

defeat, if it is possible, what I say is a scandal of the first magnitude both in the political and in the financial history of Western Australia.

On motion by Hon. A. Lovekin debate adjourned.

THE HONORARY MINISTER: May I lay on the Table certain papers referring to the Bill before the House?

The PRESIDENT: Yes.

The Honorary Minister laid the papers on the Table.

House adjourned at 12.47 a.m. (Thursday).

Legislative Assembly,

Wednesday, 22nd December, 1920.

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

QUESTION—STIRLING DRAINAGE SCHEME.

Mr. PICKERING asked the Minister for Works: 1. Has a report been received in connection with the Stirling drainage scheme? 2. If so, will he state what is the intention of the Government with a view to making the scheme effective?

The MINISTER FOR WORKS replied: 1. Yes. 2. The scheme is claimed to be effective,

but certain minor improvements and repairs are reported on as necessary, and will be carried out.

QUESTION—IMMIGRATION.

Commonwealth Officers in States.

Hon. W. C. ANGLIN asked the Premier: 1. Is it the intention of the Commonwealth Government to open an Immigration Department in this State, thereby duplicating immigration officers? 2. If not, what is the reason for the advertisement in the "West Australian" newspaper on Saturday, 18th December, which reads—"Commonwealth Public Service, £0/42/6. —Applications are invited for appointment as Immigration Officer (five positions), Prime Minister's Department, at Sydney, Brisbane, Adelaide, Perth, and Hobart. The positions are temporary, and the term of engagement will be for three years. Salary is £540 per annum, and preference for appointment will be given to returned sailors and soldiers. Applications, showing age and qualifications, close with the Commonwealth Public Service Inspector in the State concerned on December 23, 1920. W. B. Edwards, Acting Commissioner." 3. Will the Government, as soon as this additional Immigration Office is established, introduce legislation to hand over the work of the State Department to the Commonwealth Government in order to avoid duplication?

The PREMIER replied: 1. All I know of the proposal is what appears in the advertisement, which I heard for the first time when read in the House. 2. Answered by No. 1. 3. No. I am writing to the Prime Minister protesting against the duplication, and pointing out that there can be no interference with the handling of immigrants in the State.

SWEARING-IN OF MEMBER.

Mr. SPEAKER: I have received a writ for the electoral district of Mt. Leonora, from which it appears that Thomas John Heron has been elected.

Mr. Heron took and subscribed the oath, as required by Statute, and signed the roll.

LEAVE OF ABSENCE.

On motion by **Mr. O'Loughlin** leave of absence for two weeks granted to the member for Fremantle (**Mr. Jones**) on the ground of urgent private business.

BILL—GRAIN ELEVATORS (No. 2).

Third Reading.

The PREMIER (**Hon. J. MITCHELL**—Northam) 1 move—

That the Bill be now read a third time.

Hon. W. C. ANGLIN: North-East Fremantle [4.36]: I move an amendment—

That the Bill be recommitted for the purpose of re-considering Subclause 3 of Clause 2.

Mr. SPEAKER: The hon. member must give notice of what he wishes to do. He can give notice for recommitment for consideration to-morrow.

Hon. W. C. ANGWIN: We had a precedent last week, in regard to the Wheat Marketing Bill.

Mr. Willcock: You have to give notice.

Hon. W. C. ANGWIN: No notice was given last week.

Mr. SPEAKER: The notice must be given and the hon. member cannot discuss it to-day.

Hon. W. C. ANGWIN: I cannot give notice now.

Mr. SPEAKER: The hon. member can give notice but the amendment will not be discussed until to-morrow.

Mr. Hudson: Cannot we recommit the Bill by leave?

Hon. W. C. ANGWIN: There is a precedent, because last week the Wheat Marketing Bill was dealt with without notice in order to allow the leader of the Opposition to deal with a clause. It is my intention if the Bill be recommitment to strike out the word "shall" in the fourth line of the proviso and insert the words "may with the approval of the Governor." The proviso would then set out that if the company shall have constructed elevators within any district, and in all other respects shall have complied with the conditions prescribed, the revocation of the right conferred by the measure "may, with the approval of the Governor," extend only to such districts where the company failed to construct the elevators.

The SPEAKER: On the third reading, the Standing Order is very specific. Standing Order 297 reads—

No amendment shall be made in, and no new clause shall be added to, any Bill re-committed on the third reading, unless notice thereof has been previously given.

It will be necessary for the hon. member to give notice, and his amendment will arrive on the Notice Paper and may be discussed to-morrow.

Hon. W. C. ANGWIN: I cannot give notice for to-morrow: that is the trouble. I will not move that the Bill be recommitment in these circumstances.

The SPEAKER: The question is that the Bill be now read a third time.

Hon. W. C. ANGWIN: I move an amendment—

That the word "now" be struck out, with a view to inserting other words.

I am taking this action because I believe that a more ill-considered Bill was never introduced into this Assembly. If hon. members look through the Bill they will see that there is no information whatever as to how the company will carry on the business of bulk handling of wheat. It merely says that we give the company the sole right to handle wheat in Western Australia for 25 years. It does not say "for the protection of the persons, who are growing wheat in the State." Some of these growers are shareholders and some are not shareholders, and no information is given as to whether the silos are to be situated in any part of the State, or whether it is the intention to construct elevators only at the ports. No one can form any other conclusion from the Bill as it stands to-day, than that elevators at the ports

are the only ones likely to be constructed under the Bill. It is the duty of members to endeavour as far as possible to protect the people of the State who are encouraged to take an interest in companies by means of alluring prospectuses and speeches made to them. It is our duty to see that every person in the State who invests his capital in an undertaking, especially in one for which it is necessary to have special legislation passed, is protected. It is necessary in such circumstances, in order to enable Parliament to avail themselves of the opportunity of protecting the public that they shall have full information regarding the project before them. Instead of having any such full information, the Bill gives no details beyond merely setting out that the sole right of handling wheat in this State is vested in the company.

The Premier: You cannot take a penny out of it without authority.

Hon. W. C. ANGWIN: The Bill gives the right to this company to deal with grain in bulk. The company can take money from the farmers and at the same time there is no protection for those people in areas such as Mooring or Mooolah. It is not shown that anything will be done in their districts for the purpose of handling wheat in bulk.

The Premier: They manage their own affairs.

Hon. W. C. ANGWIN: It is not their own affair. We propose to hand over sites, the property of the State, for the construction of these elevators. Again, the farmers have been told that bulk handling will be very much cheaper than having the wheat in bags. We have the report of Mr. Tunnison, the Engineer-in-Chief who was deputed by the Government to go to Canada and ascertain the saving to be effected by bulk handling. His report showed that the greatest saving to be expected was one half-penny per bushel.

Mr. Underwood: He is not competent to judge.

Hon. W. C. ANGWIN: I think he is. At that time even the farmers thought they would receive nothing for their bags. They are now told that they will make a tremendous saving in bags. Notwithstanding that, Mr. Keas has stated in evidence that usually wheat in bags brings more than bulk wheat.

Mr. Underwood: That is only commercialism.

Hon. W. C. ANGWIN: And he pointed out that in England half the value of the bags, at Continental ports more than half the value and in America full value, was given for the bags.

Mr. Harrison: That was only for two shipments.

The Premier: Under abnormal conditions.

Hon. W. C. ANGWIN: His evidence was dealing with normal conditions. Under the Bill a large number of farmers will have to purchase as many bags as they purchase to-day. Only those situated near ports will obtain any relief in respect of bags. Last night the member for Sussex read a statement by Mr. Walker, of Sydney, in regard to bulk handling. I have seen a report of the evidence given by Mr. Walker before a Select committee in the Eastern States, wherein he said it would be necessary that one-third of the wheat should be shipped in bags in order to keep the bulk consignment steady.

Mr. Pickering: That was not in the report I read.

Hon. W. C. ANGWIN: No, it was excised. The farmers have been encouraged to put their money into this proposition by glowing accounts predicting considerable decreases in the cost of handling. I have been unable to get the exact quantity of wheat handled in Fremantle last year and the cost of that handling but, speaking in the House two years ago, I showed that in 1913-14 the Western Australian wheat harvest amounted to 13,331,350 bushels or an average of 11.6 bushels per acre. That may be taken as a fair average. It is above the average of the last four or five years. In that year it cost £10,000 to handle the wheat in Fremantle. The handling charges have not increased proportionately with other wages, with the cost of material or the cost of machinery, because up to the present there has been no increase in the port charges at Fremantle. Wages have increased a little.

Mr. Underwood: Up to about 7s. 6d. per hour for overtime after midnight.

Hon. W. C. ANGWIN: They have gone from 1s. 6d. to 1s. 9d. per hour. Very little is handled between midnight and 8 o'clock. In fact, most of the ships close down at 5 o'clock. It was proposed to erect an elevator at Geelong with a holding capacity of 1,250,000 bushels. In all probability the elevator to be constructed at Fremantle would be of approximately the same size. But when, two years ago, we had before us a Bill authorising the Government to construct an elevator at Fremantle it was intended to erect one of a capacity of 1,500,000 bushels. The total cost of running such an elevator was given at £13,949. That was in 1913-14. This is taken from the report of the Royal Commission in Victoria--

For the men who are employed, wages at 8s. a day are provided. These wages would now be somewhere about 10s a day-- That was two years ago. This is what I said two years ago--

To the increase of wages we will have to add the additional interest of three per cent. to which I have just referred when considering the cost of running an elevator at Fremantle. In addition the Royal Commission provided for an engineer at 12s. a day whereas the wages would be 10s. a day here, a brakeman at 9s. a day, a foreman at 15s., four employees at 8s. a day and a clerk at £150 per annum or a total wages expenditure of £2,802. There would to-day be an increase on all those wages. The interest at 3½ per cent. is set down at £4,677 and maintenance and depreciation at 2½ per cent., four per cent and 8½ per cent. account for £5,774; for fuel, etc., a further amount is provided, making a total of £13,949 or approximately £14,000 per annum as the estimated cost of running one elevator. Now how is it going to apply at the present time?

Mr. Underwood: It would be a lot better, for there will not be so many lumpers employed.

Hon. W. C. ANGWIN: That is a matter of opinion. If the hon. member was as good as some of the lumpers he would do.

Mr. Underwood interjected.

Hon. W. C. ANGWIN: I do not know whether you have or not, but that is no reason why you should insult an excellent body of men. I

know the lumpers there very well, and I know they are just as good as the hon. member.

Mr. Underwood: Do not worry about me.

Hon. W. C. ANGWIN: I do not worry about the hon. member.

Mr. SPEAKER: The hon. member is not under discussion.

Hon. W. C. ANGWIN: As long as I have the honour of representing some of the lumpers at Fremantle, I will not hear them insulted by the hon. member, more particularly when I know that he is not fit to wear the shoes of hundreds of them. It ill becomes the hon. member to pass a remark which reflects on anyone. I try to avoid that kind of thing myself and I expect the hon. member to do the same. I was pointing out that the cost in 1914 amounted to nearly £14,000 per annum. Now we have to consider the additional cost of everything. Did not the Minister for Works only the other evening draw attention to the fact that within the last four months the cost of constructing railways had advanced no less than 25 per cent.? When we remember this position we must realise that instead of the farmers benefiting under the Bill, by the introduction of bulk handling, they will find that the capitalisation charges, the increased cost of administration, and the necessity for keeping employees there continuously, will result in their having to pay for the handling of the wheat several thousands pounds per annum more than they are paying at the present time.

Mr. Pickering: Do you think those high prices are going to be maintained?

Hon. W. C. ANGWIN: In my opinion bulk handling will have to come eventually, but under the existing conditions it is premature to think about it.

Mr. Piesse: That is a matter for the company.

Hon. W. C. ANGWIN: It is a matter for us in Parliament to deal with.

Mr. Pickering: This Government is not finding any money.

Hon. W. C. ANGWIN: I am not allowed to deal with that aspect on the present Bill, but I shall deal with it in connection with another Bill. I am confining my remarks to the cost and pointing out that the cost will be such that bulk handling cannot be that success which some of those who have been induced to take up shares have been led to believe. Alluring statements have been made to farmers to induce them to apply for shares, and we have evidence that quite a number are asking that their orders shall not be honoured.

Mr. Pickering: There are always people who will do that kind of thing.

Mr. Teesdale: And there will be a lot more when they have read your speech.

Hon. W. C. ANGWIN: The Bill before us is an ill-considered one. As a matter of fact it should have been of 20 or 30 clauses and there should have been provision in it to throw some responsibility on the parties concerned, as well as provisions to place a limit in regard to the charges made. The company dealing with the farmers' wheat should have been compelled to give a guarantee of security. There is nothing of that kind in the Bill. There has never been in Western Australia a Bill submitted for the purpose of granting special rights to a company,

and which company has been so lightly treated as the one in question. There has always been a provision in similar Acts of Parliament that in the event of the company failing, the Government should step in and fulfil the conditions. In all cases where certain rights are conceded, a deposit is always insisted upon, and the Government have the power to forfeit that in the event of failure on the part of the company. In the present Bill excessive powers are conferred on the company and none at all are retained by the Government. It will not be possible for the Government to say, "You must carry out the terms of your agreement to provide bulk handling facilities." It will not be possible for the Government to say that, but the company will be able to say to the Government "We do not intend to fulfil the obligations which we have entered into, and which are embodied in an Act of Parliament, except in a certain area." The Bill is most one-sided. We cannot but wonder why the Government have introduced such a measure in which they retain no power, and in which there is nothing to enable them to see that the interests of the State are safeguarded. All the power is in the hands of the company. It was proposed to give the company four years in one instance, and five in the other, in which to carry out the work. Those periods, however, have been altered to three years and four years respectively. In those periods the company need not move a hand so long as they are making some progress in one area, and in one area only, and it will be possible for them to say, "We have no intention of carrying out the provisions of the Act so far as other parts of the State are concerned." It is surprising to me why some farmers' representatives are not at all anxious to see that the Government have power to compel the company to carry into effect what they contract to do. How different it is, in connection with a Bill which we have lately passed and which is now before another place. In that Bill the interests of the people are properly safeguarded. Here the position is the direct opposite, and it will be interesting to see, when this Bill reaches another place, whether hon. members there will be as keen about insisting that the company shall put up a deposit to be forfeited on the failure to carry out the provisions set out in the measure. I object to the Bill because it hands over to a company the sole right to carry on bulk handling for a term of 25 years, without giving any power to the Government to see that the provisions of the measure are complied with wherever the company are operating, while at the same time giving the company full power to say that it is not their desire to carry out the provisions of the Bill in certain parts of the State. There is no responsibility on the part of the company to safeguard the wheat placed in their control. There is nothing in the Bill dealing with charges, and believing as I do that the time is not far distant when it will be possible to construct elevators, particularly at Fremantle, which will have the effect of saving considerable handling and the principle of which will be gravitation, I submit the amendment.

Mr. UNDERWOOD (Pilbara) [5-13]: I intend to oppose the amendment for the reason that I recognise that if this State is not a wheat

growing State it is no good. We have had our mines and to some extent we have taken the cream off those mines, and now, as a people, we must depend upon wheat and wool production. When we speak of wheat production we have to allow that we must handle the wheat under conditions similar to those of other countries. That being so, we must have bulk handling. It will not be more than a year or two before practically all ships carrying wheat will have provision for dealing with it under the system of bulk handling. I have heard the member for North-East Fremantle on this question for many years, and I gather that he is opposed to any system of bulk handling. I am sure that no member has heard him advocate any system of bulk handling. It is quite easy for any man to oppose everything, while proposing nothing in its place. But the present position as I see it—and I am somewhat of a student—is absolutely that if we are going to be a wheat exporting country we must have bulk handling of wheat. Now who is putting up any better proposition than the one we have before us? We have had several bulk handling propositions previously, and the member for North-East Fremantle has opposed every one of them.

Hon. W. C. Angwin: We have never had one previously.

Mr. UNDERWOOD: I take no notice of the hon. member's interjection. This is correct, that if we are going to be a great wheat growing State we must provide bulk handling facilities. There is no getting out of that. To those who argue the other way, I say—and I speak with some knowledge—that if we are not to a certain extent a wheat growing State we are nothing else. If we cannot export wheat, it will not be long before there will be no necessity for yourself, Mr. Speaker, or for myself to deliberate in this House. Any member who desires to improve on any proposition in regard to bulk handling should put up a better proposition. If this proposition is not right, then, allowing that we must have some proposition, why does not the member for North-East Fremantle put up a better one?

Hon. W. C. Angwin: I did.

Mr. UNDERWOOD: The hon. member has not done anything of the kind, and I have known him for a long time. I know perfectly well that he does not want bulk handling. I cannot say what peculiar little streak there is in him—peculiar little streaks come into every one of us—

Hon. W. C. Angwin: I said the elevators should be built at Rocky Bay, where they could be worked much more cheaply by gravitation.

Mr. UNDERWOOD: This Bill does not prevent their being built at Rocky Bay, where they could be run cheaper, if those who are putting in the money are convinced that Rocky Bay will prove cheaper. The measure does not in any way prevent the building of elevators at Rocky Bay.

Hon. W. C. Angwin: We cannot go there yet. It would be premature.

Mr. UNDERWOOD: What I want to impress upon the House is the absolute necessity for having bulk handling. The hon. member has spoken on the question of bags to hold the grain. But that is comparatively of infinitesimal importance.

Hon. W. C. Angwin: The other people say that is the main point.

Mr. UNDERWOOD: I am not worrying about the other people. I am speaking of what appears to me and what appeals to me. Bulk handling must come in a great wheat producing country. Western Australia must be either a big wheat producing country, or no country at all. There is no getting out of that. Those who want to be waitresses with special hours, will find, if there is no wheat grown, that we shall not want any tea shops. Similarly, we shall not require railways or require any labour. Bulk handling is absolutely necessary. In my opinion the member for North-East Fremantle, in opposing any proposition for bulk handling of wheat, should put up some better proposition to the same end, because we must have bulk handling of wheat. I do not want to go into the question of the lumpers or the cost of handling. We have learned sufficient of the lumpers to be aware that when they work after 5 p.m. they want double time, and that when they work after midnight they want treble time.

Hon. W. C. Angwin: Nothing of the kind.

Mr. UNDERWOOD: Leaving out our lumpers altogether, we have to consider the countries to which we send our wheat.

Hon. W. C. Angwin: Bulk handling is no good to them.

Mr. UNDERWOOD: Bulk handling is good.

Hon. W. C. Angwin: It is not. You know nothing about it.

Mr. SPEAKER: Order!

Mr. UNDERWOOD: When we come to consider those countries which receive our wheat we recognise that it is to us an important question whether wheat has to be handled by lumpers, or whatever term may be used elsewhere, or whether a pump can be put into the hold of the ship to pump out the wheat and deliver it into silos.

Hon. W. C. Angwin: The wheat will have to be bagged on delivery overseas.

Mr. UNDERWOOD: The hon. member is quite wrong. When a grain ship fitted with bulk handling facilities arrives in Europe, they simply put a pump into the hold of the ship and one can actually see the plates of the ship drying as she rises out of the water.

Hon. W. C. Angwin: You have seen a picture of one port only.

Mr. UNDERWOOD: Cargoes which would take a month to discharge under the ordinary bag system can be lifted out in 24 hours by the bulk handling system. We have not only to consider our own immediate position with reference to our shipping ports such as Port Hedland or Geraldton; we have also to consider the people who are going to buy our wheat; and when it comes to considering their position we recognise that we must have bulk handling. I am not particular as to the amendment moved by the hon. member, but we must have bulk handling, and if the proposition in this Bill is the best proposition we can get—the member for North-East Fremantle has proposed nothing better—I must vote for the Bill.

Amendment put and negatived.

Question put and passed.

Bill read a third time, and transmitted to the Legislative Council.

BILL—FACTORIES AND SHOPS.

Council's Amendments.

In Committee.

Resumed from the previous day. Mr. Stubbs in the Chair; the Attorney General (for the Minister for Mines) in charge of the Bill.

No. 44a. Clause 100.—After Subclause (4) add the following proviso:—"Provided that, excepting in the metropolitan shop district shops may remain open until 9 o'clock on one evening in each week unless and until the abolition of such shopping night is determined upon by a poll of electors as hereinafter provided" (partly considered):

The ATTORNEY GENERAL: The proviso seems to be quite unnecessary. I do not know how it got into the Bill. Probably it was put in before amendment No. 45 had been fully thought out. This is a very crude attempt to enact what is stated in No. 45, and there is no occasion for it. I move—

That the amendment be not agreed to

Mr. PICKERING: Under the measure the half-holiday will be on Saturday I see no other opportunity to make provision for the late night on Saturday if desired, and therefore the proviso should be retained.

The ATTORNEY GENERAL: Because the member for Sussex is unable to provide an amendment to No. 45 he asks that a duplication should form part of the measure. I hope the Committee will not listen to that sort of argument. It is not desirable at this stage to agree to amendments unless they are of considerable importance.

Question put and passed: the Council's amendment not agreed to.

No. 45. Clause 100.—Add a subclause, as follows:—(5.) Notwithstanding any of the preceding provisions of this section, it shall be lawful for shops to which this section applies, excepting those in the Metropolitan shop district, to remain open till nine o'clock on one evening in the week, subject to the following provisions, that is to say:—(a) The Governor may from time to time by proclamation, issued on the petition of a majority of the shopkeepers affected, determine the day on which such shops shall so remain open in each week for any district or specified locality not within a district; but in the absence of such determination the day shall be Friday. (b) Subject as hereinafter provided, the Minister may at any time, and shall whenever he has received a petition for a poll hereunder signed by one-tenth of the electors, order a poll of electors to be taken in any district on the question:—"Do you vote that there shall be a late shopping night in this district?" and the voting papers at such poll shall be in the prescribed form. (c) No such poll shall be taken in any district within two years of the time when a previous poll hereunder was taken therein, and every resolution of the electors on the submission of such question hereunder shall remain in force for at least two years and until a contrary resolution is carried. (d) Whilst any negative resolution on such questions is in force in any district, the permission to remain open till nine o'clock hereinbefore granted shall be deemed to be suspended therein. (e) Subject

to this subsection, the provisions of section one hundred and four of this Act shall, so far as applicable, apply, mutatis mutandis, to and in respect of polls and resolutions hereunder:

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Mr. LUTEY: I move—

That the amendment be amended by inserting after "district" in Subclause 5 the words "and the shop district which comprises the Kalgoorlie, Boulder, Brownhill-Ivanhoe, and Hannans electoral districts."

This will put these places on the same footing as the metropolitan area.

Amendment put and passed; the Council's amendment, as amended, agreed to.

No. 46. Clause 101, Subclause (3), line 1, between "is" and "closed" insert "or is to be."

No. 47. Clause 102, Subclause (1), in line 4 strike out "and" and insert "or." In line 5, after "hardship" insert "or if the shop is at the commencement of this Act registered as a small shop."

On motions by the Attorney General the foregoing amendments were agreed to.

No. 48. Clause 104, Subclause (1), strike out Subclause (1). Strike out "locality so proclaimed" and insert "district" in subclause (2).

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Now that there is a late shopping night Subclause (1) is not necessary.

Hon. W. C. ANGWIN: A poll of electors can be taken if any day other than Saturday is desired. This deals with the closing at 9 p.m.

The ATTORNEY GENERAL: I do not think Subclause (1) is necessary.

Question put and passed; the Council's amendment agreed to.

No. 49. Clause 104, Subclause (2), add at the end the following:—"and shall order such poll on receiving a petition in writing signed by not less than one-tenth in number of the duly registered electors who are entitled to vote at an election of a member of the Legislative Assembly in such district."

No. 50. Clause 104, Subclause (7), after "continue" insert "or become":

On motions by the Attorney General the foregoing amendments were agreed to.

No. 51. Clause 105, Subclause (1), paragraph (a), strike out the words "half past," in line 4.

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Hon. W. C. ANGWIN: This amendment deals with the extra half hour granted in the suburban areas and will affect chemists' shops. Unless the extra time were granted, people working in the city would be compelled to patronise the city shops, because by the time they reached the suburbs after finishing work, the suburban shops would be closed. Thus trade might be driven out of the suburban areas altogether. We should not legislate for the city all the time.

Mr. PICKERING: I support the member for North-East Fremantle. This question was fought

out in Committee, and we were practically unanimous.

Mr. Willcock: No.

Mr. O'LOGHLEN: I am surprised at the member for Sussex saying we were almost unanimous. The majority, I think, was only four. The member for Geraldton and I were members of the select committee, and I was twitted with having twisted on the select committee's report. I am always prepared to be guided by evidence, and doubtless another place, in making the closing hour 6 o'clock, was guided by evidence which has come to light since the select committee concluded its inquiries. We have no evidence that traders in the suburban districts have been annihilated as the result of early closing laws. Indeed, in the suburbs there is the same prosperity to-day as there ever was.

Hon. W. C. ANGWIN: I am hoping that the Bill will bring some of the trade back to the suburbs.

Mr. O'LOGHLEN: Those people who require commodities will soon find an opportunity of getting them at reasonable trading hours. Under the provisions set out in this Bill no one will be debarred from getting his supplies from a chemist shop. The only person who may suffer will be the non-resident chemist, but he is not after this particular class of trade. The chemists as a whole do not anticipate the slightest trouble as a result of this innovation. I am pleased that another place has recognised this principle and trust it will bring about a desirable reform in the trade.

Mr. Griffiths: The pharmaceutical society as a body are agreeable to the 6 o'clock closing.

Question put and passed; the Council's amendment agreed to.

No. 51 (a)—In the proviso, line 3, strike out "in any emergency," and insert "in a case of necessity."

The ATTORNEY GENERAL: I move—

That the Council's amendment be not agreed to.

There is an important difference between these words.

Hon. W. C. ANGWIN: I think it would be better to agree to it.

The ATTORNEY GENERAL: If we did agree to it, there would be difficulty in regard to enforcing the provisions of the Bill. Every article in a chemist's shop is necessary to someone, but the word "emergency" means something unexpected which has occurred and which it is necessary to remedy at once. I warn the House against agreeing to the amendment.

Hon. W. C. ANGWIN: I hope the amendment will be agreed to. The word "emergency" is very sweeping. A man may feel off colour and be told by his doctor to get a certain bottle of medicine, but because it is not actually a case of emergency he would not be permitted to do so.

Mr. Pickering: The word "necessity" would be more equitable.

Question put and negatived; the Council's amendment not agreed to.

No. 52. Clause 105, subclause (2), strike out "an emergency" and insert "in a case of necessity."

No. 53. Clause 106, lines 2 and 11, after the word "confectioners" strike out "and" and insert "vegetable."

On motions by the Attorney General the foregoing amendments were agreed to.

No. 54. Clause 106, line 6, strike out all the words after "closed" to the end of the paragraph and insert "for the remainder of the day."

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Hon. W. C. Angwin: Will this interfere with another clause in the Bill which was passed earlier?

The ATTORNEY GENERAL: The later clause prevails.

Hon. W. C. ANGWIN: I refer to Clause 100. This provides that a shop closing at 6 o'clock must keep closed until 8 o'clock the following morning.

The Attorney General: They are not meant to be the same shops.

Hon. W. C. ANGWIN: If a shop can be opened immediately after midnight instead of 8 o'clock in the morning it will make a big difference.

The ATTORNEY GENERAL: Clause 100 exempts the whole of the shops in the fourth Schedule so that it will not affect the shops mentioned by the hon. member.

Question put and passed; the Council's amendment agreed to.

No. 55. Clause 106.—Add the following proviso at the end:—Provided that railway book-stall and news-agents' shops in the vicinity of country railway stations may open for one half hour at any time after the arrival of a mail train.

The ATTORNEY GENERAL:—I move—

That the Council's amendment be amended by the insertion after "time" of the words "before and"

Amendment put and passed; the Council's amendment as amended agreed to.

No. 56. Clause 107, line 3.—Strike out "half past."

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Hon. W. C. ANGWIN: I hope the Committee will not agree to the Council's amendment. At the present time a lot of people leave their work at 5 o'clock and how is it possible for them to get home and get to the hairdresser's before 6 o'clock? In my opinion, that is the hour of the day when the suburban shopkeepers have the best chance of earning money.

Mr. O'Loughlin: You cannot differentiate very well between the city and suburban shops.

Hon. W. C. ANGWIN: Most of the city shops close at 6 o'clock because they are carrying on their business on a larger scale, but this obviously affects the small shopkeepers.

Mr. WILLCOCK: I do not see how anything can be done because Clause 113 will have the effect of making the Arbitration Court award apply.

Hon. W. C. ANGWIN: In that case, I will let the matter go.

Question put and passed: the Council's amendment agreed to.

No. 57. Clause 107, paragraph (c).—Strike out "the opening time" and insert "eight o'clock or such earlier hour as may from time to time be fixed by proclamation."

No. 58. Clause 110, line 5.—Strike out "by" after the word "fixed" and insert "under," and strike out "or by proclamation made thereunder."

No. 59. Clause 111.—Strike out, in line 2, "that description of shop" and insert "any description of exempted shop," and after the word "shops," in line 4, insert "in that district or locality."

On motions by the Attorney General, the foregoing amendments were agreed to.

No. 60. Clause 112, Subclause (2).—Strike out this subclause and insert:—(2.) Subject as hereinafter provided, the Minister may, whenever he shall think fit, by writing under his hand suspend the provisions of section one hundred and eleven and of Subsection (1) of this section, in any shop, to such extent and subject to such conditions as may appear desirable, and such suspension may be at any time revoked by notice under the Minister's hand served on the shopkeeper. No such suspension shall authorise the sale, in the shop of any goods not appropriate to that description of shop, at any time when shops to which such goods are appropriate are required to be closed. No such suspension shall be granted or allowed to continue unless the Minister is satisfied that the shopkeeper has provided and will maintain a substantial partition of the prescribed description, which will be kept locked (with the key removed) so as to effectually bar communication between the part of the shop where the goods which the shopkeeper is for the time being not permitted to sell are situated and the part of the shop where those goods which for the time being he is permitted to sell are situated.

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Hon. W. C. ANGWIN: I am surprised that the Attorney General has agreed to this amendment. In my opinion, under these amendments it is impossible for a small shop to be kept open at all. When this clause was dealt with by the Assembly, I think it was left in a state which was very fair to the small shopkeepers. The part I take exception to is the last subclause, which provides that no exemption shall be granted unless the Minister is satisfied as to the maintenance of a substantial partition in the shop concerned. The Committee left the matter so that it would be wholly within the discretion of the Minister to grant powers of exemption. The clause was very fair, in that it gave the Minister a chance to use his discretion in dealing with the people whom it was sought to assist, namely those who were disabled, of old age or suffering from hardship. I find the Legislative Council have wiped out altogether the protection afforded to these people.

Mr. O'Loughlin: I think the Minister still has the final say.

Hon. W. C. ANGWIN: The Minister only has the final say so far as the earlier portions of the proposed new subclause are concerned,

It is the last portion to which I take exception. Who is to say what a substantial partition is? It may mean that it will have to be such as to close off the whole of a large portion of the shop and, seeing that some of these small shops are only single rooms, it will work a hardship on these people whom we are most anxious to assist.

Mr. Davies: I presume a substantial partition does not mean a piece of drapery.

Hon. W. C. ANGWIN: I can understand the necessity for seeing that goods are adequately closed off by some barricade in order that persons may not be allowed to sell goods, for the sale of which other shops are closed. If the small shopkeepers attempt to evade the provisions of the Bill they can be dealt with and a very fair proposition was provided by the House when the Bill left this Chamber. I know that the inspectors will deal fairly with these people and I think it may be left to them to see that the Act is not abused.

Mr. Willcock: Why not reject the amendment and stick to the original clause?

The ATTORNEY GENERAL: I have no objection to the words the member for North-East Fremantle complains of, being struck out.

Hon. W. C. ANGWIN: I move an amendment—

That all the words after "removed" in line 20 be struck out.

Amendment put and passed; the Council's amendment, as amended, agreed to.

No. 61. Clause 112, Subclause 3.—Strike out "emergency" and insert "necessity."

No. 62. Clause 112, Subclause 3, line 6.—Insert before the words "the last" the words "this and of."

No. 63. Strike out "as if it were a shop of that description."

On motions by the Attorney General the foregoing amendments were agreed to.

Sitting suspended from 6-15 to 7-30 p.m.

No. 64. Clause 114, line 2 of proviso, after "auction" insert "all cereals, hay or chaff or of."

No. 65. Clause 115, line 2, after "Friday" insert "Anzac day."

No. 66. Clause 118, Subclause 2, line 2, strike out the words from "either" to "or" in line 5 inclusive.

No. 67. Clause 120, line 2 of third paragraph, strike out "one of the days" and insert "the day."

No. 68. Clause 120, third paragraph, strike out "are required to be closed" and insert "or the majority of such shops are required to be closed at one o'clock in the afternoon in the district or locality."

On motions by the Attorney General, the foregoing amendments were agreed to.

No. 69. Clause 121. Strike out the last sentence.

The ATTORNEY GENERAL: This is an important amendment. In the Bill as it left this Committee, the hour for dinner was allowed

to be taken in two parts of half an hour each. That has been struck out by the Council.

Hon. W. C. ANGWIN: Quite right too.

The ATTORNEY GENERAL: Great inconvenience might be caused to both employer and employee. In restaurants the most important hours of the day are those between 12 o'clock and two o'clock. Under the amendment employees in such shops would require to have their dinner either between 11 and 12 o'clock or between two o'clock and three o'clock. I move—

That the amendment be not agreed to.

Mr. WILLCOCK: Since the clause deals with all shops, I think the amendment should have some consideration from us. The shops referred to by the Attorney General are to be found in the fourth schedule. I do not think the provision for dividing the dinner hour should apply to all shops.

The ATTORNEY GENERAL: Suppose when we have disagreed with the amendment we add such words as "in tea rooms, restaurants, and eating houses."

Mr. O'Loughlen: That will fill the bill.

Question put and passed; the Council's amendment not agreed to.

The ATTORNEY GENERAL: I move—

That the following words be added, "Provided the hour for dinner may be allowed in two parts of half an hour each in restaurants, coffee palaces and refreshment shops."

Question put and passed.

No. 70. Clause 122, lines 8 and 15, strike out "eight" and insert "four" in line 8.

No. 71. Clause 126, line 20, after the word "shall" insert, "if so required by the chief inspector."

No. 72. Clause 131, line 2, after "observed" insert "by occupiers."

No. 73. Clause 132, line 4, after "fabric" insert "who."

No. 74. Clause 137, line 2, strike out "or a breach of any regulation thereunder."

No. 75. Clause 139, line 1, strike out "shop."

No. 76. Clause 140, lines 2 and 4, after "failing" insert "to observe any provision of this Act which he ought to have observed or." Strike out "or by any regulation under this Act."

On motions by the Attorney General, the foregoing amendments were agreed to.

No. 77. Clause 147. Strike out "any penalty not exceeding five pounds" and insert "a lesser penalty than that prescribed by section one hundred and forty."

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Hon. W. C. ANGWIN: I hope the Committee will not agree to the amendment. We should not pass an amendment which permits a penalty of £50 being imposed without Parliament having an opportunity to discuss the regulations. These regulations will be in force before Parliament will have an opportunity to deal with them. A £5 penalty is quite high enough when it is being imposed under a regulation.

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

Ayes	...	...	...	14
Noes	...	...	...	21
Majority against	...	...	...	7

AYES.

Mr. Angelo	Mr. Mullany
Mr. Broun	Mr. Nairn
Mr. Draper	Mr. Plesse
Mr. Durack	Mr. Pilkington
Mr. Gardner	Mr. Willmott
Mr. George	Mr. Hardwick
Mr. Harrison	(Teller.)
Mr. Mitchell	

NOES.

Mr. Angwin	Mr. Munsie
Mr. Chesson	Mr. O'Loghlen
Mr. Culler	Mr. Pickering
Mr. Duff	Mr. Roche
Mr. Green	Mr. Teesdale
Mr. Heron	Mr. Thomson
Mr. Hickmott	Mr. Underwood
Mr. Hudson	Mr. Veryard
Mr. Johnston	Mr. Willcock
Mr. Lambert	Mr. Brown
Mr. Lutey	(Teller.)

Question thus negatived; the Council's amendment not agreed to.

No. 78. Add at the end the following:—
"and no power conferred by this Act on an inspector in relation to machinery of any kind shall be exercised unless the inspector holds a certificate from the Chief Inspector of Machinery that in his opinion such inspector is competent to exercise such power."

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Hon. W. C. ANGWIN: I must raise the same objection to this amendment as I raised to that relating to health matters. Before appointing an officer, the Public Service Commissioner should make proper inquiry into his fitness.

Question put and passed; the Council's amendment agreed to.

No. 79. Clause 149, lines 4 and 5, strike out "shall" and insert "may"; strike out "only" in line 5:

No. 80. Clause 152, Subclause (2).—Strike out "clause (a)," in line 1, and insert "subsection one":

On motions by the Attorney General, the foregoing amendments were agreed to.

No. 81. Clause 151.—Strike out Subclause (4) and insert the following two subclauses, to stand as Subclauses (4) and (5):—(4.) If either House of Parliament passes a resolution disallowing any such proclamation, of which resolution notice has been given at any time within fourteen sitting days of such House after such proclamation has been laid before it, such proclamation shall thereupon cease to have effect, but without affecting the

validity or curing the invalidity of anything done or of the omission of anything in the meantime. This subsection shall apply notwithstanding that the said fourteen sitting days, or some of them, do not occur in the same session of Parliament, or during the same Parliament as that in which the proclamation is laid before the House. (5.) When a resolution has been passed, as hereinbefore mentioned, notice of such resolution shall be published in the "Gazette":

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Hon. W. C. ANGWIN: I move an amendment on the Council's amendment—

That the word "fourteen," in line 4 of Subclause 4 be struck out, and "thirty" inserted in lieu.

Fourteen days is too short a period. The period usually allowed is 30 days. If this amendment is carried, there will be a consequential amendment later in the same subclause.

Amendment put and passed; the Council's amendment, as amended, agreed to.

No. 82. Clause 156.—Strike out this clause and insert the following:—156. Nothing in this Act shall apply—(1) to any bazaar or fair where goods are sold or exposed for sale in order that the net proceeds of the sale of the goods may be devoted to religious, charitable, or public purposes only; or (2) to any show held by an agricultural or horticultural society outside the metropolitan shop district, or to any show held by an agricultural or horticultural society within the metropolitan shop district that does not extend over more than one day:

On motion by the Attorney General, the foregoing amendment was agreed to.

No. 83. Add the following new clause to stand as Clause 100:—Shop districts.—100. (1.) The Governor may by proclamation constitute any defined portion of the State a shop district for the purposes of this Act, and specify the boundaries of such district, and may in like manner (subject as hereinafter provided) abolish any district. (2.) The metropolitan shop district, consisting of the following electoral provinces, namely, the Metropolitan Province, the Metropolitan-Suburban Province, and the West Province, shall be deemed to have been established by proclamation under this Act, but the Governor shall have no power to abolish such district. (3.) If any district is abolished by proclamation, the abolition shall not of itself abrogate any choice or proclamation or resolution of electors theretofore made, issued, or carried under any of the succeeding provisions of this Act and in force at the time of the abolition, and no proclamation constituting or abolishing any

district shall of itself render any area subject to any choice or proclamation or resolution of electors made, issued, or carried under any of the said provisions:

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Mr. LUTHEY: Would it be necessary to mention Kalgoorlie, Brownhill-Ivanhoe, and Boulder in this new clause, in view of my amendment relative to the Kalgoorlie shop district?

The ATTORNEY GENERAL: The Governor constitutes the boundaries of all shop districts in the State excepting one, the metropolitan shop district, which is defined by the Bill. With that one exception, the districts can be altered from time to time by the Governor.

Mr. Lutey: But I want my district defined here.

The ATTORNEY GENERAL: Does the hon. member realise that for a poll in that district he will need to have a tenth of the electors? Those electors, I understand, are rather scattered.

Mr. WILLCOCK: Having secured his amendment with regard to the Kalgoorlie shop district, the member for Brownhill-Ivanhoe need not be concerned as to whether it is difficult to alter the present position, seeing that it is the position he desires. In fact, the more difficult it is to alter that position, the better for the hon. member. The hon. member wishes to provide that the Minister shall not have power to revoke the Kalgoorlie shop district by proclamation.

Mr. LUTHEY: I move—

That the amendment be amended by inserting after "West Province" the words "and the shop district which comprises the Kalgoorlie, Boulder, Brownhill-Ivanhoe and Hannans Electoral Districts."

Amendment put and passed; the Council's amendment, as amended, agreed to.

No. 84. Add the following new clause to stand as 116, Part VIII.:—"116. Notwithstanding anything contained in this Part of this Act to the contrary, it shall be lawful for any person, with the authority and consent of the local authority, to sell, expose, or offer for sale, from any stall or vehicle at an open market conducted in a street between the hours of five o'clock and eleven o'clock in the morning of any week-day, any of the undermentioned goods, that is to say—(a) home-made jams and preserves; (b) honey; (c) butter (other than factory butter) and eggs; (d) hams and bacon, not being factory-made hams or bacon":

On motion by the Attorney General the foregoing amendment was agreed to.

No. 85. Add the following new clause to stand as Clause 52, Part IV.:—"52. When in accordance with, or as the result of, any award of the court under the Industrial

Arbitration Act, 1912, or of any registered industrial agreement which has been made a common rule of the employees employed in the manufacture of articles in any factory or in the principal or one of the principal departments of any factory, the employees are required to cease work on any day at any hour, then the factory or such department of any factory shall cease working operations on that day not later than the hour fixed for the cessation of work under the said award or industrial agreement which has been made a common rule, and shall continue the cessation of work until the time fixed or determined by or under such award or agreement for the commencement of work by such employees":

The ATTORNEY GENERAL: This amendment does not appear to be necessary and I do not think it is desirable, as it would prohibit the working of any overtime in a factory if the Arbitration Court fixed an hour for the ceasing of work. I move—

That the amendment be not agreed to.

Mr. WILLCOCK: Clause 113 lays down that if the court in an award specifies a closing time for shops, the shops shall close at that hour. The principle having been applied to shops, it is only consistent to apply a similar provision to factories. Then no overtime could be worked, except at overtime rates and by notification to the factories department. This is necessary, particularly in the baking trade.

The ATTORNEY GENERAL: This amendment is also nonsensical.

Hon. P. Collier: That is a reflection upon another place.

The Honorary Minister: A true reflection?

The ATTORNEY GENERAL: To make sense of it the word "of" in line 5 and the words "the employees" in line 8 should be struck out.

Mr. WILLCOCK: I move—

That the Council's amendment be amended by striking out of line 5 the word "of" and in line 8 the words "the employees."

Whether the amendment is retained or not, I want it to be sensible.

Amendment put and passed; the Council's amendment, as amended, put and negatived.

No. 86. First Schedule.—Add the following: The Seats for Shop Assistants Act, 1899 (63 Vict., No. 52).

On motion by the Attorney General, the foregoing amendment was agreed to.

No. 87. Fourth Schedule.—Strike out "Premises of a registered club" and "boarding houses."

The ATTORNEY GENERAL: When dealing with another amendment we refused to exempt boarding houses from the operations of the measure. Therefore we must retain

boarding houses in the Fourth Schedule. I move—

That the amendment be amended by striking out the words "and 'boarding houses.'" "

Amendment put and passed; the Council's amendment, as amended, agreed to.

No. 88. Sixth Schedule.—Strike out "municipality or" in two places.

On motion by Attorney General the amendment was agreed to.

Postponed amendments:

No. 4 (a). Clause 4.—Definition of "factory," paragraph (a), strike out all the words after "prison."

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Hon. W. C. ANGWIN: The amendment is hardly fair to the boys who are in reformatory or industrial schools. Girls in laundries are allowed to wash clothes, but, no boy in the institutions I have mentioned would be allowed to learn a trade without his coming within the definition of "factory." It is necessary that boys should be given an opportunity to learn a trade without the operation of this measure being enforced against them. I hope the amendment will not be agreed to.

Mr. WILLCOCK: The only reason why these institutions were required to be classed as factories was that there might be some inspection of them. It was not intended that the other provisions of the Bill should apply.

Question put and negatived; the Council's amendment not agreed to.

No. 5. Clause 4.—Definition of "factory," paragraph (d), strike out "or" in line 2 and insert "'orchard, vineyard, or garden.'"

No. 6. Clause 4.—Definition of "factory," paragraph (f), strike out "so" in line 3 and after "engaged" insert "in any trade operation or process mentioned in paragraphs 1 to 8 of this definition":

On motions by Attorney General the foregoing amendments agreed to.

No. 7. Clause 4.—Definition of "factory," strike out "two" and insert "four" in line 1 of paragraph 1:

The ATTORNEY GENERAL: I move—

That the Council's amendment be agreed to.

Mr. O'LOGHLEN: If there is any justification for enlarging the number of persons who constitute a factory it was not advanced in another place. The object of the Bill is to bring about more satisfactory conditions in our factory legislation. The inspectors of the department have pointed out that a factory should be defined as a place where two or more people are working. If not, we shall have even more unfair competition than has been going on for the last two or three years.

In localities where goods are manufactured in shops or private houses, those places will not be subject to the provisions of the Bill, nor will they be called upon to observe the hours of working and general factory regulations, which are pretty drastic and stringent. I do not think we should agree to this amendment. I do not, however, want to jeopardise the passage of the measure in another place.

The Attorney General: It is a pretty drastic amendment.

Mr. O'LOGHLEN: That is why I have spoken to it. In former days, six was the number necessary to constitute a factory. The Bill as it went forward provided for two, and now the Council ask us to accept four.

Mr. Teesdale: You should be satisfied.

Mr. O'LOGHLEN: Anything would satisfy the hon. member. He is a man of some judgment, and if he were to set up as a manufacturer and found that his neighbour could employ five persons and evade his responsibilities under the Act while he himself had to obey all the provisions of the Act because he employed one more, he would see how unfair such a provision was.

Mr. Pickering: In New South Wales and Victoria four is the number.

Hon. W. C. Angwin: The Acts there have been in force for years.

Mr. Pickering: And they have not seen fit to amend them.

Mr. O'LOGHLEN: We have been ten or twelve years behind in our factory legislation and it is merely presumption on the part of the member for Sussex to say that the Governments in New South Wales and Victoria have not seen fit to amend their legislation. We had evidence before the select committee of the harmful effects of the larger numbers provided for before the Bill was presented in this Chamber.

Mr. PICKERING: We should be quite safe in following the legislation in New South Wales and Victoria, where they are much further advanced with their manufacturing industries. We are handicapped in this State regarding our manufactories, and we should not do anything to make the handicap more severe.

Mr. Munsie: The Bill is to improve the conditions for the manufacturers.

Mr. BROWN: I agree with the member for Forrest regarding the advisability of adhering to the Bill as it left this Chamber. I would prefer to reject the amendment if it were not for the possibility of losing the measure.

Hon. P. Collier: We will have another chance even if they disagree.

Mr. BROWN: If that is so, I will vote for two employees constituting a factory. It should not be forgotten that under the Bill a bakehouse constitutes a factory. The provision for four will lead to unfair competition.

The ATTORNEY GENERAL: I hope the amendment will be agreed to, because we know this question was the subject of great

controversy in another place, and we know that the number four was arrived at as a compromise. The Bill as it stands now is a distinct advance in our factory legislation. I do not desire to run any risk in losing the legislation which we have passed so far. I think it would be wise to agree to the amendment.

Mr. WILLCOCK: We have not been unreasonable regarding the Council's amendments, because out of 88 amendments they placed before us, we have agreed to about 83.

The Honorary Minister: Do not forget that we had a select committee on which the Council were not represented.

Mr. Munsie: They had a select committee a year or so ago.

Mr. WILLCOCK: We consider this amendment is a very important one. The member for Sussex contended that we should follow New South Wales and provide for four. Does he maintain that a factory with three persons in Victoria will seriously compete with manufacturing trade here? If the provision is agreed to at the instance of the Council, it is quite possible that some manufacturers will go to any length in order to evade the provisions of the Bill. Unfair competition will be set up under this provision, and it is not too great a stretch of the imagination to say that some of these employers may set up small concerns within a few doors of each other and employ only three persons so that they can carry on business, and yet not have to abide by the factory legislation we are passing. In addition to the bakehouse to which the member for Subiaco has referred, members should realise that any place used for the purpose of manufacturing food for human consumption is regarded as a factory, whether one person or more is employed there. It is only right that these small places where employes are engaged in manufacturing trades, should be subject to the supervision of the inspectors under the Act.

Hon. W. C. ANGWIN: I am concerned a good deal regarding sweating in factories. Very few members realise the extent to which sweating has gone on in this State. If we increase the number to constitute a factory it may lead to a continuance of this practice. Clause 49 deals with this question, but it deals only with the factory owner. I am concerned with the "out-worker." It is quite possible for three or four persons to come together and buy goods and hand them to "out-workers" to manufacture, without being registered. That is a great danger in this community. While I was connected with the Charities Department I had a number of cases brought under my notice of which this city should be ashamed. I had hoped that the Bill would prevent such things in future, but if four persons are to be required to constitute a factory, the evil will continue. I have seen some shocking

cases of sweating in Perth. The only way to stop it is to apply the provisions of the Act to the smallest possible factory.

Mr. TEESDALE: Since hearing the member for Geraldton on the question, I recognise that this leaves the way open to serious abuse. The member for Geraldton described how with four persons constituting a factory a number of small factories could be created and carried on by two persons, thus defeating the Bill. I am prepared to support the member for Geraldton.

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

Ayes	..	..	..	18
Noes	..	..	..	14
Majority for				4

AYES.

Mr. Angelo	Mr. Nalro
Mr. Broun	Mr. Pickering
Mr. Draper	Mr. Plesse
Mr. Duff	Mr. Pilkington
Mr. Durack	Mr. Thomson
Mr. Harrison	Mr. Veryard
Mr. Hickmott	Mr. Willmott
Mr. Johnston	Mr. Hardwick
Mr. Maley	(Teller.)
Mr. Mitchell	

NOES.

Mr. Angwin	Mr. O'Loghlen
Mr. Brown	Mr. Roche
Mr. Chesson	Mr. Smith
Mr. Collier	Mr. Teesdale
Mr. Gardiner	Mr. Willcock
Mr. Heron	Mr. Munsie
Mr. Lambert	(Teller.)
Mr. Lutey	

Question thus passed; the Council's amendment agreed to.

Resolutions reported; the report adopted.

Reasons for not agreeing to certain of the Council's amendments adopted, and a message accordingly transmitted to the Council.

BILL—WHEAT MARKETING.

(Council's Requested Amendments.)

Bill returned from the Legislative Council with a schedule of 3 requested amendments which were now considered.

In Committee.

Mr. Stubbs in the chair; the Premier in charge of the Bill.

No. 1. Clause 5, after the word "carry" in line 4, insert the words "any consignment of," and after the word "wheat" insert the words "exceeding five bags":

On motion by the Premier, the Council's amendment made.

No. 2. Schedule, in article 3 strike out the words "without the authority of the Minister first obtained":

The PREMIER: I move—

That the amendment be made.

Hon. W. C. ANGWIN: Has not the agreement been signed?

The Premier: Yes.

Hon. W. C. ANGWIN: And are not the Westralian Farmers working under it?

The Premier: Yes.

Hon. W. C. ANGWIN: If we alter the agreement, will not the Government be liable to pay an increased amount of money, or possibly to pay compensation, because of the agreement passed by Parliament not being in exact correspondence with the agreement signed by the company? I consider that by carrying Clause 3 of the Bill we ratified the agreement. My contention is that amendments in the schedule, which is to say the agreement, should have been moved when the ratifying clause was before the Committee. That was the course adopted last session. I was then prohibited from moving to amend the schedule—which means the agreement—because I had not moved in that direction when the ratifying clause was under discussion.

The PREMIER: Since the agents cannot deal in wheat, I do not think this amendment can involve any question of damages. The amendment really means that the Westralian Farmers will not be able to obtain from the Minister permission to deal in wheat. I do not think the amendment involves any danger whatever.

Question put and passed; the Council's amendment made.

No. 3. Schedule, article 7, paragraph (a), add the following words:—"Provided also that when engaging employees, servants, or workmen, the agent, or any person deputed by the agent for that purpose, shall, all things being equal, give preference of employment to discharged soldiers":

The PREMIER: I move—

That the amendment be made.

Hon. W. C. Angwin: It represents a substantial alteration.

Mr. Hudson: It is a restriction of employment.

The PREMIER: It is the practice now, and was the practice last year. It obtains throughout the Government departments.

Mr. Hudson: It is not the practice that is objected to, but the altering of the agreement.

The PREMIER: Really the amendment means nothing.

Mr. Munzie: It is flapdoodle, flag flapping.

Mr. Hudson: It is a pious wish.

Question put and passed; the Council's amendment made.

Resolutions reported, the report adopted, and a message accordingly returned to the Council.

BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

Message received from the Council notifying that it did not press its amendment No. 2.

BILL—PIAWANING NORTHWARDS RAILWAY.

Returned from the Council without amendment.

BILL—GRAIN ELEVATORS (No. 1).

In Committee.

Resumed from the previous day; Mr. Stubbs in the Chair, the Premier in charge of the Bill.

Clause 2—Dividends under Wheat Marketing Acts charged with calls (partly considered):

Hon. W. C. ANGWIN: Progress was reported to enable the Minister to make further inquiry as to whether it would be possible to relieve farmers who wished to cancel their applications for shares in the company.

The PREMIER: I move an amendment—

That after "dividends" in line 7 of Subclause 3 the following words be inserted:—"with a request in writing by the holder for the time being of such certificate that the payment is made."

Amendment put and passed.

Hon. W. C. ANGWIN: I want to find out the exact position.

The Premier: You will blow the whole thing out.

Hon. W. C. ANGWIN: I want to be sure that the finances of the State are protected. The general impression of the commercial community is that there is something behind this Bill that they cannot understand.

The Premier: There is nothing behind the Bill; they judge other people by themselves.

Mr. Hudson: The Country party are not behind the Bill.

Hon. W. C. ANGWIN: No, there are only two country members in the Chamber. The Bill is so drafted that it would require a double K.C. to understand it.

Hon. P. Collier: The most involved bit of drafting I have seen.

Mr. Hudson: And we have had some good ones this session, too.

Hon. W. C. ANGWIN: This clause only applies to the persons who hold wheat certificates independent of moneys owing to the Government or to private creditors. There is no necessity for the Bill except that the company want the Government to act as money lenders.

The Premier: That is not so; we have discussed that before.

Hon. W. C. ANGWIN: The more I discuss it the harder it is to understand. I am afraid the Premier does not understand it.

A large number of farmers on the Industries Assistance Board are indebted to the Government, and to private creditors to the extent of approximately 1½ million pounds.

The Premier: No, they are not.

Hon. W. C. ANGWIN: The balance sheet to the 31st March showed an indebtedness of £1,700,000. The Premier says that persons indebted to the board, whether in respect of Government or private creditors, cannot cash their certificates and get advances for the 1919-20 crop. This Bill applies to only those under the Industries Assistance Board who are not indebted to the Government or private creditors, and this being so, what is the necessity for the Bill? I wish I could convince myself that there is no intention to pay to the company on scrip held by the Industries Assistance Board as security for indebtedness to the State or to private creditors.

The Premier: I will give you an assurance.

Hon. W. C. ANGWIN: One-third of the wheat goes through the Industries Assistance Board, but some of the farmers on the board are in credit.

Mr. Smith: If a man is in credit surely you will not block him.

Hon. W. C. ANGWIN: This Bill is not required for men in credit.

Mr. Hudson: Do you suggest that this is a Bill for pressure?

Hon. W. C. ANGWIN: I regret that I cannot trust the Government with regard to this Bill. The measure is intended to enable the Government to advance on the scrip they hold in the Industries Assistance Board as security for debts owing to the board. The only chance the company have of getting the money is through the board. If the farmers got their money the company would not see it. This is the only way of getting the company going. The Premier told us the other night that he had enough money to keep him going only until April or May next.

The Premier: No, I said I would get some more in April.

Hon. W. C. ANGWIN: The Commonwealth could not get money when they tried the other day.

The Premier: I mean for this wheat.

Hon. W. C. ANGWIN: If this Bill is passed, the company are sure of £150,000 from the Government.

The Premier: I shall bet you.

Hon. W. C. ANGWIN: Then why is the Bill required if the company do not want any advance from the Government?

Mr. Pickering: To convenience those farmers who have made arrangements under it.

Hon. W. C. ANGWIN: This is a system we should not encourage. If I were going to float a company to open up an industry the Premier would not come to my assistance. He would refer me to a financial institution.

Mr. Teesdale: Suppose he held money to your credit.

Hon. W. C. ANGWIN: If the farmers are in credit there is no necessity for the Bill. When the Act was passed the intention of Parliament was that persons could remain on the board only so long as they could not manage without its assistance. Some members seem to think I am up against anything with which the Westralian Farmers Ltd. are associated. I assure them that is not so, but I have my opinions and I shall express them whether the Westralian Farmers Ltd. like them or not. Legislation of this class has never been introduced in this State.

The Premier: And probably never will be again.

Hon. W. C. ANGWIN: I am afraid the Premier does not possess all the information necessary. Of what use is the Bill?

[Mr. Munsie took the Chair.]

The PREMIER: I assure the hon. member that the Industries Assistance Board have no intention of advancing £150,000 to the company whilst a client is indebted to the board or to outside creditors—

Hon. W. C. Angwin: Or the Government?

The PREMIER: The board is the Government.

Hon. W. C. Angwin: No, it is not.

The PREMIER: At all events, I will say, not in debt under the Industries Assistance Act. I daresay the member for North-East Fremantle has been spoken to by people who have money owing to them by some clients of the board. These people have no cause to fear that they will not get their money, and they need feel no anxiety about the treatment they will receive. Not one penny can be paid over to the grain elevators company whilst money is owing by these clients under the Industries Assistance Act. There are some clients who are in credit and there will be many others in credit in a few weeks, possibly before a further dividend from the 1919-20 pool is declared. There can be no objection to such clients who have given an order for the payment of these amounts from their dividends being debited by the wheat scheme with the amount. We have no intention of paying over £150,000 to the company. I would not agree to it in any circumstances. If we had a desire to do it, it could not be done. The Bill was really intended to validate the orders of those who had signed the application forms to take shares in the company. If the bulk-handling system is to come it is better that it should be the property of the farmers under some co-operative scheme.

Hon. W. C. Angwin: I do not think the company is going to deal with the whole State.

The PREMIER: I was willing to help such a scheme to the fullest extent. Nothing can be said against honouring the order which an applicant for shares has signed.

Hon. W. C. Angwin: Why the necessity for legislation to cover that?

The PREMIER: There is no direct request in the order to the wheat scheme to pay over the money and it was considered advisable that we should have legislative authority. This is an unusual class of legislation, and when it came to be drafted a Bill of a very restricted use was left.

Hon. W. C. ANGWIN: It appears that the only necessity for the Bill is because the company have not drafted their orders in a proper manner.

The Premier: That would be a very good reason if it were the only reason.

Hon. W. C. ANGWIN: If the clients of the board are financial there is no necessity for the Bill for they can pay their money without it.

The Premier: Vote against it.

Hon. W. C. ANGWIN: It is advisable to let the people know what is going on with regard to the matter.

The Premier: That is not fair.

Hon. W. C. ANGWIN: No more impertinent request than this has ever been placed before the Government. I was shocked when I saw that the people concerned had the cheek to ask the Premier to introduce this measure. No wonder the commercial people are up in arms. They are asked to wait for their money, but the farmers can ask the Government to advance them 6d. per bushel on their wheat.

The Premier: They did not ask for that.

Hon. W. C. ANGWIN: Either the Premier will go out next March or his place will be taken by those who have been plucking him for some time past. This is another attempt to pluck the State. I have not yet had my question answered as to the reason for the introduction of the Bill.

Mr. Robinson: The main question is to see that we are thoroughly protected. Not a penny can be advanced while any money is owing under the Industries Assistance Act.

Hon. W. C. ANGWIN: During his speech in introducing the measure the Premier said it was intended that money could be advanced on behalf of clients of the board with the permission of the manager. There is a difference between indebtedness under the Act and indebtedness to the board. Under the Act there are certain liabilities which the farmer has to recognise. These include moneys not advanced by the State, but money owing to the Government by the settler, either as rates, for purchases, or under other such headings. If a farmer bought machinery from the implement works, it would be with the permission of the board.

The Premier: And cash would be paid.

Hon. W. C. ANGWIN: But that client would be indebted to the Government for it, through the board. These people should not be allowed to have money advanced for the purchase of these shares while they owe anything to the Government. If the Premier will give me a definite assurance that all the indebtedness of these people, either to the Government or to private per-

sons, entered into by the Industries Assistance Board under the provisions of the Industries Assistance Act must be paid before 6d. is paid for these wheat certificates, I will be content.

The Premier: In reply to that question, I say "Yes."

Hon. W. C. ANGWIN: I am content with that definite answer.

Clause, as amended, put and passed.

Title—agreed to.

Bill reported with amendment and the report adopted.

Read a third time and transmitted to the Council.

BILLS (3)—RETURNED.

1, Appropriation.

2, Tax Collection.

3, Loan, £3,870,000.

Returned by the Council without amendment.

BILL—LAND TAX AND INCOME TAX. Council's Requested Amendment.

Message from the Council pressing its amendment to the Land Tax and Income Tax Bill now considered.

Mr. SPEAKER [10.23]: I desire to state to the House that the Council's right to insist on a request has been frequently discussed in this Assembly. My predecessor has laid down certain rules that the Council cannot insist on or press its rights, as it would be contrary to the spirit of Section 46 of the Constitution Act and, therefore, the insistence becomes a demand. Having drawn the attention of the House to this, I ask members to take whatever action they may deem expedient in regard to the Message.

The PREMIER (Hon. J. Mitchell—Northam) [10.24]: I do not think I need have any hesitation in asking the House not to agree with the Legislative Council's request. I propose to ask the House to request the Council to reconsider its Message. I do not know quite what will happen if members of that Chamber refuse to reconsider their attitude, but I think this House should insist that Mr. Speaker's ruling was right. I know it has been thought expedient to agree with similar requests from another place. We have done that several times. I am perfectly willing not to ask the House to do what is expedient. I think we should on this occasion do what we think is right. I move—

That a Message be transmitted to the Legislative Council asking them to reconsider their Message.

Question put and passed.

BILL—DIVORCE ACT AMENDMENT.

Council's Amendments.

Schedule of four amendments made by the Legislative Council now considered.

In Committee.

Mr. Munsie in the Chair; the Attorney General in charge of the Bill.

No. 1. Clause 2, Subclause 1.—Strike out the word "three" in the third and seventh line of the proviso and insert "five."

The ATTORNEY GENERAL: The Committee after careful consideration was of opinion that a period of five years desertion was too long. We were desirous that three years should be made a sufficient period to entitle the petitioner to claim a divorce. I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 2. Strike out the second proviso:

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 3. Strike out Clause 3:

The ATTORNEY GENERAL: I move—

That the amendment be not agreed to.

The effect of it is this: Whereas prior to the Bill five years' desertion by itself was sufficient ground for divorce, under the clause the period was reduced to three years. If the clause is struck out we shall revert to a period of five years.

Hon. W. C. ANGWIN: I think three years too short. We made a mistake in reducing five years to three years.

Question put and passed; the Council's amendment not agreed to.

No. 4. Insert a new subclause to stand as (2) as follows:—“(2.) The amendment of section five of the Divorce Amendment Act, 1919, made by this Act, shall not apply to proceedings pending in the Supreme Court on any petition filed before the 7th day of December, 1920, nor to any proceedings following thereon or on any order obtained under any such petition, which proceedings shall be heard and determined as if this Act had not been passed.”

The ATTORNEY GENERAL: I agree that it is necessary to provide a time when petitions under the present Act shall cease. If we do not fix a period during which proceedings may be filed they will continue to be filed until the Bill becomes law, which cannot be for a period of several months, because the Bill is sure to be reserved for His Majesty's assent. The last amending Bill did not become law until the following April. That was the result of instructions given to His Excellency.

Hon. P. Collier: Then they ought to alter their instructions. It is interfering with our domestic rights.

The ATTORNEY GENERAL: I should not say that, because the effects of divorce extend beyond the State. We are all of opinion that the present Act should cease to operate. I hope the Committee will not stultify its intentions by giving a further period of several months during which people may take advantage of the present law. I move—

That the amendment be agreed to.

Mr. LAMBERT: I am surprised that certain definite instructions should have been received by His Excellency the Governor in respect of the exercise of the royal prerogative.

The Attorney General: It has been so ever since Constitutional Government.

Mr. LAMBERT: Still this is a purely domestic matter, and we should be jealous of our constitutional rights. I am in accord with the Attorney General in his desire to have a safeguarding clause of this nature, but I do not think the royal prerogative should be exercised except in international matters.

The ATTORNEY GENERAL: Divorce is of an international character. However, I rise to a point of order. I do not think we are in order in discussing on this clause instructions given by His Majesty to his representative in this State.

The CHAIRMAN: I must uphold the point of order. The hon. member cannot on the clause discuss instructions issued by His Majesty to his representative.

Mr. LAMBERT: Yet the Attorney General supported the amendment on the grounds that certain instructions had been issued.

Mr. HUDSON: Your ruling, Sir, removes the argument put up by the Attorney General in support of the amendment.

The Attorney General: It was not an argument. I merely stated a fact.

Mr. HUDSON: The whole question is as to when the Bill will come into operation and the effect of the legislation we passed last year. In view of what the Attorney General has said, it is unlikely that the Bill will come into operation before May of next year. The question is whether we are to stultify ourselves in respect of the legislation we passed last year. We notified the people of the State that they were entitled to make application for divorce on certain grounds. To amend that law in any other way than the manner in which we passed it is to stultify ourselves. It is most arbitrary to fix a date, and I therefore move an amendment—

That “7th December 1920” be struck out and “the commencement of this Act” be inserted in lieu.

The ATTORNEY GENERAL: I must oppose the amendment. The hon. member did not tell us that the commencement of

the Act is the day upon which His Majesty's assent is given. It is probable that the Act would come into force about April of next year or perhaps later. In these circumstances it would be unwise on the part of the House, having expressed its opinion, to allow the present facilities for divorce to continue, not only as regards the proceedings already filed, but as regards any proceedings which may be filed during the next two months.

Mr. Johnston: What about the people who have secured a divorce in the meantime?

The ATTORNEY GENERAL: Their position will not be affected.

Mr. Johnston: There might be proceedings filed say next week.

The ATTORNEY GENERAL: In that case they would file a petition with the full knowledge that this amendment was before Parliament. Directly this becomes known I feel certain that there will be an increase in the number of divorce cases, and proceedings will be instituted by people anxious to take advantage of the law which exists now, and which we have expressed a desire to alter. It would be unwise to allow further proceedings to be taken. I can see no reason for altering the date, namely 7th December, 1920, in favour of "the commencement of the Act," because that may be several months hence.

Mr. LAMBERT: From the remarks of the Attorney General it would appear that matrimony is at a very low ebb in this State, and that a bulldog rush is likely to be made for the Divorce Court.

Mr. Teesdale: There has been a pretty fair rush already.

Mr. LAMBERT: I hope the Committee will not show a disposition towards making the dissolution of marriage as easy as some legal practitioners in another place would desire. I want to see the Council's amendment stand.

Mr. ROCKE: It is generally admitted that very few people had any conception as to how the Act would operate when it was being considered by Parliament last session. The facts which have been adduced since then have proved conclusively that it was not a wise measure, and the amendment which has been introduced this session is very necessary. What has taken place must be accepted as evidence of the need for the amendment we are now considering. I think, too, that the period of five years would have been better, but there may be cases where even five years would imply a hardship. I intend to support the amendment made by the Legislative Council.

Hon. P. COLLIER: I intend to support the member for Yilgarn in his effort to strike out the words "7th December" but not with the object of inserting the words "at the commencement of this Act." I agree with the Attorney General that once Parliament

has decided that the Act shall be amended, it should not be possible for anyone to take advantage of it. I see no reason why the date should be retrospective to the 7th December. If we insert the 1st January, 1921 that will be fair to all concerned. If petitions have been filed subsequent to the 7th December, I see no reason why we should interfere with them, because they have been filed in good faith.

Mr. HUDSON: What appeals to me is that whilst we are discussing the question of date, the Act itself will not come into force until April or May of next year, and the mischief apprehended will be done. I intend to insist on the amendment I have moved.

Amendment (to strike out "7th December, 1920") put and passed.

Mr. HUDSON: I move a further amendment—

That the words "at the commencement of this Act" be inserted in lieu of the words struck out.

The ATTORNEY GENERAL: I shall oppose this amendment, but I am prepared to accept the amendment suggested by the leader of the Opposition.

Amendment put and negatived.

Hon. P. COLLIER: I move an amendment—

That the words "1st January 1921" be inserted in lieu of the words struck out.

Amendment put and passed; the Council's amendment, as amended, agreed to.

Resolutions reported and the report adopted.

Reasons for not agreeing to amendments Nos. 1 and 3 and for amending No. 4, adopted and a Message accordingly transmitted to the Council.

BILL—GENERAL LOAN AND INSCRIBED STOCK ACT AMENDMENT.

Council's Requested Amendment.

Bill returned from the Council with a requested amendment, which was now considered.

In Committee.

Mr. Stubbs in the Chair; the Premier in charge of the Bill.

Amendment—Insert a new clause to stand as Clause 3: "This Act shall continue in force until the 31st day of December, 1921, and no longer."

The PREMIER: I move—

That the amendment be made.

I do not know why this clause has been introduced into the Bill.

Hon. P. Collier: It refers to the 6½ per cent.

The PREMIER: Yes. I suppose the Council imagines we are going to continue

to borrow money at high rates of interest even when we need no longer pay such rates. Question put and passed; the Council's amendment made.

Resolution reported, the report adopted, and a Message accordingly returned to the Legislative Council.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Council's Amendments.

Schedule of two amendments made by the Council in the Bill now considered.

In Committee.

Mr. Stubbs in the Chair; the Attorney General in charge of the Bill.

No. 1 Clause 1, Subclause 2, strike out "the first day of January, 1921," and insert "a day to be fixed by Proclamation";

The ATTORNEY GENERAL: No doubt the Council considers the 1st January, 1921, too early as the commencing date of this measure, in view of the necessity for making business arrangements and varying insurance policies. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 2. Insert a new clause to stand as Clause 4, as follows—Amendment of First Schedule. 4. The First Schedule to the principal Act is hereby amended by omitting the word "three" in the fourth line of paragraph (a) and inserting in lieu thereof the word "four"; by striking out the word "four" in line six and inserting the word "five" in lieu thereof; by inserting after the word "pounds" in line six of paragraph (b) the words "ten shillings"; and by striking out the word "four" in the last line of the same paragraph and inserting the word "five";

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

The amendment will mean an increase of 25 per cent. in each case.

Question put and passed; the Council's amendment agreed to.

Resolutions reported, the report adopted and a message accordingly returned to the Council.

BILL—STAMP ACT AMENDMENT.

Council's requested Amendments.

Schedule of four amendments requested by the Council now considered.

In Committee.

Mr. Stubbs in the Chair; the Premier in charge of the Bill.

No. 1. Clause 2, lines 8 and 13.—Strike out "or," and insert "and."

No. 2. Clause 2, line 16.—Strike out all the words from "the transfer" down to "Act," at the end of line 17, and insert "any Act."

No. 3. Clause 2.—Add at the end of the clause "but subject in the case of a bill of sale to paragraph (4) of section six of the Bills of Sale Act, 1899";

On motions by the Premier, the foregoing amendments were made.

No. 4. Add a new clause to stand as (8), as follows:—Power to exempt gifts for charitable purposes: The Colonial Treasurer may, in his discretion, exempt from ad valorem duty any deed of gift, conveyance, transfer, settlement, or other instrument operating as a voluntary disposition of property for the purposes of a public park, university, or other institution, or for charitable, patriotic, or other similar public purposes:

The PREMIER: This would apply to such cases as the gift of the Keane's Point property, where the stamp duty was considerable. The Treasurer may exempt such gifts from duty, which is a reasonable proposal. I move:

That the amendment be made.

Question put and passed; the Council's amendment made.

Resolutions reported, the report adopted and a message accordingly returned to the Council.

BILL—LUNACY ACT AMENDMENT.

Council's requested Amendments.

Schedule of three amendments requested by the Council now considered.

In Committee.

Mr. Stubbs in the Chair; the Colonial Secretary in charge of the Bill.

No. 1. Clause 19: In the second line of proposed Clause 187a—After the word "attendant," insert "or employee."

No. 2.—Insert the like words after the word "attendant" wherever it occurs in the proposed Clause 187a.

No. 3. Add to subclause (3) of proposed Clause 187a, the following:—"Provided that such attendant or employee shall have the right to be represented at such appeal by any person whom he may appoint:

On motions by the Colonial Secretary, the foregoing amendments were made.

Resolutions reported, the report adopted and a message accordingly returned to the Council.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Council's requested Amendment.

Amendment requested by the Council now considered.

In Committee.

Mr. Stubbs in the Chair; the Attorney General in charge of the Bill.

Clause 7.—Strike out this clause:

The ATTORNEY GENERAL: I move—
That the amendment be made.

I am obliged, in order to save the Bill, to adopt this course, because of the lateness of the session.

Question put and passed; the Council's amendment made.

Resolution reported, the report adopted and a message accordingly returned to the Council.

BILL—MEEKATHARRA HORSESHOE RAILWAY.

Council's amendments.

Schedule of six amendments made by the Council now considered.

In Committee.

Mr. Stubbs in the chair; the Premier in charge of the Bill.

No. 1. Insert a new paragraph in Clause 8, to stand as (c), as follows:—(c) Such stipulations and provisions as the Minister for Lands may require.

The PREMIER: I move—

That the amendment be agreed to.

Hon. W. C. ANGWIN: I am surprised at the attitude of the Premier. We are forcing on this company something of which they knew nothing. It shows how differently some companies are treated to others. In other cases the company has power to tell the Government what to do, but in this case the Government tell the company what to do. Such conditions can be imposed as to make it impossible for the company to run the railway. If I were a shareholder of the company I would oppose the construction of any line with this stipulation in front of me. The company will be at the mercy of the Minister for Lands after they have gone to the expense of building the railway. This is what happens when we have a Government which will not treat all persons alike.

The PREMIER: I resent the statement of the hon. member. I am in this case obeying the request of the company.

Hon. P. Collier: Why should there be such a provision in the Bill?

The PREMIER: The member for North-East Fremantle says it is always safe to trust the Government, and now he is not prepared to do so.

Hon. W. C. ANGWIN: I did not say anything of the kind.

The Premier: What did the hon. member say?

Hon. W. C. ANGWIN: I said that in another Bill we are empowering the Gov-

ernment to carry out these provisions and trusting them to see that they do so. This Bill, however, legislates for something the effect of which cannot be known.

Question put and negatived; the Council's amendment not agreed to.

No. 2. Clause 11, Subclause (I), paragraph (a).—Strike out "work is commenced," and insert "passing of this Act."

The PREMIER: I think the time allowed in this case is all too short. I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 3. In the proviso to Clause 11.—After the words "provided that" insert "if the owner is not indebted to the Government in any moneys."

No. 4. Clause 11.—In the proviso, Strike out the words "shall become the property of," and insert "may be acquired by."

No. 5. Insert a new clause, to stand as Clause 7, as follows:—"7. Notwithstanding anything contained in sections four and six of this Act the Minister shall, before issuing any notice to acquire lands under 'The Public Works Act, 1902,' or before undertaking any survey, obtain from the owner a sum sufficient to meet the award in respect to any such resumption, and to defray the cost of any such survey."

On motions by the Premier the foregoing amendments were agreed to.

No. 6. Insert a new clause to stand as Clause 13, as follows:—"Deposit to be made by owner.—13. A deposit of five thousand pounds shall be paid to the Colonial Treasurer by the company before any land is set apart or survey made, as provided for in sections four and six respectively."

The PREMIER: I move—

That the Council's amendment be not agreed to.

We have already required the owners to put up all the money we can possibly be out of pocket, and in addition they are now being asked to put up a deposit of £5,000.

Hon. W. C. ANGWIN: I support the Premier in his motion. He was anxious last night on behalf of some of the members of the producers' party when there was a possibility of their having something which belonged to the other fellow. In this case the representatives of the primary producers in another place are anxious to grab £5,000 if the agreement is not carried out in its entirety.

The Premier: We will not let them do so.

Hon. W. C. ANGWIN: I do not think we will. There is a difference between this company and the elevator company. The farmers' representatives were very desirous

of conserving the rights of the Westralian Farmers, Ltd., under the Elevator Bill, but they are not so keen in connection with the measure now before us. I shall watch their actions closely.

Hon. P. Collier: Inconsistency, thy name is primary producer!

Hon. W. C. ANGWIN: It makes all the difference to the Country party as to whose interests are concerned.

Mr. GRIFFITHS: This seems to me to be a rather hard condition. These people only want what amounts to a timber railway. I think it is going beyond all reason to ask for a deposit. When people are out to conserve the interests of the country, as in this case, it would be doing them an injury and doing an injury to the interests of the State if we insisted upon a deposit.

Question put and passed; the Council's amendment not agreed to.

Resolutions reported, and the report adopted.

Reasons for not agreeing to certain of the Council's amendments adopted, and a Message accordingly transmitted to the Council.

MOTION—DISCHARGE OF ORDERS.

On motion by the Premier the following Orders of the Day were discharged:—

- 1, Charitable relief increase. Motion.
- 2, Railway freights, control by Legislative Assembly. Motion.
- 3, Electricity, tidal generation. Motion.
- 4, Committee of Supply, Amendment of Standing Orders. Motion.
- 5, Industries Assistance Board, extension of assistance. Motion.
- 6, Federation, representation as to State's losses. Motion.
- 7, Constitution Act Amendment Bill. Second reading.
- 8, Federal Convention. Consideration of Council's Message.
- 9, Potato crop pool. Motion.

House adjourned at 11.59 p.m.

Legislative Council,

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The PRESIDENT took the Chair at 3.0 p.m., and read prayers.

QUESTION—INSURANCE DEPOSIT, EXTENSION OF TIME.

Hon. A. SANDERSON asked the Minister for Education: 1, What is the name of the insurance company to whom an extension of time was given for the payment of £5,000 deposit as shown by the Auditor General's 1920 report, page 7? 2, What was the reason for the extension?

The MINISTER FOR EDUCATION replied: 1, The Westralian Farmers Ltd. 2, All companies in existence at the time the Insurance Act, 1918, came into operation were allowed to pay the £5,000 in two instalments; and on the Westralian Farmers Ltd. starting insurance business, the same privilege was extended to them. The first instalment was made in August, 1919, and the second in March, 1920.

BILL—LUNACY ACT AMENDMENT.

Third Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.5]: I move—

That the Bill be now read a third time.