be 2¼ million acres in extent. I have heard that thousands of acres of good karri forest have been taken by the Lands Department for agricultural purposes. If that is correct, it was not necessary to take such land at this stage. At present there is a controversy between the two departments over the jarrah forest at Hester, near Greenbushes. That forest has been cut over, but to-day the department estimate that it carries two loads of good marketable jarrah to the acre, and that it is worth more than the land would be worth if devoted to agricultural purposes. The gravelly nature of the country renders it unsuitable for closer settlement. Yet the Lands Department has alreay surveyed quite a number of blocks of this gravelly country

for closer settlement. I am told that at Northcliffe and Lefroy Brook a great deal of beautiful karri country has been taken for group settlement. I have travelled through that country and seen the clumps of karri. Though many of the clumps are small, being not more than 20 or 30 acres in extent, I maintain they should be reserved for the timber they carry. Where these big trees grow the soil appears to be excellent. I saw trees 7ft. in diameter, 150ft. to the first limb, and as straight as a candle. It would be a great pity to take such country for agricultural purposes when millions of acres of good agricultural land are available elsewhere. In the interests of the State, Parliament should endeavour to devise means to settle the dispute between the Lands Department and the Forests Department. I do not know whether we could have a disputes board or a disputes committee, but we do want an independent board of reasonable men to deal with this question.

Hon. A. Lovekin: Bring them under the Arbitration Act.

Hon. J. J. Holmes: The Minister should settle it.

Hon. J. A. GREIG: The Lands Department is under one Minister and the Forests Department is under another Minister.

Hon. A. Lovekin: There is no co-ordination between the two departments.

Hon. J. A. GREIG: There certainly should be some means whereby an independent party could be called in to settle such disputes. It should be someone's business to adjudicate.

Hon. G. W. Miles: Cabinet should do it.

Hon. J. CORNELL (South) [3.24]: I must apologise for inflicting myself on the House on what appears to be a harmless little Bill, but when the history of it is known, members will admit that for sheer hyprocrisy it beats the band.

Hon. J. R. Brown: Are you out on the sandalwood stunt?

Hon. J. CORNELL: The hon. member won his seat on the sandalwood stunt. In 1918 a Forests Bill came to us from another place. We were then passing through the worst stages of the war, and the issue was in doubt. Further, the finances of the State were in an infinitely worst position and the outlook was a lot blacker than is the case to-day. The Bill provided that one-half of the revenue from forestry should be paid into Consolidated Revenue, and the other half into a fund for reforestation work. Despite the blackness of the outlook at the time, the Council amended the Bill in the interests of forestry and of the State, providing that three-fifths of the revenue should be earmarked for reforestation work and the balance paid into Consolidated Revenue. Another place agreed to that amendment. I think Mr. Kirwan was the member who led the forces on that occasion to get a greater revenue for the work of reforestation. As the Act stands it makes no discrimination between the various sources of revenue derived by the department. For many years a controversy raged around the export of sandalwood, and eventually resolved itself down to the Government of the day, in the interests of the State and of the puller, restricting the output, increasing the royalty, and fixing the price to be paid to be puller. That arrangement seems to be accepted to-day as a fairly wise one. But what was the attitude adopted by members of the present Government and their followers when that arrangement was being discussed in another place? In every direction they sought to get the arrangement annulled——

Hon. J. R. Brown: Quite right, too.

Hon. J. CORNELL: And to get it annulled by all means, spurious or otherwise.

Hon. J. R. Brown: They do not do anything spurious. They leave that to the other fellow.

Hon. T. Moore: You should leave the "spurious" out.

Hon. J. CORNELL: I may bring in some spurious matter and quote the tales that were told. I do not desire to muck-rake, but I do intend to show up sheer hypocrisy.

Hon. T. Moore: You have that all on your own.

Hon. J. CORNELL: On the 7th November, 1923, Mr. Collier in another place moved to disallow the regulation that produces the revenue he desires to filch to-day.

Hon. J. R. Brown: Quite right, too.

Hon. J. CORNELL: Members will find the beginning of his speech in "Hansard," page 1365, and he covered 12 pages of "Hansard" in his indictment against the Government on the iniquity of the proposal. When it came to a division—there were only 16 Labour members in the House, Mr. O'Loghlen having died just previously—every one of the 16 voted. The only support they got was from Mr. Gibson, ex-member for Fremantle. Not only did they oppose it in every direction by voice and gesture, but they opposed it by every man recording his vote against it. The venue was moved to this Chamber. Mr. Lovekin moved to disallow the regulations. "Hansard" shows that his speech covered four lines, which postulates that he was the pilot fish for Mr. Gray. Mr. Gray's speech exceeded that of the Premier by an additional two pages of "Hansard," covering 14 pages in all. When the division occurred in this Chamber Mr. Moore was absent, so I will exonerate him.

Hon. T. Moore: I would have been on that side had I been here.

Hon. J. CORNELL: Mr. Hickey and Mr. Gray voted for the repeal of the regulations. I spoke in favour of the regulations and voted for them. On the hustings in Coolgardie I was asked what I proposed, if returned, in the direction of repealing the sandalwood regulations. I replied, "Every

member of the Labour Party has spoken against them in and out of Parliament. If they are game to bring them up, I will support them, but if they do not you can stew in your own juice for having supported them."

Hon. J. R. Brown: That is only camouflage.

Hon. J. CORNELL: That is the Parliamentary history of the sandalwood question. In every constituency that was contested during the Assembly elections, the iniquity of the sandalwood regulations was put forward as one of the chief reasons why the Mitchell Government should go out of office.

Hon. J. R. Brown: It was only one of them.

Hon. J. CORNELL: The Labour candidates said if they were returned they would give the sandalwood industry a fair go.

Hon. J. R. Brown: It was tied up for five years.

Hon. J. CORNELL: In Hannans-street, Kalgoorlie, the hon. member said in reply to a question, "Let our party get in. We will shift that agreement." This was said by many other Labour candidates when asked if they would annul the agreement if returned.

Hon. E. H. Harris: There was a chorus of them.

Hon. J. CORNELL: It was a Welsh chorus, and that is the biggest.

Hon. J. R. Brown: You could not get an audience big enough for a chorus.

Hon. J. CORNELL: But I got in.

Hon. J. R. Brown: How did you get in?

Hon. J. CORNELL: I always had a larger audience than Mr. Brown, because all his people came to hear me.

Hon. J. R. Brown: To interject.

Hon. J. CORNELL: Or, rather, to abuse me, which showed the bad manners. The Labour Party have been returned to power on the backs of a lot of honest and decent men.

Hon. J. R. Brown: Cut it out.

Hon. J. CORNELL: The hon. member had better go outside if he does not like it.

The PRESIDENT: Order!

Hon. J. CORNELL: They were brought in on a definite and concrete pledge that if they were returned they would alter the conditions imposed by the previous Government in relation to the sandalwood industry. They have not yet raised a finger, and do not intend to do so.

Hon. J. R. Brown: Of course they do.

Hon. J. CORNELL: They are prepared to throw over the people who helped to bring them in, and also to deprive the reforestation fund of the benefits conferred upon it through the restrictions imposed upon the sandalwood industry. If that is not hypocrisy, lead me to it. It is hypocrisy of the first order.

Hon. J. R. Brown: You would not understand if you got there.

Hon. J. CORNELL: I am not generally abusive concerning the present Government.

Hon. J. R. Brown: Oh, no!

Hon. J. CORNELL: But there comes a time when honest men have to speak of things as they find them, and denounce transactions as they are. I strongly denounce the efforts of the Treasurer to filch from this fund the sandalwood revenue. I am justified in adopting that stand because of his utterances and those of his followers both in and out of Parliament. If it is the intention of the Government not to alter the conditions during the currency of the agreement, as they said they would——

Hon. J. R. Brown: So they will.

Hon. J. CORNELL: It would be a decent course for them to adopt to leave the money to the credit of the reforestation fund. Not only is it proposed to filch the added revenue from the industry, but to take that which in the past was retained by the Forests Department, before the passing of the regulations which brought so much extra grist to the mill.

Hon. J. R. Brown: That is not misappropriation.

Hon. J. CORNELL: I wish someone would misappropriate the hon. member.

The PRESIDENT: The hon. member must not be personal.

Hon. J. CORNELL: If he sat a little further away, perhaps I could tolerate him better. The Government are doing this on the plea that it has been proved an economic impossibility to grow sandalwood. They, therefore, propose to take all the revenue that is derived from the industry. It has yet to be proved whether it is economically possible to grow many of our timbers that are nearly cut out, and which represent some of the finest timbers in the world. If it is logical to take into Consolidated Revenue this increased income from the industry in defiance of Parliament, no doubt in the near future Treasurers, who are desirous of getting in more money, may go to the length of flouting the will of Parliament as enunciated in 1918. If it is logical to deprive the reforestation fund of the revenue from sandalwood, it is just as logical that the Government should take the revenue derived from karri, jarrah or any other timber. On these grounds alone I must vote against the second reading of the Bill. We are only tinkering with these reforestation questions, and playing around the fringes of them. I should like to quote what these iniquitous regulations, that have been so roundly condemned by the Labour Government, have brought in by way of revenue. From the 1st November, 1923, till the 30th June, 1924, the revenue for sandalwood was £44,000, in spite of the fact that Labour members said the regulations were not going to benefit the State. The Premier states he

expects to receive from the same source during the present financial year £55,000. The reason why £44,000 came forward during a period of seven months was because of the accumulations of sandalwood in the bush, but by June last we had practically reached normal conditions. It may be said that during this financial year not more than 6,000 tons will be exported, from which the revenue expected is £55,000. This should be the output of the State for many years, and while it lasts the revenue should be in the region of £55,000 every year. As the Forests Act stands, the Treasurer cannot use the whole of this revenue. He can take only two-fifths of it, the balance going to the Forests Department. By this Bill he proposes to take the whole of the revenue. That is wrong in principle. It is opposed to the underlying principle governing our reforestation scheme under the Act. The Labour members' damning indictment of these regulations is one of the greatest acts of hypocrisy I ever heard of. I should like to hear Mr. Gray's attempt to justify the Premier's wish to take the whole of the revenue from a proposition that he so heartily condemned.

Member: Tainted money!

Hon. J. CORNELL: I would like to hear Mr. Gray justify his action. I am protesting because I voted for the regulations. Now the Treasurer wants to take the whole of the financial benefit accruing from those regulations.

Hon. E. H. Gray: What is wrong with that? Should he throw the money away?

Hon. J. CORNELL: We are only touching the fringe of reforestation. The day is not far distant when this State, in point of forestry, will have reached the same unfortunate position as the State of Victoria and many countries of the world have reached. Rather than take this anticipated £55,000 from the reforestation fund, the Government should come forward with another £55,000 to provide for the continuity of our timber resources. What experiments have been undertaken by the Forests Department in the growing of pine? Is anything being done by that department towards the growing of softwoods? Practically nothing. All the softwoods used here are imported from either the Baltic or the United States. In this respect New Zealand is a thing of the past; the Dominion's reforestation policy came on the scene too late. There is a part of this State which has a rainfall of over 30 inches and is situated within 15 miles of the coast. In that part pine planting could be done with every prospect of success, and at very little expense, because no clearing is required. Yet not one solitary departmental experiment has been made to determine whether pine will grow in that locality. It remained for two or three men who settled on the Esperance sandplain to demonstrate the practicability of the growth of pine there. In that locality one can see pine 80 feet high after a growth of 14 or 15 years.

Hon. A. Lovekin: What kind of pine?

Hon. J. CORNELL: Pinus insignis I think. There are many parts of Western Australia which will be planted with pine in years to come, irrespective of the opinion of to-day. Advice on this aspect from Mr. Lane-Poole is on record in the Forests Department. Although in various ways something may be said against the former Conservator of Forests, no one can assert that he did not know his job as a forester. He is the best forester any Australian State ever met.

Hon. T. Moore: But he did not know the first thing about hardwood.

Hon. J. CORNELL: I am not speaking of hardwoods. We have those here.

Hon. T. Moore: But he could not look after them.

Hon. J. CORNELL: I had the pleasing experience of travelling many thousands of miles over a treeless land; and wherever I went I saw concrete efforts on a large scale in the direction of afforestation. In that land the problem was tackled from sheer necessity; Nature had placed no timber there. The trees were growing luxuriantly, and they included practically all the timbers of Western Australia except jarrah, of which, however, a little is grown in Natal. My reference is to the South African Union. What can be done in the way of afforestation is shown by the Customs returns of the Commonwealth, which disclose that Australia pays to Natal considerably over £100,000 a year for wattle bark and the tannin from wattle bark. Less than 45 years ago a South African gentleman took the seed from Australia to Natal. He has been knighted for it; and if ever a man deserved knighting, he did, because he did something useful for his country. If I can get one supporter, I shall divide the House on this Bill. Parliament thought fit and proper in 1918 to allocate three-fifths of the revenue from the forests to a reforestation fund, and that principle holds more soundly and solidly to-day than it did at its initiation, irrespective of whether or not the Treasurer is hampered by want of funds. An inflation of revenue due to exceptional circumstances, affords no reason whatever for departing from the principle that has been laid down. I oppose the second reading of the Bill.

Hon. A. BURVILL (South-East) [3.35]: I agree with previous speakers that it is about time the controversy between the Lands Department and the Forests Department as to the area to be permanently dedicated to forests was settled. I have lived in forest country all my life, and have seen a good deal of the forests of

Western Australia. Undoubtedly, in some cases land has been allowed to go out of forestry into agriculture without justification. On the other hand, certain areas dedicated to forestry would be far better given to agriculture. The difficulty seems to be that the two departments fail to see eye to eye. There should be some means of terminating the controversy between them. If the whole of the area that Mr. Kessell wants dedicated to forestry purposes were so dedicated, we would not have enough timber for our needs in the comparatively near future. Before many years elapse, we shall follow the lead of Victoria and prohibit the export of our hardwoods. Not enough forest is coming on to take the place of what has been cut out. I am against taking this sandalwood money and putting it into Consolidated Revenue, principally for the reason that we have in the South-West a very large area of second and third-class country that is pre-eminently adapted for the growth of pine. We are now importing pine timber. For fruit cases we are using our own hardwood; but in 20 years' time we shall undoubtedly be short of hardwood for fruit cases, and shall require a substitute. The cheapest substitute is pine. It takes 20 or 30 years to get a pine plantation up to the stage of producing timber. Therefore the present time is opportune for dedicating to the growth of pine such country as is not useful for agriculture, but is situated within the rainfall of 30 to 50 inches. I allude to all the country east of Albany, and from Albany westward round the Leeuwin up to Bunbury, and almost up to Fremantle. These areas should be dedicated to pine, and the Lands and Forests Departments should co-operate in dedicating the country that is suitable. Here is the money to start the scheme going. I understand that the reason why pine afforestation is not in progress now is that funds are not available; and yet here is a proposal to take revenue from the afforestation fund and put it into Consolidated Revenue. It is a shame. In my opinion, Pinus pinaster will grow best in the areas I have indicated. Indeed, that has been proved. I myself in 20 years grew pine that was 20 inches in diameter axe-handle high. Pinus pinaster is the timber which France has been growing for many years to stop sand drift, and thus France is making revenue out of what previously was barren sand. The French climate is very similar to ours, while our second and third class lands are better than the sand dunes of the French coast. Once the bottle brush lands and the flat lands of the South are opened up, there will be hill country available to the extent of hundreds of thousands of acres on the coast; and that hill country could be used for the growth of pine. But here we are asked to vote away money which should be left in the hands of the Forests Department for the purpose of getting on with the work of pine plantation. I oppose the Bill.

Hon. T. MOORE (Central) [3.59]: Even at this late hour of the session I cannot allow the attack that has been made on the Premier to go unchallenged. I confess I did not expect such statements as those that have come from Mr. Cornell. In point of fact, what the Labour Party did last session is what they always have done and always will do—oppose monopolies to private persons. If in the course of showing very strong reasons why the sandalwood monopoly should be broken down—members of that party have covered many pages of "Hansard"—credit is due to them for that fact. I know very well that they do not believe in the state of affairs which has been set up. However, they had that state of affairs set up for them. Now they want to alter it. Mr. Cornell spoke of hypocrisy, evidently wishing the House to believe that the Labour Party approve of what was done. We, however, do not believe in leaving the sandalwood position as it is.

Hon. J. Cornell: From the very fact of this Bill having been introduced, it is plain that you do not believe in things as they are.

Hon. T. MOORE: That is another matter. That is a quibble.

Hon. H. A. Stephenson: Where are the twenty-one members of Parliament who waited as a deputation on the Premier?

Hon. T. MOORE: They hold just as strong views to-day as ever. What has happened, however, is that from one end of the State to the other, we have trouble in the sandalwood industry. Every member of Parliament who represents back-country areas, including Mr. Cornell, knows of the great outcry that was made and is aware that many men have been thrown out of employment in the industry because of the sandalwood regulations.

Hon. J. Cornell: I do not deny that.

Hon. T. MOORE: You can't! That is what we said would happen and what has happened. References were made to what the Premier said regarding monopolies. What the Premier said was that we should have a State monopoly.

Hon. J. Ewing: We don't want that.

Hon. T. MOORE: If there is to be a monopoly, it should be a State monopoly.

Hon. J. Ewing: But we have no monopoly now.

Hon. T. MOORE: Do we get more from the forests as the result of the operations of Millars or of the State sawmills? I am prepared to argue that point. Millars had the whole of their timber given to them whereas the State Sawmills Department had to go further out. Millars secured the best of the timber just as the farmers picked out the best land years ago. The State has had to go far beyond the areas held by

Millars who had the advantage of railways, and timber that was easily accessible. Despite the disabilities confronting the State Sawmills they have returned to the State over £350,000 during the few years the mills have been running.

Hon. H. A. Stephenson: Who fixed the prices?

Hon. T. MOORE: That is another quibble. As a matter of fact Millars would be charging more for timber to-day had the State not entered the combine. But I am not arguing that point. When we hear talk about hyprocrisy, I know that assertion cannot be borne out.

Hon. J. Cornell: It was said that you would right things if you were returned to power.

Hon. T. MOORE: So we will, but it cannot be done in 24 hours.

Hon. E. H. Harris: It will be done in the sweet bye-and-bye!

Hon. T. MOORE: If the hon. member desires to use that sort of contention at election time, let him do so. If these statements are made for propaganda purposes, they will be swept aside in due course. Coming back to the Bill and the revenue to be derived as the result of the measure, I can declare, from my general knowledge of our timbers and the revenue we are deriving from them, that we are doing a lot now. I have not had an opportunity of going into the figures to prove my statements because I did not know this question would be raised, and I do not now wish to secure the adjournment of the debate. From my knowledge of the timber country I am aware that more work is going on there now than there has been for years past. Teams of men are out in every direction working hard, and, in the present state of our finances, I do not know that we can do more than we are doing at present.

Hon. J. Cornell: That has always been said.

Hon. T. MOORE: Whether Mr. Cornell believes it or not I can assure the House that the Premier is a man who takes a broad outlook. He is in charge of the Forests Department, and if he were not satisfied with the position, he would not have introduced the Bill.

Hon. J. Cornell: But he is the Treasurer.

Hon. T. MOORE: With the breadth of view the Premier has, if he could see that more necessary work could be done with the addition of the money involved, he would do so.

Hon. J. Cornell: I give the Premier credit in that I believe that if he were not so hard up, he would not make any such proposal as that contained in the Bill.

Hon. T. MOORE: We are doing much in the timber industry at present. For years past efforts have not been made to hold the forests and look after them in the way we are doing now. The practice has been to tear into the forests and get all that was possible so as to secure the greatest supplies of timber in the quickest time. There has been in the past no idea of looking after the forests. Mr. Burvill must admit that more is being done in that direction now than ever before. During the 20 years I have been in the State I have known what was going on in the timber industry. Millars never attempted to preserve one of our finest assets. It is a grave mistake that our fine hardwood timbers should be used merely in the shape of jarrah sleepers and so on. The time will come when our hardwoods will represent some of the most valuable timbers in the world. I believe we should look after our hardwoods and preserve that which we have now.

Hon. A. Burvill: How can we do it without money.

Hon. T. MOORE: We are attempting to do that now. We should try to do something practical, and look after our hardwoods that are better than soft woods. At the same time we have been spending a lot of money in experimenting with soft woods I believe, however, that for many years to come imported soft woods, particularly from America, will be landed here at a very cheap rate, so cheap that it is hardly worth while doing very much in this direction seeing that we have more valuable timber already growing here.

Hon. A. Burvill: You won't have it always.

Hon. T. MOORE: We have valuable timber growing to-day on the cut-out areas. There we have timber with a girth of 90 inches that had to be left there under the regulation. In the next 30 or 40 years that timber will be of a marketable size. Thus it is that we shall be able to get along provided we still have the 2,000,000 acres of prime forest country that we have now.

Hon. J. Nicholson: But you haven't got it now.

Hon. T. MOORE: Perhaps the hon. member knows more about it than I do, but I say we have over 2,000,000 acres. If we look after that area and use for agricultural purposes only those portions that are not suitable for the growing of timber, we will have a magnificent asset for all time. With reference to the remarks concerning operations of the two departments concerned, even to-day we have not sufficient evidence to show us exactly what should be done with certain areas. Take the Jarrahdale concession of 250,000 acres that comes to within about 35 miles of Perth. Numbers of fine streams run through the concession and there are splendid alluvial flats along those creeks upon which no timber will grow. I desire to see those flats opened up. But we have to recognise the fact that the concession is owned by Millars. The Forests Department might give their consent to the settlement of those flats, but Millars would have a say in the matter. That concession is one of the old ones. I trust those flats

will be taken up because they are not suitable for the growing of timber. Foresters contend that if settlement is allowed there, it may be necessary to get timber there for tramway purposes at some future time. That difficulty should be overcome.

Hon. A. Burvill: Of course you could overcome it.

Hon. T. MOORE: However, that is the argument that is advanced. I have discussed this matter fully with the Conservator of Forests, and I understand his attitude. I pretend to know more about this country than the Conservator, because I have worked over the country from one end to the other. The idea does prevail, however, that if we allow the river flats to be worked, the good timber on the hills where the jarrah grows will not be procurable in years to come. An endeavour has been made to find out exactly how much jarrah country we have, but it has not been definitely determined yet.

The PRESIDENT: The only point dealt with in the Bill is the taking of money arising out of the sandalwood industry.

Hon. T. MOORE: I quite agree with you, Mr. President, that this is not the time to discuss the operations of the Forests Department and of the Lands Department. The point should never have been raised. The Premier has decided that the money referred to in the Bill, and which it is proposed to pay into Consolidated Revenue, is not necessary for the purposes of reforestation, because we cannot proceed at a greater pace than we are doing at present. I hope the work in connection with our forests will increase as the years go by. I support the measure because I am convinced that there has been a big change during recent times.

On motion by Hon. J. Ewing debate adjourned.

BILL—PEARLING ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. G. W. MILES (North) [4.10]: I congratulate the Government on bringing forward the Bill. Matters connected with the pearling industry have been before the public for some years. The question of dummying has been referred to. All sections engaged in the industry are anxious that legislation should be passed dealing with that difficulty. I support Mr. Moore in his contention that it would be better for the industry if more white people were engaged in it. It is impossible, however, for white people to take on diving or the handling of pearling boats generally. I think it was a Federal Labour Government that appointed a Royal Commission to inquire into the pearling industry. The Commission came to the conclusion that it could be carried on only by means of indentured labour. White divers were brought out from England, but the mortality amongst them was so great that it was decided that the industry should be carried on with the aid of indentured coloured labour. Mr. Moore suggested there should be a shell-opener on each boat. I do not know that it would be necessary to insert such a provision in the Bill, because I know that there are instances where one shell-opener has been able to control two pearling boats. I support the second reading of the Bill.

Hon. J. J. HOLMES (North) [4.13]: The Government are to be congratulated upon the introduction of the Bill. Legislation of this description has been promised for a long time. It is before us now and I hope it will be favourably received by members. I desire to put a few facts before the House. The conditions imposed by the Bill for the carrying on of the industry are very drastic, but the position is such that, to control the industry as we would wish, exceptional authority should be given to someone on the spot, The pearling industry is a very important one for the State. It has been the means of establishing one of the principal towns north of Geraldton. Broome is a fine town and has been built up by the pearling industry. It is the first port of call for vessels from the Far East. When we remember that for generations past, some of the coloured people from the north have come down to our North-Western coast line, and when we bear in mind the fact that countries thickly populated by coloured people are situated at such a comparatively short distance from our coast line, we should do all we can to prevent any of those coloured people from getting a foothold at Broome or in any other portion of the North-West. As far back as 1800, 29 years before white people settled in Western Australia, French navigators crossing from Java to the Western Australian coast saw no fewer than 22 Malay vessels between Wyndham and Derby. These vessels, which, no doubt, had been carrying on operations in those waters for generations, were engaged in slave trading, fishing for dugong, beche-de-mer, and Heaven knows what. When we remember that that kind of thing was possible in the year 1800, without its becoming known except by accident, it is not advisable at the present stage to permit a permanent fleet, made up of various nationalities, to establish itself at any of our Northern ports. Broome produces the finest pearls and pearl shell to be found in any part of the world, due, it is said, to the fact that the shell matures in pellucid water on which the sun continually shines, the effect being to brighten the pearls and the shell to an extent not known anywhere else. Everybody is agreed that diving for shell, which has to take place in deep water, is not a suitable occupation for white men. I

agree with Mr. Moore that white men should be employed above the water as far as possible. The Federal Government have recognised that diving is not work that should be undertaken by whites, and have therefore, permitted coloured people to enter Australia for that purpose. It is stipulated, however, that the coloured people must be returned to the country whence they came. The danger I now fear is that if we allow the divers to become proprietors, the Federal Government will declare that indentured labour can no longer be brought here. The result will be then that one of our most important towns in the North will be wiped out. As a matter of fact, the permits may be withdrawn at any time. It is surprising to me that white men, with the vision they should have, should be a party to trying to get behind the arrangement made with the Federal authorities that permits the industry to be carried on. In order to show the importance of the industry to Western Australia, I may be permitted to quote a few figures from the report of the Fisheries Department for the year ended the 31st December, 1923. So far as Broome is concerned, the value of shell exported from that port last year was £182,000, and the value of pearls £45,000, making a total of £227,000. The Chief Inspector points out that owing to financial difficulties pearls were sold last year at a lower price than that obtained in the previous year, and yet the value realised was £15,000 more than in the previous year. The report also states that 1,633 men were employed in the industry at Broome, of which number only 109 were white and 20 were aborigines. The remainder, 1,504, were Asiatics. Mr. Moore referred to the employment of more white men on the boats. So far as I can learn, wherever it is possible, white men are employed as shell openers, that is, on boats that are genuinely owned. It is on the dummy boats that coloured men are allowed to open shell. They are, as a matter of fact, opening their own shell. From the figures I have given there appears to be a shell opener for every two boats, because there are some 200 odd boats engaged in the industry. In and around Broome the population is largely made up of all nationalities from the Near and Far East. Not only that, but there is a speculative element from all parts of the world. I have no hesitation in saying that Broome is the Monte Carlo of Australia. The pearling industry is a gamble and wherever there is gambling to be done we agree that the gamblers turn out in full force. Of course there is a big percentage of a splendid type of men at Broome, and the difficulty that class is faced with is that in endeavouring to carry on business in a fair and legitimate way they come into contact with those white men who are associated with the coloured men, and the result is that the genuine trader does not get the result that should be his. It is with the object of overcoming this difficulty that the Bill has been introduced. During the recess I had occasion to visit all the North-West ports and Port Darwin. At Port Darwin I saw what I considered to be a menace to Australia; it was practically a Japanese town.

Hon. G. W. Miles: And Chinese.

Hon. J. J. HOLMES: Yes, also a large number of Chinese, but I put them all in the same category. I got it unofficially from the school authorities, that between 80 and 90 per cent. of the children attending the school were of Asiatic descent. These children are being taught in a white Australia policy school at the expense of a white Australia, and being educated to take their places in a white Australia. That is not quite desirable. I was also informed that these children are intelligent and robust, more robust, in fact, than the white children, due to the fact that the climatic conditions in that part of the Commonwealth favour the coloured children to a great extent, the result being that they develop better physically, and become more active and intelligent. It is recognised that there is a possibility of something like this growing up in Broome, and the Bill has been designed to try to prevent in Broome what has been permitted to grow up at Port Darwin. The Bill proposes to give additional power to a special inspector. I understand it was intended to appoint the present inspector, but the Bill says, "Either the present inspector or some other person with the authority of a Royal Commissioner," and at his request the magistrate will issue authority to the police to enter premises of any person suspected of dummying and take possession of all documents necessary to prove that dummying is being carried on. I understand that the reason why it is not proposed to arm the resident magistrate with this authority is that he would be the person who ultimately would be called upon to deal with the case. The proposal, I understand, is to appoint the inspector now at Broome, Mr. Stuart, a special inspector, and when there are cases that he desires to probe to a finish he will request the police magistrate to issue a warrant, and the police will take action. If dummying should be proved, a severe penalty will be imposed. The Bill is the result of long inquiry and requests from each and every section of the community at Broome. A public meeting held there some time back representative of the Broome Road Board, the Pearling Association, and the Returned Soldiers' and Sailors' Association, discussed the position, and judging from the report of the meeting it appeared to be that all were unanimously opposed to dummying. The difficulty, however, is that each white person appears to accuse the other

fellow of being a dummy, and the other fellow in turn accuses somebody else. The object of the Bill is to find out who the other fellow is, and if he is caught he will be severely dealt with. For a full explanation of the methods employed in dummying, I suggest that hon. members peruse the file on the Table. They will there see how, under the names of white men, the coloured men are brought into possession of boats and outfits. Those names are not loaned without substantial consideration. I have here a definition of "dummy" by Mr. Percy, J.P., the chairman of the Broome Road Board, who presided at the public meeting—

> Webster's Dictionary says a dummy is "a man who plays a merely nominal part in an action; a sham character." When I came to Broome 28 years ago there was no dummying, but I am sorry I cannot say the same to-day. My definition of a dummy is that he is a carrion, a thief and a perjurer. The carrion is a bird that lives on dead flesh. There is nothing dirty enough for a dummy. The existence of the dummy provides opportunity for your shell and tucker to be put on board dummied boats—that's theiving. He is a perjurer when he goes into the shipping office and makes a declaration and calls on Almighty God to witness that the declaration is true. He signs the declaration knowing that it is a lying document. He then takes a shilling stamp bearing the image of His Majesty the King and seals the lie. To my mind there is nothing more contemptible than the dummy.

It is surprising the depths to which some white men will descend in order to make money. There are in Broome some of the finest men I know, but, on the other hand, there are also white men who will associate with coloured men in order to make money at the expense of the legitimate white pearler Not only are there such men in Broome, but there is at all events one such man in Parliament, one who has put up a great fight on behalf of an Australian-born Asiatic who desires to participate in the pearling industry at Broome, as may be seen by papers on the Table of the House. I refer to Mr. Teesdale, M.L.A. Recently an application was made from Broome that an Australian-born Asiatic be allowed to have a pearling license. Returned soldiers and others put it up to me, that this thing should not be permitted. When I say there are in Australia 17,000 Australian-born Asiatics, members will see what might have happened at Broome; for if we grant one Australian-born Asiatic a pearling license, there can be no valid reason for refusing another. Power is reserved to the Governor to grant or refuse such licenses. The application on behalf of this Australian-born Asiatic was made with the full force of Mr. Teesdale's approval behind it, but with the best of my opposition against it. I won, and the application was turned down. According to this file, when the application was refused Mr. Teesdale wrote to the Chief Inspector of Fisheries. Here is an extract from his letter—

> I say the decision in this matter is a disgrace to the Mitchell Government . . . It is this sort of thing that raises hell.

One result of my action in that matter has been a furious attack upon me by Mr. Teesdale in another place. I am loth to refer to this, but when one deems it his duty to take a stand on a public matter, it is not right that one should have insult and insinuation heaped upon him in consequence. Mr. Teesdale gave as his excuse for his attack upon me that I had criticised the Mitchell Government. But he himself criticised them far more severely than did I. The real reason for his attack on me is the fact that I blocked an Asiatic from getting a pearling license. Mr. Teesdale said that my opposition to the Mitchell Government was based on my having been refused a favour. I challenge anybody to show that I ever asked a favour from any politician or any Minister. If ever I have to ask a favour, either for myself or my constituents, I shall walk out of Parliament and cease to be a representative of the people. I could show from these files to what extent Mr. Teesdale has benefited, even at the hands of the present Government, and I could, if I chose, tell the House what he might have made had he succeeded in getting a pearling license for that Asiatic. The North has but a small party of representatives. In this House there are but three of us, while in the Assembly there are only four. Therefore it becomes necessary that we should be united. As a fact, we are united, with one exception. Two young men who have entered the Assembly from the North, Messrs. Lamond and Coverley, have already shown that they desire to do what they can for the North. Mr. Teesdale, on the other hand, takes up the position that he could do the whole job on his own without risk of failure. I have given one instance of his failure, and in doing so have shown how I was attacked for doing my duty. One important point in dummying is not disclosed on the file. These dummy pearlers who profess to be employed by white men ashore, but who really are paying the white men so much for the boats, get all the pearls won from their boats. Since they keep no books of accounts, it is not known to the Taxation Department that they have secured any pearls. The pearls won are retained in the possession of the coloured men, and periodically one of their ambassadors leaves the State, goes away, sells the pearls, comes back and cuts up the proceeds amongst the dummies. The Taxation Department hears nothing of this, and in consequence the State is robbed of

legitimate revenue. If a pearl comes into the hands of a white man, he has to enter it into his books and show it in his taxation returns.

Hon. E. H. Harris: Certain white men are party to the action of the coloured men.

Hon. J. J. HOLMES: Yes, and that is one good reason for the Bill. There are in the Bill some drastic provisions; but we require to be drastic if we are to save Broome from the coloured races. I spent 10 days in Broome closely investigating this question. On leaving I was given a send-off by the pearlers. Replying to a toast, I said I had come to the conclusion that if ever I entered into the pearling industry, I should be my own shell-opener. A prominent pearler remarked that there was a better game even than that. I asked what that might be, and he said "Opening the other fellow's shell." The industry is surrounded with trouble, and anything we can do to minimise that trouble will further the interests of the industry. Mr Moore, to my surprise, seemed to have a kindly feeling towards what he called the better class of Asiatics. I do not know which may be the better class. The authorities insist that there shall be but a limited number of each race in one boat: so many Malays, so many Japanese, so many Koepangers. If a boat were manned exclusively by men of one nationality, the sole white man on board would be in danger of his life. Only by mixing up the coloured races amongst the crew is the white man's safety on the boat assured.

Hon. T. Moore: The mixing of them brought about a riot in Broome.

Hon. J. J. HOLMES: Some hon. members claim that the Bill does not go far enough. I was under the impression that the Government intended to make a person found in possession of pearls prove his ownership. I do not think the Bill provides for that, although I am sure it ought to. When pearls are found in the possession of a man suspected of dummying, or of any coloured man, he should be compelled to declare how he became possessed of them. It is not asking too much when all the circumstances are considered.

Hon. T. Moore: No more than is asked in the mining industry.

Hon. J. J. HOLMES: It is proposed to arm the special inspector with very drastic powers, but I do not think those powers will be any too drastic if we wish to save the industry from the coloured races. The pearling inspector at Broome, Mr. D. H. Stuart, has been there for a number of years, and if there is one man in the State who has had an unfortunate position to fill, it is he. The pay attached to a responsible office like his is altogether insufficient. The salary, including allowance, last year totalled £378. I gather from the Estimates that it is proposed to give him an increase of £12 this year, making his salary £390. A man in that position, if he so desired, could become wealthy in 12 months. Mr. Stuart has been there for a number of years, fighting on, protecting the industry, receiving the support of every right thinking man in Broome and the hatred of others. To give an idea how dummying is carried on, white men get hold of the best divers and put them into the boats, which however are in the white men's names. The divers are really working for themselves. They are paying the owners a lump sum and the divers in many instances are getting away with the valuable pearls and dodging taxation. In this way the State suffers. I support the second reading.

Question put and passed.

Bill read a second time.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

In Committee.

Resumed from the previous day; Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

Clauses 44 to 50—agreed to.

Clause 51—Conciliation committees:

On motion by the Colonial Secretary, clause consequentially amended by striking out "fifty-one" and "fifty-three" and inserting "fifty-two" and "fifty-four" in lieu.

Clauses 52 to 54—agreed to.

Clause 55—References to court by industrial unions or associations:

Hon. E. H. HARRIS: It is proposed that in future industrial unions need not take a ballot of members before lodging a case in the Arbitration Court. The members constitute the highest tribunal of a union, and they should be consulted before a case is submitted to the court. Where an enforcement order is sought, a resolution of the governing body of the organisation is sufficient, but the views of the rank and file should be ascertained before a case is lodged. I move an amendment—

That all the words after "ninety-seven," in line one, be struck out, and the following inserted in lieu:—"of the principal Act is amended by omitting the words 'nor shall any application be made to the court by any such union or association for the enforcement of any industrial agreement or award of the court'; by omitting from Subsection 1 the words 'provided that if the resolution is for a reference of an industrial dispute, it shall' and substituting the word 'and'; and by inserting after the word 'minutes,' in the last line of Subsection 1 the words 'and any such ballot shall be a secret ballot, and no form of voting shall have

any letter, number, or record thereon to show or indicate how such voters may have voted.'"

The COLONIAL SECRETARY: An association of employers does not have to comply with all the procedure laid down for unions. It has only to pass a resolution, and there is an end to it. It is only right that Labour organisations should be brought into line with commercial organisatons. Any resolution that is passed by an industrial union must be confirmed by a majority of members under a system of ballot. While there is a great deal of trouble for a union in getting to the court, there is no difficulty for an employers' association. All that the latter have to do is to pass a resolution. The object of the clause is to bring both sides into line.

Hon. E. H. HARRIS: The Colonial Secretary is endeavouring to prove that where an industrial union refers to an employer it refers to an association. That is not so. An association is also composed of unions. There are registered associations of workers who may represent two or more unions. When the association is stating a case it is sufficient for the governing body to pass a resolution. That applies to the workers as well as the employers, and the same procedure must be followed in each case.

Hon. T. MOORE: No organisation would permit an executive to remain long in control if it had not the confidence of members. If we believe in arbitration we should make it as simple as possible for people to get to the court. The trouble usually arises through delay. It would require months to get a ballot taken in a union that contained 7,000 members.

Hon. E. H. Harris: You can always expedite the ballot.

Hon. T. MOORE: Not in a case of that sort. I can see no harm in the executive referring a matter to the court.

Hon. E. H. HARRIS: Mr. Moore evidently refers to the A.W.U. There is no organisation in the State with 7,000 members registered as one union. Unions in any given industry can always become registered.

Hon. T. MOORE: The A.W.U. contains members who are not all working in the one industry, but who are working in different industries all over the State. It would take months, for instance, to get a ballot amongst the shearers.

Hon. W. H. KITSON: There may be thousands of members involved in an association of industrial unions, but there need only be a small number of employers in an industrial association of employers. The Act provides that where an industrial association desires to refer a matter to the court it shall carry a special resolution which shall be confirmed by each individual organisation making up that association. It would take many weeks in some cases before that resolution could be confirmed. Where there is a body of men representing a given number of organisations, meeting from time to time to hear the views of those organisations, and deciding the policy of the whole, we should not place restrictions upon it. I see no reason why the executive of an industrial union or association should not be allowed the same privilege as is accorded to the employers. In the case of most organisations that are controlled by an executive, the various branches meet at different times and decide upon a certain policy. The resolutions are sent to the central executive, by whom the policy is consolidated.

Hon. E. H. Harris: Why not form an association and confirm it by resolution?

Hon. W. H. KITSON: It would then be necessary to carry a resolution affirming the decision of the association. The railway organisation has branches in all parts of the State. It would not be possible to have special meetings of these branches. Such meetings have been called from time to time, but various members have been unable to attend.

Hon. E. H. Harris: More than half of them could do so, and that is all that would be required.

Hon. W. H. KITSON: Mr. Harris now suggests that the decision of more than half the members would be sufficient.

Hon. E. H. Harris: I referred to the association. You cannot side-track me.

The CHAIRMAN: It would be advisable to allow the hon. member to proceed with his speech.

Hon. W. H. KITSON: Even if the association carries a resolution to refer a matter to the court, each industrial union making up that association has to carry a resolution of confirmation at a special meeting called for the purpose. Thus the effect is to delay the time at which an application can be made to the court. I fail to see any objection to the executive of a union or an association deciding such a matter. If the executive did decide to refer the matter to the court, the case could not be heard for a month, or two months, or possibly six months; and in the meantime the members, if they did not agree with the decision of their executive, could take action to upset that decision.

Hon. A. Lovekin: Suppose the executive creates a dispute, and there is a strike. Then a dispute has been created. The men should be consulted before there is a dispute.

Hon. W. H. KITSON: Apparently, then, the strike must continue until all the men affected have held a special meeting and decided to refer the dispute to the court. When there is a strike, we want to get the dispute settled as quickly as possible.

Hon. E. H. HARRIS: Subsection (2) of Section 97 of the principal Act says—

> In the case of an industrial association, by resolution passed at a special meeting of the members of such association, and confirmed by resolutions passed

at special meetings of the majority of the industrial unions represented on the association . . . .

Take an association of 20 unions. If 11 of those unions approve by resolution—not, be it noted, by ballot—and the executive send the case along, the citation can be lodged within 48 hours.

Hon. A. Lovekin: And the interested parties will have been consulted.

Hon. E. H. HARRIS: Certainly. Mr. Kitson, no doubt unwittingly, would lead the House to believe that there has to be a ballot of the whole of the members. But Subsection (2) reads—

In the case of an industrial union of workers represented on an industrial association, no such reference or application shall be made without the consent of such association expressed by resolution passed at a special meeting.

Thus the associations are now in a position to do what is sought to be established by this clause.

Hon. W. H. KITSON: I say it is necessary for those organisations to hold special meetings. I cited one organisation, the railway union.

Hon. J. Cornell: That is not an association.

Hon. W. H. KITSON: I know that. But it becomes necessary for the railway union to have a special meeting of the union as well as a special meeting of the association. I have pointed out the difficulties involved in holding such special meetings.

Hon. E. H. Harris: The railway union do it now.

Hon. W. H. KITSON: But it is extremely expensive.

Hon. E. H. Harris: They get to the court all right.

Hon. W. H. KITSON: Yes; but how long have they to wait? And then there is the delay in getting a decision. Again, there is the Building Trades Association, the membership of the unions comprised in which extends over the length and breadth of the State. Special meetings involve heavy expense. Some associations have had to bring their members from outback districts to a centre for the purpose of attending special meetings. If the members of an executive are not fit to decide the question of an appeal to the Arbitration Court, they should be, and soon would be, replaced by others.

Hon. J. CORNELL: We can dismiss associations from the argument, because they are practically non-existent.

Hon. W. H. Kitson: There are not many of them.

Hon. J. CORNELL: The building trades are not in an association, because the plasterers' union is not registered, and under the Arbitration Act only registered unions can be members of an industrial association. In the days when most unions had no paid secretaries, the secretaries working at their trades as well as performing the secretarial duties, Section 97 of the principal Act was not considered a hardship. But nowadays, when a union of 150 members has a permanent paid secretary, and frequently a typist as well, the section is considered a hardship.

The Honorary Minister: Is that a reflection on paid secretaries?

Hon. J. CORNELL: Nearly every union to-day has its paid permanent secretary.

The Honorary Minister: The secretary has to negotiate with the bosses.

Hon. J. CORNELL: From personal experience I can say, and Mr. Harris, who has been an unpaid secretary, can also say, that that fact has never imperilled the secretary's position with the boss. Mr. Kitson wants the Committee to believe that every member attends a meeting of his union. At a union meeting, upon the necessary resolution being carried, it is incumbent to submit a subject to a ballot at which every financial member shall vote.

Hon. T. Moore: And all this time the dispute is in existence and the industry is hung up.

Hon. J. CORNELL: The hon. member knows that the contributing factor to the delay in getting to the court is the congestion in the court. Mr. Moore also knows that under the existing law it is not possible to secede from an award without giving a month's notice.

Hon. J. Nicholson: If a union does not come within reasonable reach of the quorum required to hold a meeting, it must be a pretty dead union.

Hon. J. CORNELL: If a union called a special meeting and that meeting lapsed for want of a quorum, would that not be tantamount to saying that the members did not want to go on with the job? Why is the ballot insisted upon? It invariably involves a citation to the court. Take a dispute as it occurs. A resolution is moved in favour of secession from the award. Under the proposal before the Committee the management can do that and go to the court. Would there then be any hall mark that that action had the backing of the majority of the union? On a question involving the working conditions of a trade unionist, the trade unionist must have a reasonable opportunity of participating in what is to be the future policy. This has been in operation since the inception of the Act, and I have yet to learn that any hardship has arisen as a result of its working.

Hon. H. SEDDON: The railway union has been referred to. As one who worked on the railways, and who was in the railway union, I know that if ever there was a burning question to be brought before the court, there would be no difficulty in obtaining meetings of members. Mr. Cornell fears that the hands of the executive will be forced by a dominant minority. For

that reason the safeguard of the ballot should be retained.

Hon. J. Nicholson: What majority would you have in the ballot?

Hon. H. SEDDON: A simple majority. The ballot is a safeguard and will assist the executive and the members of the union to retain control. The genuine secretary who has worked hard for the organisation feels that this is an embarrassment; at the same time he is being safeguarded from ulterior influences that might precipitate action that he himself may not approve.

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

Ayes	..	..	14
Noes	..	..	6
Majority for		..	8

AYES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. A. Burvill	Hon. A. J. H. Saw
Hon. J. Cornell	Hon. H. Seddon
Hon. J. Ewing	Hon. H. A. Stephenson
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. E. H. Harris	Hon. J. Duffell
Hon. A. Lovekin	*(Teller.)*
Hon. J. M. Macfarlane	

NOES.

Hon. J. M. Drew	Hon. T. Moore
Hon. E. H. Gray	Hon. G. W. Miles
Hon. J. A. Greig	*(Teller.)*
Hon. J. W. Hickey	

Pair.

AYES.	NOES.
Hon. J. J. Holmes	Hon. J. R. Brown

Amendment thus passed; the clause, as amended, agreed to.

Clause 56—Repeal of Part V. and insertion of new part in place thereof:

Hon. A. LOVEKIN: I move an amendment—

In Subsection 1 of the proposed new Section 100, "from time to time" be struck out, and "once each year" inserted in lieu.

If we are to have the basic wage fixed, it should be fixed every 12 months. If it is to be fixed from time to time there will be interminable argument and nobody will know where he is.

The COLONIAL SECRETARY: I trust no attempt will be made to restrict the powers of the court in this direction. There may be occasions from time to time within a shorter period than 12 months to fix the basic wage. For instance, there might be another war, with a consequent sharp rise in the cost of living. If such a thing should happen within the first month after the fixing of the basic wage under the amendment, the workers would have to wait for 12 months to secure an increase. The whole thing should be left to the discretion of the court, for without good cause the court will not amend the basic wage.

Hon. C. F. BAXTER: This is a far-reaching matter. Contractors in all forms of industry will cover the risk of frequent alterations in the basic wage by adding to the price of their contracts. I will support the amendment, for it means stability.

Hon. J. M. MACFARLANE: The time to time provision would ultimately resolve itself into quarterly adjustments. I have had experience of this in respect of the carters and drivers. They are already tired of frequent changes and are trying to revert to an award extending over a definite period. I will support the amendment.

Hon. T. MOORE: The Federal court, after fixing the basic wage for a given industry, provides also that wages shall rise and fall in accordance with the fluctuations in the cost of living. Why should we not leave the fixing of the basic wage to the court?

Hon. A. LOVEKIN: It is not what the court shall fix, but when it shall fix it. Once a year is quite often enough to expect the court to go to the trouble of adjusting the basic wage. In the Federal court, under the journalists' award a board is appointed to meet annually if necessary. In the meantime the wages rise or fall according to the statistician's figures. However, the board meets but once a year to adjust the basic wage. Surely we do not want it adjusted quarterly or monthly, every time there is a threepenny rise or fall in house rent! Let us have some stability in the basic wage. The amendment is in favour of the worker, for the contractor must allow in his contracts not for a decrease in the basic wage, but always for an increase. That increase may not occur, in which event the contractor pockets the money and the worker pays the cost.

Hon. J. CORNELL: I have gone back over the Federal principle and I find that the quarterly adjustment in the statistician's figures works out practically the same as if the original basic wage stood. There are two peak quarters and two low quarters. Averaging them out, we find that although the worker enjoys an increase during the two peak quarters, he suffers a decrease during the other two quarters, and so the thing is evened up. The New South Wales Basic Wage Commission fixes the basic wage for a year. Their figures work out practically the same as those of the statistician. The Bill contains no machinery that will alter the principle of the Federal court. I cannot see how either side will lose by having the basic wage fixed once a year.

Hon. E. H. HARRIS: The Minister submitted a hypothetical case in which the cost of living might rise immediately after the delivery of the award, with the result that the award would operate unfairly for 11 months. But Subclause 2 provides that the court shall fix the basic wage whenever a substantial change in the cost of living oc-

curs. I agree with Mr. Cornell that if we take the Commonwealth figures on an annual basis there is little difference, if any, in respect of the basic wage. I will support the amendment.

Amendment put and passed.

On motion by Hon. A. Lovekin proposed new Subsection 1 was further amended by the addition of the words, "and such determination shall have force and effect during the ensuing 12 months."

Hon. A. LOVEKIN: I move an amendment—

That at the end of Subsection 1 of the proposed new Section 100 the following be inserted: "The basic wage so determined shall operate and have force and effect from the first day of July in each year, and shall from time to time be substituted for the wages fixed by every industrial agreement or award made before or after the commencement of this Act, notwithstanding that any such industrial agreement or award may prescribe a lesser or a greater wage."

The effect of the amendment is that when the new basic wage is fixed, existing awards and agreements shall be brought into line, irrespective of whether it means a rise or a fall in wages.

Amendment put and passed.

Hon. H. SEDDON: I move an amendment—

That the following be added to Subsection 1 of the proposed new Section 100— "In arriving at such determination the court shall have regard to the average production per income earner in the State, for which purpose the Government statistician shall compile suitable information and returns"

At present the court fixes wages on the cost of living and takes no other facts into consideration. The cost of living figures are really an effect governed by the variations in the rate of wages. If the court has something on the lines of my amendment to guide it, it should assist to bring awards more into line with the actual production of the State. Then we should not have a repetition of what has been happening in the past, wages and prices both rising, the one being the effect of the other. By relating the basic wage to the average production per income earner, we shall have the best possible guide. Mr. Dodd, on the second reading, pointed out that where there had been a sudden change in the value of production, it had not been taken into account, and consequently the workers had not received any benefit from it. Thus my proposal will be of benefit to the workers. The new section will have a far-reaching effect upon prices throughout the State, and unless the court takes into consideration the average production per earner, a serious position may be precipitated.

The COLONIAL SECRETARY: I cannot accept the amendment. How could an ordinary lawyer grapple with the proposal?

Hon. H. Seddon: It is an economic question.

Hon. J. M. Macfarlane: He would take the figures of the Government Statistician.

The COLONIAL SECRETARY: And what will he do with them? How can he determine the basic wage on them? We have had no explanation of these points; neither have we been told how the president will satisfy the workers of the State, even if he can apply the figures.

Hon. A. LOVEKIN: The amendment really provides another way to compel the statistician to supply the court with figures if the court requires them. If there was no provision of this kind the court could not call upon the statistician as a right to present such figures. The statistician is only to supply suitable information and returns to enable the court to arrive at a decision.

Hon. T. MOORE: If Mr. Seddon will cut out the reference to "regard" I shall be satisfied. The amendment is tantamount to instructing the court that it must fix the basic wage on the average production per income earner.

Hon. H. Seddon: What do you suggest in place of it?

Hon. T. MOORE: I cannot see the use of the amendment. Would the hon. member take the number of men looking for gold, as well as those on wages, as the basis to ascertain the average production in the gold-mining industry? We are told it costs about £7 per ounce to produce gold. Of what use would the information be to the court? It would only create difficulties.

Hon. J. NICHOLSON: Production is the main feature and it should be the basis for regulating the remuneration.

Hon. T. Moore: Tell us how to arrive at it?

Hon. J. NICHOLSON: If we take the average production per income earner in the State, we must also take into account the production of the best as well as the worst. Is it intended to find the average for one industry and then for another? It would be possible to ascertain the income of a set of workers, having regard to the production.

Hon. H. Seddon: I would take the total of all production in the State.

Hon. J. NICHOLSON: That would create confusion and make the task most difficult.

Hon. V. HAMERSLEY: The amendment is most important. Some of the decisions given by the court have led the employers to state "That will kill the industry." The president has swept aside their complaint and fixed the award. It matters not to him whether an industry is killed. He acts on

the assumption that the workers must have the wages he has awarded to enable them to live, and that if those rates kill the industry, it is the fault of the cost of living. Mr. Seddon's proposal would direct the president's attention to the fact that he must consider the average production per income earner in the industry.

Hon. H. SEDDON: Members are overlooking the fact that consideration must be given to the total production of the State. We have provided for fixing the basic wage for every industry in the State. If it is fixed higher than the production per wage earner it will be unscientific, and the result must be an increase in the cost of living, because the workers will be receiving more than they are earning.

Hon. T. Moore: On what ground?

Hon. H. SEDDON: If we make the wages higher than the production of the State, we must be giving the employees more money than they are earning.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. SEDDON: I have here figures that have been compiled from the statistician's returns for 1922. In that year the number of incomes earned in Western Australia were given as 149,608. The production for that year was £21,813,233, which works out at a return of £145 per income. The minimum wage in that year was 13s. 4d., which works out at an average of £199 per annum. There is, therefore, a disparity between the figures. In that year, also, only eight awards were given, and the effect of these awards upon industry was not felt in the same way as if the basic wage had applied generally. I do not wish to move the amendment in the form in which it appears on the Notice Paper, and wish to substitute another for it. Accordingly, with the permission of the Committee, I will substitute the following amendment:—

That in Subclause 1 the following words be added:—"In order to assist the court in arriving at such determination it shall be the duty of the Government Statistician to compile suitable information and returns showing the average production per income earned within the State.

Hon. T. MOORE: Can we set out the duties of the Government Statistician? It would be remarkable if we did so by this Bill.

Hon. J. NICHOLSON: My sympathies are with Mr. Seddon, but I would point out that this information is compiled by the Government Statistician. If we import into this clause a direction to that official in the way suggested, it will be taken by the court as an indication that they have to be regulated to a certain extent by his returns in fixing the basic wage. The hon. member should reconsider the matter.

Hon. H. A. Stephenson: The amendment will lead to confusion, and the hon. member would be wise to withdraw it.

The COLONIAL SECRETARY: The amendment introduces a foreign element into the Bill. The object of the clause is to fix a fair wage for the worker. We do not know where this amendment may lead us. If this amendment were carried, in some instances wages might go up enormously, and in others they may go down.

Hon. H. Seddon: This refers to the basic wage for the whole State.

The COLONIAL SECRETARY: In a prosperous year the wages might go up to an abnormal height in the pastoral industry, for instance, and if a drought occurred they might be brought down to an abnormal extent.

Hon. E. H. HARRIS: The Act provides that the court may inform its mind on any matters that come before it. That being so, Mr. Seddon might well withdraw the amendment for the time being.

Hon. H. SEDDON: This statistical information is not available at present. If the court, by following the old lines, got into an untenable position, it would have to seek some other way out of the difficulty. If, in seeking out that way, it had not the necessary information at its disposal, it would be just as much in the dark as it is now.

Hon. J. Nicholson: Except under the clause which Mr. Harris suggested.

Hon. H. SEDDON: Yes. But the point is that the information is not now available, the Federal figures being compiled every 10 years only. With reference to the Colonial Secretary's argument as to individual industries, calculations under my amendment would be based on industries generally, so that the decreased prosperity of one industry would be counterbalanced by the increased prosperity of another. For the time being I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Hon. A. LOVEKIN: I move an amendment—

That proposed Subsection 2 be struck out.

This is consequential on the last amendment carried.

Amendment put and passed.

Hon. J. Nicholson: What about proposed Subsection 3?

Hon. A. LOVEKIN: I have no objection to it.

Hon. E. H. HARRIS: Many Government and other employees have certain allowances granted to them. If a basic wage were fixed for Western Australia, would such allowances be taken into consideration by the court when fixing district allowances, or would the allowances now granted be additional to those to be granted

by the court? In the latter case, it would be possible for some workers in a given district to receive more than other workers in that district.

The COLONIAL SECRETARY: The proposed subsection means that if there are any allowances for certain districts, they shall not be affected by the basic wage, which will be fixed for various defined areas of the State. In connection with Government employment there might be allowances, and those allowances would not be deducted from the basic wage.

Hon. E. H. HARRIS: When the court has fixed the basic wage and has declared that for each industrial district, apart from the metropolitan district, there shall be a district allowance, will the district allowance granted by, say, the Government, be taken into consideration by the court? Great difficulty may occur if we are not clear on that point.

The COLONIAL SECRETARY: According to the Bill, the basic wage will be different in various defined areas of the State. Some workers may be entitled to an allowance for some reason or other. That particular allowance will not be deducted from the basic wage.

Hon. E. H. Harris: But will it be deducted from the district allowance granted by the court?

The COLONIAL SECRETARY: If there was an allowance altogether outside the aspect of the district allowance, the worker would be permitted still to enjoy that allowance.

Hon. E. H. HARRIS: The award of the Amalgamated Society of Railway Workers grants a district allowance of 1s. 9d. per day for seven days per week to workers in the Mt. Magnet district. Assume that the basic wage was fixed at 10s. for Western Australia, would the Mt. Magnet employees, who are already receiving an allowance of 1s. 9d. per day, receive 12s. 9d. per day if the court decided that the minimum wage for the Mt. Magnet district should be 11s.? Or would the court say to the Mt. Magnet workers, "As you already have a district allowance of 1s. 9d. per day, we will not give you any district allowance"?

Hon. A. Lovekin: This proposed subsection says the court shall not take that into consideration.

The COLONIAL SECRETARY: The basic wage will be fixed for different districts, including Mt. Magnet; and I understand that there will be no provision for additional district allowances, but that there may be other allowances outside the district allowance. However, I have not gone into the matter very deeply. No doubt the Bill will be recommitted, and I shall then be prepared to supply definite information.

Hon. J. NICHOLSON: There is another point to which the Minister might give consideration. The proposed subsection says—

> In declaring such basic wage the court shall not take into consideration any deductions from such wages for allowances.

I do not grasp what is meant by a deduction for an allowance. If an allowance be made to a basic wage, that is an accretion to the basic wage, and surely not a deduction from it.

Hon. A. Lovekin: But some civil servants pay 10 per cent. of their salaries as rentals for their houses.

Hon. J. NICHOLSON: Take the case of a civil servant who receives a house allowance. Surely that civil servant would not be entitled to the basic wage plus the house allowance? It seems to me that the wording of the clause should be to the effect that if any allowances or privileges are enjoyed by an employee, then, if the parties cannot agree between themselves, the court should make a deduction from the basic wage for such allowances or privileges. The whole clause wants remodelling.

Hon. G. W. MILES: Would the basic wage be fixed for each industry in each district?

The Colonial Secretary: In different defined areas of the State.

Hon. G. W. MILES: Railway men in the North get 5s. per day for seven days a week as tropical allowance. Surely that allowance must be taken into consideration by the court when fixing a basic wage for the North?

The Colonial Secretary: Certainly.

Hon. G. W. MILES: Then that 5s. a day for seven days a week should cease.

The Colonial Secretary: Of course it will.

Hon. G. W. MILES: It requires looking into.

Hon. A. LOVEKIN: I move an amendment—

> *That proposed Subsection 4 be struck out.*

The court ought to fix the basic wage on its own volition for, with all the proposed boards, it will have plenty of time. If we agree to the proposed subsection, half the court's time will be taken up in trying to ascertain the basic wage from argument heard in court. Moreover, under the proposed subsection the court may even pay those arguing before it. The subsection will entail a lot of expense and its effect will be to fritter away the very expedition the Bill is trying to provide.

The COLONIAL SECRETARY: I cannot conceive of the Committee agreeing to the amendment. It would alter the whole method of fixing the basic wage, for neither the worker nor the employer would be represented before the court. Under the proposed subsection the employer and

the worker will put forward their cases, after which for 12 months there will be no necessity for them to return to the court.

Hon. A. Lovekin: Eleven months of the year will be taken up with their arguments.

Hon. J. CORNELL: Under the subsection there is nothing to prevent every industrial union, whether of employer or of workers, being represented before the court when the court is fixing the basic wage. The court will be redolent of a Chinese opera. Both sides should be represented, but surely there is sufficient collective common sense between the parties to leave their representation to one person from each side. That is all that is required to assist the president of the court in determining the basic wage.

Hon. J. A. GREIG: I regard the basic wage as something quite impossible to fix. With every increase in wages the basic wage is no longer a basic wage, because the cost of production increases with the increase in wages.

Hon. T. Moore: But wages are coming down.

Hon. J. A. GREIG: Well, it is no longer a basic wage, because the cost of production must come down with the wages. There should be some limit to the number of witnesses and advocates that may appear before the court when the basic wage is being fixed.

Hon. J. NICHOLSON: In what way does Mr. Lovekin propose to provide for the determination of the basic wage by the court? The court will require to inform itself of certain facts.

Hon. A. Lovekin: We will draft a new clause. First let us get rid of this one.

Hon. J. NICHOLSON: If the flood of advocates and witnesses can be avoided and time saved, it will be so much better for the court. However, if the clause is to be recommitted, I do not mind leaving the subsection for the time.

Hon. E. H. HARRIS: It is very necessary that both employers and workers should be represented before the court. However, in support of the view taken by Mr. Cornell I may say there are in Western Australia 131 unions of workers and 43 unions of employers. The proposed subsection provides that every one of those unions may be represented before the court. The Town Hall will be required for the meeting, for at least one representative of each union will be there.

Hon. J. EWING: I suggest that we strike out the proposed subsection. Then, perhaps, the Minister might take in hand the drafting of a new one. It is necessary that both employers and workers should have representation in the fixing of the basic wage, but it is impossible for all the unions to be represented separately and, in addition, call witnesses. I have a vivid recollection of a union representative arguing one question, I think it was the basic wage, for weeks if not months, and he afterwards told me that he had not advanced anything that was not absolutely necessary. He quoted from all quarters of the globe information quite apart from what was required. I want a commonsense view to be taken. If arrangements were made for one witness from each side, the Government to pay for the collection of the necessary evidence, the information could be placed before the court in concrete form, and at considerably less cost.

Hon. J. A. Greig: Allow a witness only three days' fees when putting up his case.

Hon. J. EWING: Mr. Barker is a clever and astute representative.

Hon. A. Lovekin: Mr. Somerville would be a very good man.

Hon. J. EWING: Yes. Such a man should be paid for the time necessary to obtain the information and place it before the court. If the employers adopted the same system, an immense amount of time and money would be saved. I support the amendment.

The COLONIAL SECRETARY: I am rather astonished at the reception given to the proposed new section. I cannot bring myself to believe that all the unions in the State would rush to Perth to assist in fixing the basic wage.

Hon. J. Ewing: They did last time.

The COLONIAL SECRETARY: Or that all the employers would do so.

Hon. E. H. Harris: It would be done at the expense of the State, not theirs.

The COLONIAL SECRETARY: This is a serious matter to employers and employees. Each side will endeavour to get the best possible representatives. I should say that two or three men of outstanding ability would be sufficient to represent each side. Any flooding of the court by employers or employees would bring the proceedings into contempt.

Hon. A. Lovekin: Why give the power to call an unlimited number of witnesses?

The COLONIAL SECRETARY: Every union must have the right to be represented; otherwise it will not be fair, but all of them will not attempt to exercise the right.

Hon. J. CORNELL: I strongly favour each side being adequately represented, but the wording employed here would permit of every employer being represented. Is there anything new in the course I suggest to limit the number to one from each side? For the last 19 years each side has been content to leave its cases in the hands of one man, the lay-member of the court. I shall vote against the proposed new subsection in the hope that another clause will be drafted.

Hon. A. LOVEKIN: As the Committee appear to be almost unanimous, I suggest that we go to a division, on the understanding that we co-operate with the Minister in providing a new clause to give effect to members' wishes.

Hon. T. MOORE: Mr. Lovekin is suggesting something novel in procedure. I suggest that until he has a proposal ready to place before us for discussion, the proposed new subsection be allowed to remain in the Bill. If we adopt his suggestion we shall be moving on wrong lines.

Hon. A. Lovekin: The Government will see that a new clause is drafted.

Hon. T. MOORE: The Minister is satisfied with the clause. It is for Mr. Lovekin to provide something better and place it before us prior to asking us to delete this provision.

Hon. J. NICHOLSON: I remind Mr. Lovekin that we did not strike out the immediately preceding subsection, but arranged with the Minister that it should be reviewed. I ask Mr. Lovekin to allow this one to stand over in the same way.

Hon. A. Lovekin: Provided the Minister will give an undertaking as before, but he will not do so.

Hon. J. NICHOLSON: Would the Minister agree to the same understanding as before?

The Colonial Secretary: Yes.

Hon. A. Lovekin: That is, you will consider this again and produce a new clause.

The Colonial Secretary: No.

Hon. A. Lovekin: That is what I understood in regard to Subsection 3.

The Colonial Secretary: I will bring it up for further consideration.

Hon. J. NICHOLSON: If the Minister will agree to the same understanding as we had before, I am with him.

The COLONIAL SECRETARY: I will bring up these clauses for reconsideration, but make no promise to redraft them.

Hon. A. Lovekin: I will withdraw my amendment.

Amendment, by leave, withdrawn.

Hon. A. LOVEKIN: I will postpone the other amendments I have on the Notice Paper dealing with this question.

Hon. E. H. HARRIS: If the base rate were fixed at 10s. a day and some tradesmen were getting 12s. and others 13s., and the base rate underwent a change, the margin of skill for tradesmen receiving more than the base rate would also undergo a change. An award or agreement is frequently quoted in the court as evidence bearing on some other case. My desire is to make provision for the margin for skill to rise or fall correspondingly with the rise or fall of the base rate. I move an amendment—

That in proposed new Section 102, Subsection (2), in line 3, the words "not" and "at a lower rate than" be struck out; in line 5 after "and" the words "the wages fixed for every grade of worker by" be inserted; and in line 6 after "shall" the words "from the date of the declaration of the court be adjusted accordingly and" be inserted.

The COLONIAL SECRETARY: The proposed section merely provides for the automatic increase of the basic wage to be in keeping with the declaration of the court when it makes an adjustment from time to time. As it now reads the variation can only be to effect an increase in the rate of wage.

Hon. J. Cornell: Mr. Lovekin's amendment has adjusted the matter of the rise and fall of the wage.

The COLONIAL SECRETARY: Has he provided for an increase as well as a decrease?

Hon. E. H. Harris: Yes.

The COLONIAL SECRETARY: I have on the Notice Paper an amendment as follows:—

But no such decrease in the basic wage shall operate so as to cause any reduction below the rates as originally fixed by the industrial agreement or award.

As this point has already been covered, I will not move this as an amendment.

Amendment put and passed.

Hon. H. A. STEPHENSON: I move an amendment—

That in proposed new Section 103 all the words after "sufficient," in line 2 be struck out, and the words "to enable the average worker to whom it applies to live in reasonable comfort, having regard to any domestic obligation to which such average worker would be ordinarily subject" be inserted in lieu.

The basic wage is provided for in the Act, and I see no reason for departing from the principle contained therein.

The COLONIAL SECRETARY: The Bill provides that the basic wage shall be fixed, having regard to a man, his wife, and three children. It has been ascertained from the statistics that the average family, during its existence as a family, consists of three children.

Hon. V. Hamersley: Are all single men to be paid on the same basis?

The COLONIAL SECRETARY: That is unavoidable. We wish them to come here and settle amongst us. Another provision is that we should have regard to this man having a five-roomed house in which to keep his wife and family. That is easily seen to be necessary. The husband and wife would require a bedroom, and the children, being generally of different sexes, would require two bedrooms, and then there would be a living room and a kitchen, making a total of five rooms.

Hon. J. EWING: I support Mr. Stephenson's amendment. To give a direction to the Arbitration Court would be highly improper. The president is instructed to inform his mind fully, and the necessary means for this are placed at his disposal: but now we proceed to instruct him what conclusions he shall arrive at regarding the basic wage. That

is utterly wrong, and in fact foolish. With a Supreme Court judge as president, these questions will be in safe hands. My remarks are dictated by as keen a desire as animates Ministers to obtain a fair and reasonable basic wage.

Hon. H. A. STEPHENSON: Subsection 2 of Section 84 of the principal Act reads—

> No minimum rate of wages or other remuneration shall be prescribed which is not sufficient to enable the average worker to whom it applies to live in reasonable comfort having regard to any domestic obligations to which such average worker shall be ordinarily subject.

That covers the whole of the ground.

Hon. E. H. GRAY: I hope the amendment will not be carried. It is gloriously indefinite. On the other hand, the clause is definite and reasonable, if not absolutely scientific. I should prefer to see mother endowment.

Hon. E. H. Harris: In a public place at Kalgoorlie you stated that a mother endowment Bill would be introduced this session.

Hon. E. H. GRAY: I never made any such statement.

Hon. E. H. Harris: You made it here, too. It is on record in "Hansard."

Hon. E. H. GRAY: That is not so. A single man should have a reasonable chance of receiving sufficient wages to enable him to prepare for the great day of marriage. Every family requires at least five rooms; in many cases that number of rooms would not be sufficient. The basis proposed by the clause is certainly not extravagant.

Hon. J. NICHOLSON: I certainly am in favour of extending every consideration to the married man, but I do not see how that can possibly be done under such a clause as this, which will do an injustice to the married man with a large family. The single man will be getting a benefit at the expense of the married man, the man with a stake in the country. I would support a clause making adequate provision for a married man according to the number of his family. This proposed new section lays down an utterly wrong basis for the determination of the basic wage, and therefore I cannot possibly support it. There are cases of a married couple having three adult children, all earning full wages, living at home. The man then would be entitled to full wages based on the requirement of a five-roomed house, and each of the three adult children would also be entitled to full wages based on the requirement of a five-roomed house for each of them—a grand total of 20 rooms. The amendment properly leaves it to the court to say what is the basic wage.

Hon. J. M. MACFARLANE: I cannot support the proposed subsection. Under it the single man is to get the same wage as the married man. As a result he will become selfish and will not get married at all; it will prevent marriage. Moreover, the unnecessarily large wage may easily ruin the single man. I will support the amendment.

Hon. E. H. HARRIS: The proposed subsection says the basic wage shall have regard to a five-roomed house. The number of rooms in the average house in Western Australia is 4.22. At our present rate of progress it will be about 15 years before the average house contains five rooms. I should like to know from the Minister what is meant by "the rent of a five-roomed house." According to the Federal statistics, in 1923 the weighted average for a house in Perth was 17s. 7d. per week, and on the goldfields 12s. 8d. Again, I should like to know whether on this point the court is to take the figures in the Federal statistics or those compiled by the State. They show a material difference. Still another alternative: is the court to take the coastal figures or those for the goldfields area? According to the State's statistics, the average rent in the metropolitan area is 17s. 9d., whereas that in the rural districts is 9s. 6d. Under the proposed subsection the worker in an outback district will get a lesser wage than the man in the metropolitan area, and at the same time will have to live under greater discomforts. Since the average house in Western Australia is not a five-roomed house, we might provide that the court have regard to the rent of a one-roomed house, and for the various centres multiply it by five.

The COLONIAL SECRETARY: Power is given to the court to establish the basic wage in various parts of the State. There will not be one basic wage for the whole of the State. When considering the basic wage for Kalgoorlie, the court will take into consideration the rent of a five-roomed house in Kalgoorlie.

Hon. A. BURVILL: I am in favour of the amendment. The proposed subsection is a sort of child endowment for single men. What is intended, of course, is a child endowment for married men, but actually it is going to be a clear gift to single men of anything from 30s. to £3 per week. The basic wage ought to be based on the requirements of a single man, with necessary additions made for married men

Hon. H. SEDDON: Down here the basic wage has been adopted by the court, in that the court has fixed the wage on the requirements of a married man with three children. The unfairness of it is that while some men have three children, others have six. Mr. Lovekin has suggested a line that is fair—fix the wage for a man and his wife and make an allowance according to the size of the family. Under the system proposed, the wages in the country will be lower than those in the city.

In determining the basic wage the tendency will be to fix the wage on the industries in the town, and the whole trend will be towards centralising people in the city and depopulating the country. The basic wage, on the face of it, is unfair because it does not allow for a man with a large family or for the man who is single.

Hon. E. H. Gray: What do you suggest?

Hon. H. SEDDON: Mr. Lovekin has suggested a basis that is fairer if provision be made for the endowment of the family.

Hon. T. MOORE: An honest endeavour is being made to achieve something by this Bill, and most of the clauses have been redrafted by anti-Labour men.

Hon. J. Nicholson: I am not an anti-Labour man.

Hon. A. Burvill: Your remarks are not fair.

Hon. V. Hamersley: I claim that I am not anti-Labour.

Hon. T. MOORE: I do not see why a worker should not claim what is stipulated. Let us consider the five-roomed house.

Hon. J. Nicholson: No one is objecting to the five-roomed house.

Hon. T. MOORE: Could the man do without a kitchen?

Hon. A. Lovekin: Make it a six-roomed house.

Hon. T. MOORE: The hon. member would make it as ridiculous and as small as possible. In a family of three the two sexes would be represented. Is it fair to allow two bedrooms for the children, or would members huddle the sexes together? I assume the man and his wife are entitled to one room. I have now accounted for four rooms. Would members have the family live in the kitchen, or are they entitled to a dining room as well? What an awful thing it is for the worker to ask for that!

Hon. J. Nicholson: That is not the point.

Hon. T. MOORE: It is the point. We are aiming to provide decent living conditions for the people who maintain industry, and any gibe or sarcasm is ridiculous in face of the fact that no amendment on the subject has been put on the Notice Paper. Mr. Nicholson says he does not object to the five-roomed house, and yet he makes no endeavour to provide for something better than the workers have had in the past. I cannot understand those hypocrites——

Hon. H. A. Stephenson: I object to anyone calling me a hypocrite.

The CHAIRMAN: As the remark is regarded as offensive, the hon. member will withdraw it.

Hon. T. MOORE: I withdraw. The hon. member says he is prepared to do this——

Hon. J. Nicholson: Is the hon. member pointing to me?

The CHAIRMAN: Is the hon. member pointing to Mr. Nicholson?

Hon. T. MOORE: I do not know that even you, Sir, have a right to ask me that.

Hon. J. Nicholson: If the hon. member suggests that I am seeking to do anything other than what I consider is just and proper, he is suggesting something very far from the truth. Obviously he has not followed what I said.

Hon. T. MOORE: I did not mention Mr. Nicholson.

Hon. V. Hamersley: You pointed to him.

Hon. J. Nicholson: What I said was that the method of fixing the basic wage was not the proper one to employ unless provision were made for the man with a big family. I am prepared to support any just proposal to give effect to such a method.

Hon. T. MOORE: Members complain that the Bill is wrong in that respect and yet they offer no amendment.

Hon. J. Nicholson: Mr. Lovekin has made a proposal.

Hon. A. Lovekin. I suggested a five-roomed house.

Hon. T. MOORE: Mr. Lovekin and his opinions are ridiculous. We ask for food, clothing, and other necessaries for a family consisting of a man, his wife and three children, according to a reasonable standard of comfort. Too often in this country the workers are able to eke out only a bare existence while they are in work. We have not asked that the children be sent to other than the State schools. All we have asked are the most common necessaries requisite to give decent living conditions.

Hon. J. CORNELL: The married man is the salt of the earth, but through the ages he has received least consideration of all. If the court to-morrow fixed an award providing all round for the equivalent of a five-roomed house in the localities mentioned by the Minister, it would be no boon to the married men, because the houses would not be available.

Hon. T. Moore: They should be able to put up a few blinds on the verandah.

Hon. J. CORNELL: Is it reasonable to saddle industry with a charge for every worker equivalent to the rent of a five-roomed house? Is it not the obligation of the State to give the married man the consideration for which he is long overdue? Mr. Moore would not agree to any hard-and-fast scheme whereby a married man would receive more wages than a single man on account of his added obligations.

Hon. A. Lovekin: The married man would get no work.

Hon. J. CORNELL: If Mr. Moore does not agree to that, he destroys his argument in favour of married men having a five-roomed house. It would be urged that under such a system only single men would be employed.

Hon. T. Moore: Of course they would, with the employers we have in this State.

Hon. J. CORNELL: Is it reasonable to say that a man with fewer obligations than another shall receive the same wages? Under an ideal system both should start off scratch, and the married man should be recompensed according to his obligations. The only way in which he could be recompensed would be by the State. It is too much to ask the court to give special consideration to two separate individuals whose circumstances differ so greatly. Under the Harvester judgment, according to which the court will undoubtedly work, in fixing the wage consideration was given to a man, his wife and three children. Leaving out the five-roomed house, all that the proposed section indicates is exactly the same thing. Seeing that we are allowed to have for the first time in Western Australia a proper authority to fix the basic wage, that authority should be untrammelled by suggestions. This question will undoubtedly be a problem until we get away from the idea that the wage a worker should have is that which would be necessary to keep him, his wife and three childreen in a five-roomed house.

Hon. A. BURVILL: I did not like Mr. Moore's remarks. I am not anti-Labour.

Hon. T. Moore: I did not mean you. I take that back.

Hon. A. BURVILL: His remarks were uncalled for. I am in favour of men receiving a proper wage, but this proposed section is too clumsy. It means that the employers have to pay a wage based on the claims of a man with a wife and three children living in a five-roomed house. That will never work. The wage should be based on that which will keep a single man in comfort. The State should then step in with a child endowment for the married man. On this question no member of the House is anti-Labour.

Amendment (that the words proposed to be struck out be struck out) put, and a division taken, with the following result:—

Ayes	10
Noes	7
Majority for	3

Ayes.	
Hon. A. Burvill	Hon. J. Nicholson
Hon. J. Duffell	Hon. H. A. Stephenson
Hon. J. Ewing	Hon. H. J. Yelland
Hon. V. Hamersley	Hon. J. A. Greig
Hon. A. Lovekin	*(Teller.)*
Hon. J. M. Macfarlane	

Noes.	
Hon. J. Cornell	Hon. T. Moore
Hon. J. M. Drew	Hon. H. Seddon
Hon. E. H. Harris	Hon. E. H. Gray
Hon. J. W. Hickey	*(Teller.)*

Amendment thus passed.

Hon. A. LOVEKIN: I move an amendment—

That all the words after "enable" be struck out, and the words "a family consisting of a man, his wife, and three dependent children to live in reasonable comfort" be inserted in lieu, and that the following be added to the proposed section:—"Provided that in the case of a single worker without dependants the person paying the wage shall cause the pay-sheet to be stamped at the cost and expense of the worker to the extent of one-third of the basic wage, and the value of such stamp may be deducted from the wage which may have accrued or be due to such worker. The revenue derived from such stamps shall be set apart by the Treasurer to provide an endowment fund for children and dependants. The Minister, once in every year, shall declare a weekly sum which each married worker or worker with dependants shall be entitled to receive in respect to each and every child or dependant in addition to the wage which may have been paid to him by the employer. Such additional sum shall be paid to him by the Treasurer in the manner prescribed by the Regulations. Regulations.—In the event of a single person becoming married he shall, on production of his certificate of marriage, be entitled to receive from the endowment fund, created as aforesaid, a lump sum equivalent to the contributions made by him during the preceding two years. Every employer on demand made by the Treasurer shall produce his pay-sheets for a period not exceeding three years retrospective to the date of such demand. Penalty: £200."

The CHAIRMAN: I would like to ask the hon. member how he justifies that amendment with Section 2 of the Constitution Act, 1921.

Hon. A. LOVEKIN: Section 46 provides—

> Bills appropriating revenue or moneys or imposing taxation shall not originate in the Legislative Council——

This is not a Bill for appropriating revenue or moneys or imposing taxation.

> ——but a Bill shall not be taken to appropriate revenue or moneys or to impose taxation by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand of payment or appropriation of fees for licenses, or fees for registration or other services under the Bill.

Hon. J. Ewing: What about Subsection 3?

Hon. A. LOVEKIN: Subsection 8 says—

The Legislative Council may not amend any Bill so as to increase any proposed charge or burden on the people.

The CHAIRMAN: To my mind, there are several objections to the hon. member's proposal.

Hon. A. LOVEKIN: Will you kindly tell me what the objections are, Sir, and I will endeavour to answer them.

The CHAIRMAN: I will ask the hon. member first of all to justify his amendment in accordance with Section 46 of the Constitution Act. Then I will give my reasons, and the hon. member can then object to my ruling if he does not agree with it.

Hon. A. LOVEKIN: This is not a Bill for appropriating revenue or moneys or imposing taxation, and therefore it is not a Bill which may not originate in this House. It is not a Bill which the Legislative Council may not amend so as to increase any proposed charge or burden upon the people. The point is, does this proviso propose a burden or charge upon the people? From my point of view it reduces the burden and charge upon the people. The people, in this connection, represent industry; and this proviso reduces the burden, because the clause, as it originally stood, provided that industry should be charged, which is to say that the people should be charged, with the cost necessary for a married man, his wife, three children, and a five-roomed house. My amendment reduces that charge or burden upon industry—that is, the charge or burden upon the people, in this case—by eliminating the five-roomed house altogether. On the other hand, it may be argued that the amendment increases the burden upon the single man, inasmuch as under it he has to stamp one-third of his wages. But that is not an imposition upon the people. It is, if anything, an imposition upon a section of the people; that is, the single-men section of the people, which does not come within the purview of the Constitution Act, for that Act says it must be a burden upon the people, and that means the people as a whole, and not a section of the people. This amendment, if it imposes a burden, places it upon a section of the people, and not upon the whole people; and therefore it is not within the Constitution Act. If it can be suggested at all that my amendment proposes an imposition upon a section of the people, and that that brings it within the Constitution Act, I shall then argue that it is not an imposition because it is a reduction. The burden cast upon the married men and the single men by reason of the stamping of one-third of the single men's wages is undoubtedly a less burden than that which would be cast upon the people by having imposed upon them the burden of the five-roomed house as well as the man, his wife, and three children. Do you follow the argument, Mr. Chairman?

The CHAIRMAN: I rule this proposed amendment out of order. When I read the amendment I was quite satisfied that it was out of order. It infringes several subsections of Section 46 of the Constitution Act Amendment Act, 1920-21. I was quite satisfied on the point, but, in order to be confirmed in my view, I sought the advice of the Solicitor General, who has furnished me with this opinion—

1. This proposed amendment is in effect a tax, and an appropriation of the revenue to be derived from the tax.

2. The single worker without dependants is to receive one-third of his wage in revenue stamps which are affixed to the pay sheet. The revenue derived from such stamps is to be set apart as a fund, and applied to the assistance of married workers with children and unmarried workers with dependants.

3. The effect of the proviso intended to be added to Clause 103 of Part V. (inserted by Clause 56 of the Bill) is that to such extent it becomes a Bill for the imposition of a tax, and for the appropriation of the revenue to be derived from the tax.

4. By Section 2 of the Constitution Act Amendment Act, 1921, it is enacted that no Bill imposing taxation shall originate in the Legislative Council, and that any vote, resolution, or Bill, for the appropriation of revenue or money must be recommended by Message of the Governor to the Assembly. I have no doubt that the proposed amendment is within Section 2 of the Constitution Act Amendment Act; and as by this clause the Bill would impose taxation, its insertion would be contrary to Subsection 7, because Bills imposing taxation must deal only with that subject.

If the hon. member desires to object to my ruling, he must take the ordinary course.

Hon. A. LOVEKIN: I propose to do that, Sir.

The CHAIRMAN: I would prefer that the hon. member should object to the ruling in the ordinary way.

Hon. A. LOVEKIN: I will do so in writing. Seeing that I have not had an opportunity of carefully considering what the Crown Solicitor has given you, Sir, perhaps the Minister would report progress now, and then, at the next sitting, I can take exception to your ruling in the ordinary way, and the matter can then be discussed.

The CHAIRMAN: I must point out that the Standing Orders distinctly state that the objection must be taken at once in writing. Standing Order 255 requires that.

Hon. A. LOVEKIN: I was not aware of that Standing Order, Sir. I will state my objection in writing.

Objection to Ruling.

Hon. A. Lovekin: I object to the Chairman's ruling, because it is contrary to the Constitution Act.

The Chairman having reported the objection to the House,

The Deputy President: In the ordinary circumstances the course to be pursued is for the Chairman to report to the President. The President is not here, so perhaps it may suit the hon. member if I report to the President at the earliest opportunity.

Hon. A. Lovekin: I suggest we now postpone the matter until next Tuesday.

Hon. J. Ewing: You, Sir, have the matter in your own hands. However, I suggest that we adjourn the consideration of the objection.

Hon. J. Cornell: I suggest that the Deputy President give his ruling, whereupon Mr. Lovekin can move that it be disagreed with, and we can adjourn the discussion until the next sitting.

The Deputy President: I should prefer to leave it for the decision of the President. It would be better if we had a motion to postpone consideration of Mr. Lovekin's objection.

The Colonial Secretary: I move—

That consideration of Mr. Lovekin's objection be postponed till the next sitting of the House.

Motion put and passed.

Committee resumed.

Progress reported.

House adjourned at 10.5 p.m.

Legislative Council,

Tuesday, 9th December, 1924.

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The PRESIDENT took the Chair at 3.30 p.m., and read prayers.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Objection to Chairman's Ruling.

Order of the Day read for the consideration of the objection to the ruling of the Chairman of Committees.

Hon. A. LOVEKIN (Metropolitan) [3.3]: Before the Chairman of Committees reports to you, Sir, I desire, after having further considered the matter, to ask leave of the Council to withdraw the objection I raised on Friday night to the Chairman's ruling. At this stage of the session time is too precious to enter into a discussion that would take a considerable time, even if the point were a good one, but I am satisfied that as to some portion of the amendment, the objection I took was not tenable. Therefore I think I ought to withdraw the objection and save the time of the House.

Leave granted; objection withdrawn.

BILL—CLOSER SETTLEMENT.

Report of Committee adopted.

BILL—PEARLING ACT AMENDMENT.

In Committee, etc.

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

BILL—FORESTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 5th December.

Hon. J. EWING (South-West) [3.8]: I should not have spoken but for the speech delivered by Mr. Cornell last week, in which he emphasised matters of great importance. In doing so he has done valuable service to the State. The forests policy is better to-day than it has been for many years past, and we all desire that it should be continued. We must do all we can to conserve our forests and regenerate them. In Mr. Lane-Poole we had an excellent officer, and in Mr. Kessell, his successor, we have a Conservator who is doing good work for the State. No doubt he is greatly interested in his work and desires to do what is right. In the carrying out of the forests policy the Lands Department has some say. A disagreement exists between the two departments and has extended over a number of years. The ex-Premier laid down the policy that good forest country should be conserved, but that agricultural land not carrying good forest should be made available for settlement. Nothing has been done to proclaim State forests, and that is where the shoe pinches. We are confronted with a difficult position, because the Minister for Lands desires all land he can get for the