a man has property in a district he is not entitled to a vote regarding a loan proposal, if he is an absentee. Here it is a case of loan moneys being expended and the rates to be struck will be those necessary to cover interest and sinking fund only. A man who owns a small property may have a greater interest in a district than a person holding a large area, because the small man may be entirely dependent upon the success of his property. The one man one vote system is the best, and there is no justification for plural voting, apart from the argument that the big man pays a little extra. The last time a proposal of this description was before Parliament it was lost on the casting vote of the Chairman.

Mr. SAMPSON: This proposal would be reasonable if a uniform charge were made respecting the different holdings, but the rates must vary in accordance with the unimproved values of properties.

The Minister for Lands: That is so, but they are uniform to that extent.

Mr. SAMPSON: Surely the man who pays a large amount in rates should have greater voting power than a man who has a small holding and pays a small amount in rates. Under our Road Districts Act it is possible for a ratepayer to have his name on the roll if he pays about 2s. 6d. If we carried that provision a little further, we would say that everyone who lives in a district, irrespective of whether he contributed to the revenue of a board or not, should be given a vote. When it comes to deciding the question regarding a loan the position is different, because those who live in a district are able to say whether the proposed loan is justified. Those who do not live in the district are not qualified to express an opinion to the same extent. Thus it was that the Road Districts Act limited the power of voting to residents in a district. That applies only in respect of the question of raising a loan. If the vote were not confined to resident owners, a district might be held up indefinitely, because the voters living at a distance would be out of touch with its requirements.

Mr. DAVY: There is no kind of an election for which a stronger case can be made out for voting according to property than an election under the Bill. One might possibly say something in favour of one man one vote for a municipal election; because the powers of a municipality embrace all sorts of activities and affect the happiness and prosperity of an individual even if he have no property. But I cannot see how one can say very much in favour of such a system under a Drainage Bill, the whole purpose of which is to elect a board with power to carry out drainage that will assist the properties in the district. Surely a man with 2,000 acres, should have more voice as to the way in which a main drain is to be put down than the man with, say, five acres! Under the Bill a man with half an acre would have the same voice on a question of drainage as a man cultivating a really big farm with an extensive irrigation plant. Peculiarly, under the Bill there is an almost unanswerable case why a man's voting power should depend upon his interest in the concern controlled by the board.

Progress reported.

House adjourned at 11.5 p.m.

Legislative Council.

Wednesday, 14th October, 1925.

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

QUESTION — RAILWAY CONSTRUCTION, SALMON GUMS-NORSEMAN.

Hon. J. W. KIRWAN asked the Chief Secretary: When is construction work on the Salmon Gums-Norseman railway to be commenced?

The CHIEF SECRETARY replied: Tenders are being called for rails and fastenings, and the construction work will be commenced immediately deliveries begin. In the meantime, a depot will be established and other preliminary arrangements made.

MOTION—PRAYERS.

To revise by Select Committee.

HON. J. R. BROWN (North-East) [4.35]: I move—

That a select committee be appointed, consisting of Hon. J. W. Kirwan, Hon. A. J. H. Saw, and the mover, to confer with the President with a view to revising the prayers offered up at the commencement of each sitting, and reducing the same to modern English and grammatical language.

I move the motion with all reverence. On entering this Chamber I observed, among other anomalies, that the prayers were out of date. I have listened to them frequently, and I have concluded that they can be easily altered. To-day I noticed that we had a different set of prayers from that we had yesterday. The same prayers are not read out every day. However, there is nothing like variety. The prayers read here should be such that people will understand what they are asking for; and when one is praying to the Almighty, He should understand what one desires. When application is made to the Supreme Being, one find oneself saying—

Prevent us, O Lord, in all our doings with Thy most gracious favour.

That in itself is a contradiction. Looking up the dictionary, I find that Webster says that "to prevent" means "to intercept, hinder, frustrate, stop, thwart."

Hon. A. Lovekin: What is the derivation of "prevent"?

Hon. J. R. BROWN: What I have quoted is enough for the ordinary man.

Hon. J. W. Kirwan: But it is necessary to complete the sentence.

Hon. J. R. BROWN: I have not the Prayer Book here, and am quoting from memory. The prayer says—

Prevent us, O Lord, in all our doings with Thy most gracious favour, and further us with Thy continual help.

Hon. A. Lovekin: "Prevent" there means "Go before us," from "Praevenire."

Hon. J. R. BROWN: One would not think that if one read the sentence in a newspaper. To prevent, in ordinary language, means to stop. I think it is time the prayer was altered, because in no other Parliament that I know of is the same kind of language used. In our Legislative Assembly the prayer used is—

Almighty God, we humbly beseech Thee to vouchsafe Thy special blessing upon this Parliament now assembled, and that Thou would'st be pleased to direct and prosper all our consultations to the advancement of Thy glory and the true welfare of the people of Australia.

The Commonwealth Parliament uses the following prayer—

Almighty God, we humbly beseech Thee to vouchsafe Thy special blessing upon this Parliament, and that Thou would'st be pleased to direct and prosper the work of Thy servants to the advancement of Thy glory and the true welfare of the people of Australia.

We do not appear to do anything for the welfare of the Australian people in this Chamber; yet that is what we ask God Almighty to assist us to do. Every time we meet here we do something that is against the welfare of the people of Australia. We ask God's blessing on this Parliament, and as soon as the Prayer Book is closed we go into the bush and leave God. There is no more God about so far as we are concerned. A part of the Lord's Prayer, which is read here, says—

Our Father which art in Heaven.

In the Anglican Church, I believe, that is correct; but the Roman Catholic Church says—

Our Father who art in Heaven.

"Which" is neuter gender, and "who" is personal gender. Thus the use of "which" makes God of neuter gender as against personal gender. Further, the prayer says—

Thy will be done in earth as it is in Heaven.

Some members of this Chamber may have a chance of getting into Heaven some day, but we are all certain that we shall be in earth when we get to Karrakatta. These, however, are merely reservations, and I am not going to waste the time of the House on them. I hope the motion will be carried, so that the anomalies to which I have drawn attention may be put right.

HON. J. J. HOLMES (North) [4.41]: I am entirely opposed to the motion. Mr. Brown said he did not intend to waste time, and certainly I do not propose to waste much time, nor do I think the House will,

over this matter. Several prayers are in use here, and I understand it is at your option, Mr. President, which you read. With all due respect to the members of the proposed select committee, I do not think they could possibly compile a more beautiful prayer than that which you, Sir, have just read. Objection is taken—and I am not surprised at Mr. Brown taking it—to the commencement of one of the prayers—

Prevent us, O Lord, in all our doings.

According to Mr. Brown's interpretation, it might be a good thing for the country if some people were "prevented" in all their doings. Another sentence of the prayer probably may appeal not to Mr. Brown, but it does appeal to me—

That peace and harmony be established for all generations.

That is what most of us desire at the present time, though quite a number of people seem prepared to cut it out. Many persons think the prayer is old fashioned. I do not regard it as old fashioned. Consequently, without further words, I oppose the appointment of the proposed select committee.

Hon. J. R. Brown: You would oppose anything we brought forward.

HON. J. W. KIRWAN (South) [4.43]: I certainly cannot subscribe to the statement made in this motion that the prayer as it is now is not modern English and not in grammatical language. I notice that the mover has included me in the proposed select committee. If by any chance this motion is carried, certainly its wording should be altered. Biblical language may not be modern English, and may not quite fit in with some of our ideas regarding grammar; but the Bible as literature is perfect. Its language is simple, and its diction extraordinarily beautiful. I would strongly object to being appointed a member of a select committee to revise prayers such as are offered daily here. If Mr. Brown considers that the prayers are rather long, or not quite suitable for the opening of Parliament, then I submit he should have framed the motion in a different way altogether. I am slow to do anything that would alter the prayers as we have them at present, and my sympathy and support are with what has been expressed by Mr. Holmes. I was glad that the mover spoke in all reverence, and did not approach a subject of this kind in any spirit of levity; but it is most important that the proceedings should be opened with prayer. As old customs are disappearing in modern times, it is all the more important for a Chamber such as this to retain the prayer, and the longer it is retained in its present form, the better, in my opinion.

HON. A. J. H. SAW (Metropolitan-Suburban) [4.45]: I am sorry I have been included by Mr. Brown as one who might serve on the Committee he desires to have appointed, for I do not feel myself competent to paint the lily or refine the gold. I do not think any efforts of mine could improve on the beautiful language of the prayers as they are given to us. The English may be archaic, but it is dignified and in perfect harmony with the sentiments expressed. I cannot support the motion.

THE PRESIDENT: Before the motion is put I wish to say a word, not exactly in opposition to the motion, yet to point out that our prayers are of very old custom. I think we should hesitate before doing away with old customs. It is impossible to modernise everything; if we attempted to do that we should have to take in hand the whole of the Bible. As to legal phraseology, even Mr. Brown would have difficulty in modernising many of the terms that come to us in legal documents. So, we must retain some of the old customs that have been in vogue for so many years. These prayers, while not faultless—I suppose no prayers, whether of the Church of England, of the Roman Catholic Church or of the Non-Conformist churches, are perfect—have been accepted with reverence for a very long time, and recognised as prayers suitable for use in Parliament. I should be sorry to see any change unless it promised very great improvement.

Question put and negatived.

BILLS (2)—THIRD READING.

1, Western Australian Bank Act Amendment (Private).

2, Workers' Compensation Act Amendment.

Passed.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. J. E. DODD (South) [4.50]: After the comprehensive debate we had on the Bill last session, there is on this occasion not much necessity to consider it as a whole before we go into Committee. But perhaps if we were to pass the second reading without any discussion, our action might be misunderstood and possibly it would be said that our minds were already made up and we did not think it worth while giving consideration to it. Our endeavour should be to make the Bill better, particularly better for the workers. A good deal of discussion on the Bill took place during the recess and again when the Bill was before another place, and some people declared that the discussion in this Chamber and elsewhere had been actuated purely by political motives. I was sorry to hear that, for it was somewhat ungenerous, and I can assure the Minister that anything I say on the Bill will be with the idea of making it a better measure. I do not agree with all that is in it, but there is a great part of it with which I do agree. The most important part of the Bill is the constitution of the court. The Government are asking the House to give them a free hand in the election of president. I am not opposed to that. The Bill introduced by the Scaddan Government contained the same provision, namely, that the Government should have the right to appoint a layman as president if they saw fit. I can see nothing against that. I have always conceived that there are laymen better fitted to be president of the court than perhaps are any barristers or solicitors. Three names come to me at this moment: there is Mr. Acting Justice Davies, who of course is qualified as a barrister; then there are Mr. Somerville and Mr. Walsh. Any one of those three gentlemen may be better fitted to undertake the duties of President of the Arbitration Court than would be some of our judges; for they have devoted practically the whole of their lives to the study of industrial laws, and they know the principles underlying our economic life and so would be well qualified for the post. However, when we come to the tenure of the appointment, I do not agree with the principle laid down by the Government. To be honest, I must admit the same principle was laid down in the Scaddan Bill, of which I had charge in this House. Still I do not agree with it. To say that a man should be appointed for seven years as president of the court and then be only subject to re-appointment, according to the views of whatever Government might happen to be in power at the time—with that I cannot agree. I am going to read from "Hansard" a speech delivered by the Minister for Works, who was in charge of the Bill in another place. The speech was delivered in January of 1923. It shows pretty conclusively that party considerations sometimes make a man advocate that which he does not altogether believe in. In January of 1923 another place was considering a Bill to provide for the life appointment of a judge as President of the Arbitration Court. That Bill was introduced by the Mitchell Government, and in Committee an amendment was moved by Mr. Troy that the president hold office during the pleasure of the Governor. Mr. McCallum, in opposing that amendment and supporting the life appointment, made the following remarks:—

> This appointment should be free from all political taint. I cannot therefore support the amendment. If the President of the Court is to hold his position at the will of the Government he will simply be the puppet of whatever party is in power. We shall be introducing the very worst element of American graft if we pass this amendment. If the appointment were made for a fixed period, and at the end of the time the president was looking for a renewal of office, he would simply play up to whatever Government was in power. If a Conservative Government were in office, and the appointment was falling due, the big captains of industry would wield a power, such as we know certain executives are wielding to day, and because of the pressure brought to bear upon the Government the president would not be safe in his position. If we expect the occupant of this position to hold an independent view upon all industrial matters, we should place him in as independent a position as possible. It would not be safe to allow him to become the plaything of politics. If arbitration cannot exist without the political element being imported into the bench, the sooner it is wiped out the better. The position should be made permanent and independent. If I found that the president was not carrying out his duties honestly and straightforwardly, I would not hesitate to submit a motion for his removal.

I do not think anything stronger could possibly be said in favour of a life appointment than those remarks by Mr. McCallum. I

strongly support them. I suggest to the Government that they either provide for the life appointment of a layman or else appoint someone who is eligible to be a judge when, of course, the appointment will be a life one. If either of those suggestions be adopted, possibly the difficulty this House sees in regard to the court might be overcome. I commend that statement by Mr. McCallum to members of the Chamber. Then there is the question of the basic wage. Considerable alteration is made in the Bill to the provisions of the Bill of last year. It it is a very difficult problem indeed to frame a principle in the Bill to guide the court in regard to the basic wage. That is evident. I can never agree to the bread and butter basis. That is practically the principle that has been laid down in the past, simply to fix a wage on the bread and butter a person may eat, or the tea and coffee he may drink, or the clothes he may wear. I congratulate the Government on trying to get away from that system and seeing whether they cannot devise some better means of fixing the basic wage. Objection has been taken to the fixing of the basic wage as adopted in the Bill, because it gives only the same rate to the married man as it gives to single men. Wages, it has been said, should be based entirely on production. But if we were to agree to that, we should be giving the single man a higher rate of wage than would be earned by the married man; for if we take any given number of single men as against married men, it will be conclusively shown that the single men do the more work, because they are relatively young men, while the married men are relatively older men. If we were to say that married men should be paid more than the single men, we could not advocate that the wages be based on production. In any case, the claim that married men should earn more than single men may be entirely ruled out of court. There is no hope in the world of getting a union or any other body of industrial workers to agree to such a principle; two men working together on the same class of work must have the same pay, or there will be trouble. It has been said that if you fix the wage on the basis of a man with three children you are providing for a number of non-existent children, and that we are thus providing a wage that should not be paid to some men because they have not that number of children. Exactly the same objection may be raised in respect of the man with seven or eight children, because he would not be paid enough, so that when we come to consider the various aspects we see that it is very difficult to make some equitable provision to guide the court. I shall support the Government in their efforts to establish a basic wage as proposed in the Bill. With regard to boards, I believe that the creation of the various boards as provided for in the Bill will do a great deal to facilitate the settlement of disputes. They may prove costly, but I think they are well worth a trial, and the House will do well to agree to that provision. Even under the existing Act there is provision for the establishment of certain boards by the court. One is really an industrial board and another a reference board. Those provisions, however, have never been availed of by either side. On the question of registration I cannot follow the proposals of the Government. The proposals for registration, as we find them in the Bill, demand the closest scrutiny that the House can give them. If we do what the Government suggest, we shall be removing every safeguard that we have in regard to what I may call industrial craft unions. If these proposals are carried out in their entirety in the future there is only one union other than those already registered that will be able to register, and that is the A.W.U. This union will be found to be all-embracing. I will read part of its constitution to the House. It includes—

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

That is the definition of a member of the A.W.U., and it is just about as wide and all-embracing as it is possible to make it. In the near future, instead of having 300,000 or 400,000 people in the State, we may have 3,000,000 or 4,000,000 and no doubt there will be scores of new indus-

tries established, and all those employed in them will come under the definition of the A.W.U. membership. What will be the position then? We shall have one big union other than those already registered, and no other will be allowed to register. If I were satisfied that the workers were asking for this change, I might regard the matter somewhat differently. But I am not satisfied that they are asking for it. We have only to read the answers to the questions that were asked by Mr. Harris yesterday to realise that there are many important unions that have objected to the A.W.U. securing registration in some industries. I am not satisfied that the A.W.U. cannot secure registration at the present time. If anyone studies the sections in the Act dealing with registration, they will find that they are very wide indeed, that they are not limited to one industry, or even to groups of industries, and in some cases wide powers are given in order that a union may secure registration. The A.W.U. has already secured registration in regard to some industries, and I am satisfied that if they went the right way about it, they could get registration for a large number of their unions which at the present time do not come under the Arbitration Act. I was interested in the statement made by the Minister for Works last year that you cannot specify an industry. I will admit that it is difficult. That was the trouble that arose with regard to the Shop Assistants' Union some years ago. The Minister has sought to delete the word "specified" from Section 6 in order to allow the A.W.U. to become registered. But whilst the Minister has done that in regard to Section 6, the term is permitted to remain in Section 14 and also in Section 31. I wish to point that out to the Minister in charge of the Bill in this House. I cannot see why all the safeguards should be cut out of Section 6 and objection taken to the word "specified," and yet to permit it to remain in Section 14. Also in regard to the registration of councils or branches of unions, the term "specified" is allowed to remain. I call the Minister's attention to that also. The provision with regard to the taking of a ballot is to be eliminated, that is, a ballot relating to the citation of cases. At the present time a ballot of all members has to be taken in order that a case may be cited before the Arbitration Court. When we come to consider these two proposals together, it will be seen in a moment what an enormous power it is proposed to place in the hands of an executive body. The power will be as absolute and as great as that of any autocracy in the world to-day. There is not the slightest doubt about that. If we cut out all these safeguards and we say that this shall be the only union to be registered, and then we say that there shall be no ballot to decide whether or not a case can be taken to the court, where does the rank and file come in? Nowhere. Their power will be non-existent. The executive body, having rules of their own to go on, will then do exactly as they like. Let it be remembered that sometimes a citation may be lodged for a reduction of wages. Surely members should have some say in a matter like that. I know it is difficult indeed to take a ballot, but I do say that the opportunity should be given to each and every member of a union to record his vote by ballot if he so desires. It is entirely in the interests of the workers that the proposals outlined in the Bill should not be adopted in their entirety. I shall not do anything to assist to establish any more autocracies, whether in the Labour or any other movement. Rule by executive, in almost every movement in Australia to-day, is becoming quite common. Something must be done to stop the onward march in that direction, or I do not know where we shall end. I am going to read what the executive of the Labour movement have to say on this question. On the 18th September a letter appeared in the "West Australian" over the name of E. H. Barker, who spoke on behalf of the Australian Labour Party, with regard to the present strike of British seamen. I am not going to say anything about the merits or demerits of that strike; I merely wish to read one part of the statement that was published by Mr. Barker. He said—

> The executive also discussed the present position of the seamen from the British ships who are refusing duty on those vessels in Australian ports, and deprecated the action of the shipowners in reducing the wages of British seamen from £10 to £9 per month, this being £7 5s. per month less than the wages paid to Australian seamen, and considered that no such reduction should be made until a ballot of all the members of the union concerned could be taken on the subject. As is well known, a majority of the seamen, particularly in Great Britain, are away from their home

ports, and have no opportunity of expressing an opinion on such matters as this one of the reduction of wages, although it is so serious to their welfare.

I agree entirely with the position taken up by the A.L.P. executive regarding that strike. I do not think it can be gainsaid that to take a ballot of the seamen is far more difficult than to take a ballot of employees engaged in any other industry. Still, every effort should have been made to take a ballot before the men submitted to a reduction. Here we find advocacy for the ballot in connection with the British seamen, over whose trouble we have no jurisdiction whatever, and in the next breath we find that an effort is made to take away from our own unions the right to conduct a ballot. If a ballot is right when applied to the British seamen, why is it wrong when applied to our own unions? There is another aspect also and it is that this is the first time I have ever seen an authoritative statement issued by the executive in regard to the taking of a ballot. We have had a number of strikes recently and I have never yet found that the executive had courage enough to stand up and say to these men, "Why not take a ballot?"

Hon. J. Cornell: They prefer to try it on the dog.

Hon. J. DODD: That to my mind is the most conclusive argument that we can have in favour of the ballot in regard to these cases. If there is a way by which we can liberalise the conditions and make it easier for the unions to go to the court, I shall be only too glad to give my assistance. I will not go to the length indicated in the Bill and say that the ballot shall be cut out entirely, thus leaving the whole question in the hands of the executive of a union. The only other matter to which I desire to draw attention relates to Clause 67 which proposes to insert a new section to stand as Section 124 (b). This matter was before us last year and I was under the impression that possibly the full effect of the clause had not been appreciated. I find, however, that there has been an attempt to justify the clause and to indicate that the opposition to it was for the purpose of discrediting the Bill. I think that statement was very ungenerous. I will read the clause and comment upon it to show where we are likely to go. The clause reads—

> The secretary, and any person authorised by the president or the secretary of a union shall, for the purpose of ascertaining whether the terms of an industrial agreement or award are duly observed, have the powers of entry and inspection of an inspector under the Factories and Shops Act, 1920.

I said last year, and repeat again, that some of the provisions of entry under that Act are certainly necessary. I would remind hon. members that those powers were agreed to because it was found that the inspectors had difficulty in dealing with Chinamen working in factories. The powers of the inspectors were therefore made very wide indeed; the inspectors were given almost supreme power. An inspector was enabled to enter a factory at any time he liked; he could take with him an interpreter and a policeman and he could demand almost anything. Are those powers to be given to the secretary of a union or any person authorised by the president or secretary of a union? It is just as well that we should know if that is the intention. If we are to acquiesce in something that is undemocratic merely because it hits someone in the employing world now, we may find ourselves in a very queer position later on when other proposals are made. Can anyone argue that it is right that those powers shall be given as suggested. A factories inspector is subject to the authority of the Government and those over him. He is also liable to heavy penalties if he discloses any trade secrets which may come into his possession by reason of his inspection. Under the clause, however, we all have 30,000 or 40,000 potential inspectors. Any one of those unionists can be appointed with all the powers of an inspector but without any of the responsibilities attaching to that position. Any one of them can be appointed at any time to enter any factory, just the same as can an industrial inspector who is bound down by the Factories and Shops Act and by those with authority over him. Yet not one of those potential inspectors will carry any responsibility whatever. Has it been denied that it will give to the individual who may be appointed the right of entry to a private dwelling house, provided the definition of "worker" is extended in the direction indicated in the Bill? I do not say that the right would be given, but I would like to have the authoritative advice of some King's Counsel regarding the application of the proposed new section 124 (b). I notice also that when a Minister was asked in the Assembly whether the court could give the

power that was being proposed under the new section I have referred to, he replied, "No, the court will have no power whatever." I will read what the court can do regarding inspections. Section 119 of the Industrial Arbitration Act, 1912, reads as follows:—

(1) The Court may, of its own motion—(a) Direct any record to be kept of any person for the purpose of affording evidence of the compliance or non-compliance with any award or order of the Court or with any industrial agreement; (b) Direct the Registrar or any industrial inspector to investigate and report to the Court concerning any industrial dispute, breach of any industrial award or agreement, or of any provision of this Act which the Court may believe to exist or to have occurred; (c) Direct any proceedings to be instituted and carried on by the Registrar or an industrial inspector in respect of any such breach; (d) Confer on the Registrar or industrial inspector such powers as the Court may deem necessary to enable him to carry its directions into effect; (e) Empower any person to exercise any power or perform any duty which is or may be vested in an industrial inspector by or under this Act, including this section.

There is no limit to the powers of the court. It is not only the power given to inspectors under Section 96, but it is the power referred to in Section 119. Any power that the court may deem necessary to give effect to their rulings may be granted. I ask the House whether they will give that power to any individual who may be appointed by a union. Why are the powers limited to the Factories and Shops Act? There are other industrial Acts such as the Mines Regulation Act and the Coal Mines Regulation Act. If it is right to give unionists the power to enter a factory, it is surely right to give the other powers under the other Acts I have mentioned. Many of the provisions of the Bill have been taken from the Queensland, New South Wales, and South Australian Acts. So far as I know there is no provision whatever for any such powers being conferred upon individuals other than industrial inspectors appointed under the Act. There is a saving section in the Queensland Act, however, which says—

No industrial inspector shall have any authority under this Act to enter a private dwelling-house, or the land used in connection therewith, unless some manufacture or trade in which labour is employed is carried on therein.

I do not know that those who oppose the idea of such a provision as that are doing anything very outrageous when we consider the section taken from the Queensland Act from which the Bill is largely drawn. Under Section 84 of the present Act powers are also given to the court to make such regulations as they think necessary to secure the peaceful carrying on of industry. In 1911 the two Houses split upon that particular proposal. The Upper House would not agree to it and the Bill was lost in consequence. Members of this Chamber thought that the powers were so wide that it was not fair to give them even to a court. In 1912 it was agreed to and consequently that power was vested in the court. That being so, the court is able to appoint anyone at any time to carry out such action as may be necessary to give effect to the court's decision. There is no necessity for a proposal such as we have before us. The Arbitration Act has conferred immense powers upon the court. That is recognised by anyone who has studied it. The Minister for Labour in introducing the Bill in another place went to some pains to point out the immense powers of the court. The Bill will give more power to the court. We are asked to extend the definitions of "industrial matters," of "industrial disputes," and also of the term "worker." With most of these provisions I am not in disagreement. It is absolutely necessary that the court shall have extreme powers, and I do not think those powers have been misused to any extent since the Arbitration Act has been in existence. While we can give those powers to the court I will not give such powers to an individual who may exercise them without any responsibility in any shape or form. If my advice is worth anything to this House I would say, "Pass as many of the principles of the Bill as we can, and only upon those absolutely essentially vital principles upon which members think they cannot agree, should we disagree." The fewer amendments we make, the better it will be for all concerned. I hope the Government will realise there is intelligence elsewhere and that it is not confined to other places including the Assembly. I hope they will realise that some improvements can be made to the Bill. The Government will be wise indeed if they agree to accept some of the amendments that I know will be moved in this House.

HON. J. CORNELL (South) [5.37]: I do not intend to delay the House for long.

The Bill is practically the same as that which was before us last session with the exception that the 44-hour week clause has been eliminated. In the few remarks I intend to make, I propose to deal briefly and generally with the subject of arbitration and to touch upon the question as to whether or not it is in the best interests of the country as a whole to cry a halt for a while and resort to reason rather than to the law courts. I claim to have a fair knowledge of the working of industrial arbitration since its inception. For many years there was, at the outset, a tendency on the part of workers and some employers not to resort to law except as a final recourse. The result was that for a considerable time, particularly on the Eastern Goldfields, reason was brought to bear on disputes and the court was not resorted to. If anyone will take the trouble to contrast the position in those days with the conditions obtaining now when the court is resorted to as much as possible, he will realise that the worker was economically better off in those days than he is now. Session after session legislation has been introduced in an endeavour to perfect the imperfections of the Arbitration Court, and we are gradually getting into the position of raising a structure that will one of these days, because it has become so gigantic, tumble down and crush the parties who approach it. The workers to-day almost universally adopt the practice of going to the court and the employers do likewise. Once the court is resorted to, reason goes out of the window and industrial war of the worst kind takes place. Each side strives by innuendo, subterfuge and in every other way to beat the other side. There is no escaping the fact that if we perpetuate the present system, which has to its credit if nothing else that it does function, a much better understanding must be arrived at between those who employ and those who are employed. It must be recognised that one side is as essential as is the other. To-day a feeling of extreme bitterness exists on the part of the worker towards the employer and on the part of the employer towards the worker, or at any rate some of the workers. That is one of the reasons for the present industrial unrest throughout the length and breadth of Australia, and the condition of affairs will probably go from bad to worse. It is said that time, experience, and travel mellow one somewhat. I have recently had a fairly extensive trip to two countries embracing 125 million people. In the United States the method of settling disputes as practised in this country is almost unknown, but no member, however deep he might be steeped in Labour politics, would venture to assert that the Australian workman was as well off as is his American confrere. That leads one to the conclusion that if American workers are better off than are ours, and if there is greater continuity of employment there as against here, their system must be somewhat superior to ours. In both Canada and the United States I endeavoured to ascertain why labour and capital function there without so many interruptions as we experience in Australia, and I was given to understand that it was due to the feeling of good fellowship existing between those who employ and those who are employed. Each recognises that the other is essential to the continuity of work and industry and to the progress of the country. There is a feeling of trust and confidence amongst employers and workers that does not exist here. If we continue as we are going at present, I am afraid the distrust and mistrust that exist will be carried to far greater lengths. Trade unionists deep down in their hearts must admit that there is too much distrust between the two parties. It is essential that some method should be arrived at to fix the basic wage. In the two countries I have mentioned, the basic wage is fixed without resorting to our methods. The basic wage can only be fixed by reason. The people generally should enjoy a certain standard of life, and if that basis of reasoning were only accepted, a basic wage could easily be fixed. Here, again, I charge the employers of this State with being the cause of some of the trouble and mistrust prevailing with regard to the minimum wage. Never at any juncture have the workers in their advocacy of arbitration asked that the minimum wage should be the maximum wage, but the employers of Western Australia, and indeed of Australia generally, have in season and out of season contended that the minimum wage fixed by the court must be the maximum wage.

Hon. E. H. Harris: Not always.

Hon. J. CORNELL: In ninety-nine cases out of a hundred they have. Recently some employers have altered their viewpoint, which is a healthy and hopeful sign. There are some who would be ready to recognise at once the principle that the minimum wage should not be the maximum, but they in their actions are as tied as are the workers.

Hon. A. Lovekin: The trouble is that the men will not accept differential wages.

Hon. J. J. Holmes: If the employer paid more wages than the award stipulated, it would be used in evidence against him in the next case.

Hon. J. CORNELL: I do not think it would. I made inquiries regarding the basic wage in Canada and the United States. There it is recognised that all workers in any calling are entitled to a basic wage, but that basic wage applies to certain workers on certain production. When the production is increased by other workers, the added value is recognised and paid for. I understand that in Australia that system is condemned by the workers.

Hon. A. Lovekin: That is so.

Hon. J. CORNELL: From my inquiries I am of opinion that that system will bear very close scrutiny. Provided that reason is brought to bear, and that advantage is not taken by either worker or employer, it would not be a bad system for the worker. It is ridiculous to assume that all men are equally proficient tradesmen. Even some legislators are better than others. Having agreed upon a basic wage as the wage which the lowest class of worker shall receive, probably irrespective of production, it is not very hard to arrange that the workers who increase the production shall receive an equivalent for that increase.

Hon. A. Lovekin: As soon as you tried to put that system into operation, there would be a strike.

Hon. J. CORNELL: There is another aspect to be considered. The employer who sets those conditions does not ask the employees to work on the blind. Machinery in the shape of grievance committees is set up to make inquiries; the employer is perfectly candid in putting all his cards on the table, and he asks the other side to do the same. If speeding up by the worker is only going to bring to him a mere fraction of the added value he creates, I say to the worker, "Stay where you are"; but if he is going to be informed what the employer is making and is assured of getting a fair deal, the system would be easy of application. It would be in the interests of all concerned as well as of the nation if we departed from the present dead flat-rate system. To-day, when the base wage is a flat one, what incentive is there for the average worker to endeavour to get out of the ruck? If he does more work he gets no thanks for it, much less any extra pay; he is more likely to receive abuse. Consequently he falls back to the level of the lowest placed worker. I would not advocate a violent change in this direction, but I do maintain that the American system would bear investigation. I have arrived at this conclusion because, man for man, the American and Canadian workmen receive higher wages than do the Australian workmen, while none of them die from overwork or hardship, and they look well and enjoy the good things of life. It is anomalous that while a fitter and turner in the old land today receives from £3 to £4 a week and has only intermittent work, the American worker is receiving £12 a week and his services are in demand. There must be something to commend the one system as against the other. There is always this point to be considered, too, that the American nation is undoubtedly prosperous and it is a rare occurrence to find a man out of work.

Hon. J. J. Holmes: Do they have strikes?

Hon. J. CORNELL: Occasionally. From the inquiries I made it appeared that they had arrived at this position by reason. The head of one of the biggest corporations in America and Canada does not think that his workmen will pole on him if he takes them to have a cup of tea and to discuss with them the topics of the day. Citizens of this country, whether they have wealth or have none, should remember that they are all equally part of the country, and that it is essential for their own well being, as well as for the prosperity of the State, that they should follow the line of reasoning, to which I have referred, and endeavour always to come to an understanding amongst themselves. In the atmosphere with which I was associated, there was very little lacking in this respect. The question I ask myself is whether continual recourse to law will not take the two classes still further apart. I believe that it will do so. If, however, we resort to reason, it will probably bring us more closely together and create a better understanding. If this country is going to prosper, and it has a great future before it, the whole community, irrespective of social standing or position in life, must remember that it is an integral part of the country, and that any precipitate action will cause damage to the country as well as to its people. What they have to do is to place the country first, and to sink a lot of the pettifogginess that so often creeps

in. If they will do that we shall go a long way towards establishing those relations that are most desired. When the Bill is in Committee I will support those clauses that I supported last session, and will vote against those that I opposed last session. The latest Government in Australia, the New South Wales Labour Government, have decided to scrap what was the most comprehensive system of arbitration and base wage fixing machinery in the Commonwealth. What they propose to provide in its place I do not know, but it is definitely understood and accepted that they propose to scrap all the machinery it has taken 25 years to build up, and to cast something else in its place. My advice to the workers of the State is that wherever they can, by appealing to reason, they should fix up their differences. This will engender a better feeling between the two parties concerned, whereas recourse to law can only bring about a lot of unnecessary bitterness.

On motion by Hon. J. M. Macfarlane, debate adjourned.

BILL—GOLDFIELDS WATER SUPPLY ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. J. CORNELL (South) [5.49]: I join with Mr. Kirwan, who last night put forward the views that had been expressed by the Yilgarn Road Board. If the Bill is passed, the man who is a little remote from the pipe line will deserve as much consideration as, if not more than, the man who is alongside it. The man who lives alongside the pipe line is fortunately placed, but he who lives away from it is unfortunately placed. The man who is furthest away probably did not go there because he wanted to, but because he had to. He also suffers from other handicaps from which the man near the pipe line does not suffer. The more fortunately placed settler should not adopt the dog-in-the-manger attitude that because he got there first he is entitled to more consideration than the man who is further out. The sooner we work on these broad lines, the better will it be for all concerned, and the more generous and just will be our administration.

HON. J. J. HOLMES (North) [5.51]: I gather from the remarks that have fallen from the Leader of the House and other members that whilst the present rate is 5d. an acre, the Government are asking for power to make the rate 1s. per acre.

The Chief Secretary: As a maximum.

Hon. J. J. HOLMES: It is the danger of giving this Government or any other Government more rating power than they are entitled to, that I wish to discuss. If the present rate is 5d., and, as I understand, it is not proposed to increase it for the time being, I am at a loss to understand why power is asked to enforce a rate of 1s. My experience is that when the Government have a maximum fixed by Parliament, it does not take them long to reach that maximum. Let me quote an instance: This is in connection with the Gascoyne Vermin Board. A sum of about £60,000 was spent on a rabbit-proof fence in the Gascoyne area, and a Bill had to be put through Parliament to make this expenditure legal. I understand that when the Bill came to this Chamber it contained no provision for fixing a maximum rate. This Chamber in its wisdom fixed a maximum rate of 2s. per hundred acres, which amounted to £1 per thousand. It was not long before that maximum was reached. The rental, I think, was 10s. per thousand acres, but the vermin rate was £1. Difficulties began to arise. Fortunately for the people in that district, whilst the board had power to strike this rate, in the hurry no one was authorised to collect it. The Government, therefore, had to ask Parliament for the right to appoint someone to receive the rate. I then seized the opportunity to make calculations and prove to the Chamber that 1s. per 100 acres, or 10s. per 1,000 acres, was quite a sufficient rate to meet the interest and sinking fund. In the meantime the rabbit invasion had lost its dread. The people concerned found they could not maintain the fence, and therefore abandoned it, but they said they would continue to pay the rate which in due course would provide the sinking fund as well as the interest. Another Government stepped in and spent £17,000 in repairing the fence that the owners had abandoned. They spent this money out of the rate, whereas the Act distinctly laid down that the first charge upon the rate should be interest and sinking fund. In-

stead of this £17,000 being taken off the capital, it was used for repairing the fence, and the capital account instead of being reduced by that amount was increased accordingly, and interest is being charged on the greater amount instead of the lesser sum. The Crown cannot be sued except under petition of right, and it was the Mitchell Government which, owing to the general elections coming on, held this up. The succeeding Government said that as the other Government would not grant it, there was no reason why they should do so. In order to get these people out of their difficulties I advised them, and they have acted on the advice, to go on paying according to their calculations the interest and sinking fund until the liability is liquidated. The Government can then sue them for the £17,000. There is no petition of right about that, but they have a good defence. In the meantime this is hanging over their heads. I do not want any other section of the community to be placed in the same position, by giving any Government the right to impose a charge of 1s. per acre when they tell us that they do not propose for the time being to charge more than 5d.

Hon. C. F. Baxter: They are already charging more.

Hon. J. J. HOLMES: It is upon that aspect of the case that I desired to make these few remarks.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central—in reply) [5.58]: The reason for the introduction of this Bill is that the Act of 1911 has long since become obsolete. It was all right to fix the maximum at 5d. when the extensions were only a few miles from the main pipe. The cost of connections was then very low, but since then the water has been carried out many miles from the main. It could not be carried out under the Act, for the maximum rate of 5d. would not cover the interest, sinking fund and maintenance.

Hon. H. J. Yelland: Are these extensions not made under agreement?

The CHIEF SECRETARY: In consequence of that state of affairs, special agreements were entered into outside the Act. Under these agreements the settlers pay now, and have been paying for some time past, rates of 6d., 9d., 10d., and up to as high as 1s. per acre.

Hon. V. Hamersley: These are special agreements.

Hon. H. J. Yelland: Are the agreements not legal?

The CHIEF SECRETARY: An agreement entered into by the Mitchell Government provided for a rate of 1s. per acre. The settlers wanted the water, and were prepared to pay for it. The rate is 1s. per acre on the Belka area, and that special agreement was signed during the Mitchell administration. Forty-four settlers are served, and they all cheerfully contracted in writing to pay the 1s. rate.

Hon. C. F. Baxter: They are not so cheerful to-day.

The CHIEF SECRETARY: I do not know about that. If they had not contracted, the Mitchell Government certainly would not have undertaken the scheme. The Government recognised that if they undertook it at anything less than 1s., it would be a burden on the general taxpayer. There is no intention to raise the rates existing under the special agreements, because the settlers concerned are paying their way now. The Walgoolan "A" scheme serves eight settlers; the capital cost is £2,841; the number of acres served is 7,545; the annual rate per acre is 6d.; the annual holding fee is £5; the annual interest, sinking fund and maintenance amount to £284 and the annual revenue to £225, the revenue thus being a little less than the expenditure. The Walgoolan "B" scheme serves 26 settlers; the capital cost of the scheme is £10,909; the number of acres served 27,251; the annual rate per acre is 9d.; annual interest, sinking fund and maintenance amount to £1,091 and the annual revenue to £1,162, showing a surplus of £71. Walgoolan "D" scheme serves seven settlers; the capital cost is £2,357; the number of acres served 7,878; the annual rate per acre 6d.; annual interest, sinking fund and maintenance amount to £235 and the annual revenue to £232, showing a deficiency of only £3. Walgoolan "G" scheme serves 23 settlers; the capital cost of the scheme is £9,200; the number of acres served 19,812; annual rate per acre 10d.; annual interest, sinking fund and maintenance, £920; annual revenue £922, an excess of £2.

Hon. J. W. Kirwan: If the system of making special agreements is satisfactory, why alter it?

The CHIEF SECRETARY: The Walgoolan "C" scheme serves eight settlers;

the capital cost is £1,596; number of acres served 6,844; annual rate per acre 4½d.; annual interest, sinking fund, and maintenance, £160; annual revenue £168, or £8 more than the expenditure.

Hon. J. W. Kirwan: Why alter the system? If there is no intention to interfere with these rates, why do the Government ask the power sought in this Bill?

Hon. C. F. Baxter: That is what I want to know.

The CHIEF SECRETARY: The answer is, to avoid making special agreements in the future, and to avoid making special agreements in connection with proposals now before the Government. Why should not the Act be brought up to date? Why have on the statute-book an Act which was all right 11 years ago, when it was a question of a few miles of main, but which is all wrong now when it is a question of many miles from the source of supply? As regards districts which have been brought under the present Act, there is no intention, and no need, to exceed the existing maximum of 5d. per acre. If this Bill passes, the Government propose to make two extensions, both at the request of settlers, those settlers now knowing exactly how they will stand. There is the Boddalin North scheme, which will mean an extension of 24 miles, which will serve 27 settlers and 2,735 acres of land, which will cost £11,200, and which will be rated at 8d. per acre. The annual interest, sinking fund, and maintenance are estimated at £1,000, and the annual revenue is estimated at £934. Then there is the Goomarin-Talgomine scheme, which goes out 35 miles, which serves 27 settlers possessing 43,000 acres, which will cost £19,400, and the rate on which will be 10d. per acre. For the annual interest, sinking fund, and maintenance £1,900 will be needed, and the annual revenue is expected to be £1,923. There is a good deal of misunderstanding in the country as to the nature of this Bill, owing to the fact that the people concerned think they are to be charged the maximum rate. It is only natural that farmers who agree to pay 8d. and 10d. would become alarmed if they thought they were to be charged 1s. But in every Bill of this nature there must be a maximum—a maximum covering the limit of the expenditure to which the Government will go. It should be clearly understood that no extensions can be forced on the settlers. There must be a two-thirds majority of the owners and occupiers in favour. This is provided by Section 3 of the Goldfields Water Supply Act of 1911. The two-thirds majority must possess not less than half the acreage of the area to be served. Mr. Holmes stated that the maximum rate is generally imposed, that the Government fix apparently a maximum and then decide that the maximum shall be the minimum. If we wanted to increase the rates, we have power to do it at the present time. Mr. Hamersley must be perfectly well aware that the Government could increase the rates to 5d. under the existing Act.

Hon. V. Hamersley: That is what concerns me.

The CHIEF SECRETARY: If this Bill were rejected and the Government wanted to increase the rates, they could still do so. Several country centres are rated at only 3d. per acre—for instance, east of Northam to the western side of Southern Cross, comprising 290 settlers.

Hon. V. Hamersley: They would all come under the liability of the 1s. rate.

The CHIEF SECRETARY: They would be liable now to a rate of 5d., if the Government decided to make the increase.

Hon. V. Hamersley: But the Government could not go beyond 5d.

The CHIEF SECRETARY: Nevertheless, that would be a substantial increase from 3d. However, the Government have not done it.

Hon. C. F. Baxter: Do not do it!

The CHIEF SECRETARY: On the Goomalling branch main 80 settlers are rated at only 3d. In fact, 827 other settlers holding 498,856 acres are only rated at 3d., and they could also be increased to 5d. However, there is no necessity to do so. There is a slight deficiency in connection with interest, sinking fund and maintenance, which last year amounted to £21,241, as against a revenue of £19,718. Probably the position will right itself this year. Any increase in rates that we may make we shall be able to justify. If there were a large deficiency the Government could, whether this Bill passes or not, make an increase to either 4d. or 5d. We simply want this Bill to pass in order that the necessity for making special agreements in future may be avoided. I think that is a fair request. I have shown conclusively that under the special agreements in at least one in-

stance owners and occupiers have to pay 1s. per acre, and in other cases 11d. and 9d. I hope the House will pass the second reading of the Bill, and proceed to the Committee stage without delay.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Amendment of First Schedule to Act No. 50 of 1911:

Hon. C. F. BAXTER: I think there should be more consideration for the holders of the poorer classes of land. In the Belka district the settlers are suffering because they are charged 1s. per acre on poor lands.

The CHIEF SECRETARY: The alternative allowed by this clause will meet such cases. Some land has been disposed of for as little as 3s. 9d., and even 1s., per acre, while first class land is priced at 15s. and second class land at 10s. Whatever the valuation of the local authority may be, it will be accepted.

Hon. J. Nicholson: Is it optional for the settler?

The CHIEF SECRETARY: It is optional for the owner of inferior land to avail himself of this clause.

Hon. J. Nicholson: He can compel that?

The CHIEF SECRETARY: Yes.

Hon. C. F. Baxter: That is a good thing.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—WATER BOARDS ACT AMENDMENT.

In Committee.

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

Clauses 1 to 5—agreed to.

Clause 6—Power to rate country lands on the area:

Hon. V. HAMERSLEY: On the second reading I said that some recognition should be made of those pioneers who have already provided their own water supplies. It is hard that they should now be charged the full rating that will be imposed upon new settlers who have not provided individual water supplies. I move an amendment—

That the following proviso be added:—"Provided that the rate to be levied on any holding situated wholly or partly within 100 yards of any pipe laid down by the board prior to the 19th day of August, 1925, shall not exceed the sum of £5, and in addition thereto a sum not exceeding 5d. per acre.

Provided also that if it be proved to the satisfaction of the board, or on appeal from the board to the satisfaction of the local court, that water works have been constructed on any holding at the expense of the holder whereby an adequate supply of water is obtained for the purpose of such holding, such holding shall be exempted from rateability under this section.

Any holder of a holding may under this proviso apply to the board or to a local court on appeal from the board, for a certificate of exemption, which the board or local court is hereby authorised to grant, such certificate to have effect for the period therein stated. On an appeal to a local court the provisions of the principal Act relating to an appeal shall, mutatis mutandis, apply."

This concession is already recognised in the Vermin Act, under which settlers who have fenced or are prepared to fence in their holdings with rabbit proof and dog proof netting are exempted from rating. So, too, under this measure we should treat those pioneers who have incurred heavy expenditure in providing themselves with water supply.

The CHIEF SECRETARY: The amendment is an eye-opener to me. From information supplied by the Water Supply Department I am advised that it is impossible to secure individual water supplies in that portion of the State. I am told that the country is porous and that scores of thousands of pounds have been spent by settlers in futile efforts to secure water supplies. If this advice be right the Bill is justifiable, but if it is incorrect then there is no justification for the measure. There may be solitary instances of settlers having been successful, but these settlers will not be rated, unless within 10 chains of a pipe line. The amendment introduces an entirely new principle in a Water Supply Bill. Nowhere in the State where a Water Supply Act operates is there such an exemption. Whether or not a person has a supply of water on his block, makes no difference; he is rated if the pipe line goes within a certain distance of his property. In the Goldfields Water Supply Act of 1911 similar provision is contained. Even

if certain settlers have provided individual water supplies, the establishment of the scheme contemplated in the Bill will enhance the value of their properties. Certainly the amendment cannot be accepted.

Hon. J. J. HOLMES: If there be really no chance of anybody establishing an individual water supply, no harm can result from the amendment.

Hon. T. Moore: In that case the amendment is not necessary, so why have it?

Hon. J. J. HOLMES: Why should a man who has gone out back and shown that he can establish a water supply on his holding be penalised? The amendment is not new. The same principle is embodied in the Vermin Act. The advice of the departmental officers to the Minister is that nobody can successfully set up an individual water supply in that area. However, the departmental officers are not always right, and if they are wrong in this instance why should we penalise the pioneer settlers?

Hon. T. MOORE: Mr. Hamersley and Mr. Holmes have both missed the point that where a settler has provided his holding with a small dam it is all right in certain years, but all wrong in other years. Having water taken past his holding will be an assurance that a settler will get it. He will therefore be in a much better position than he is in today. It is only proposed that these dams shall be made where no water can be obtained by sinking.

Hon. V. HAMERSLEY: Some of the people who will be affected already have an adequate supply from rock catchments. These rock catchments will be made use of by the department for the benefit of surrounding settlers. I agree, of course, that the department must make use of these catchments, but it is only fair to recognise what has been done by the old-established settlers in the way of providing water for themselves. It will be hard now if they are compelled to bear the expenses associated with providing water for the newcomers. The old settlers should not be made the chopping-block for those who come after.

The CHIEF SECRETARY: The amendment will not be acceptable to the Government. The Government intend to spend a large sum of money to provide water, and the proposal is attended with considerable financial risk. Every water supply Act since the inception of responsible government has contained a section similar to this. We shall certainly require some protection before we undertake these works.

Hon. A. LOVEKIN: I would like the Chief Secretary to supply me with some information. At a certain place near Korrelocking there is a rock catchment dam of about 10 or 12 acres. A wall was built around the rock catchment at a cost of £320 and there is now impounded 8,000,000 gallons of water. It took three years to fill that dam. Suppose the Bill passes, will the Government come in and take that rock catchment? There are five acres of land there and the owner would have to pay £250 a year. Would the Government compensate the owner to the full amount? Would the owner be in the position of having to take £320 and then be compelled to pay £250 a year rent because he would be 10 chains from one of the water mains? Instead of having control of the whole of the water, he would have to share it with others. If he had to do that, there would not be sufficient to do anything he might desire to do in the way of irrigation.

The CHIEF SECRETARY: There is no intention of taking any rock catchments that are privately held. I repeat that this matter has been discussed by settlers for a long time past. Petition after petition has been presented and deputations have asked successive Governments to carry out the scheme.

Hon. A. Lovekin: Do you propose to take only new catchments?

The CHIEF SECRETARY: In any case I do not suppose that these rock catchments would be taken up for grazing purposes. They are of no public utility and at present they are of no use to anyone.

Hon. A. LOVEKIN: The present Speaker of another place took up some land to the south of the rock catchment to which I have referred and he wanted some adjacent land. I told him there was a good block to the north of mine, and he took it up. In the course of a debate in another place someone tried to make out that we had been favoured by the then Minister for Lands, and that we had been allowed to pick the eyes out of the country. Mr. Walker, from his seat in the House, and in his usual declamatory fashion, declared that when he asked for land they gave him a stone. He did not hold the land after that, and eventually I got the block with the 10 acres of granite rock which lent itself to the construction of a cheap dam. I put a wall

round it at a cost of £320 and with the water that was thus impounded I was able to use the country for grazing purposes. The Minister will therefore see that this class of land can be taken up for grazing purposes.

Hon. A. J. H. SAW: On what basis would compensation be paid if a rock catchment area that was being utilised was resumed by the Government? I should imagine that the compensation would be based on the value of the rock catchment area to the owner, and not what it cost to construct a wall around it. If the Government started to resume these private dams, I should imagine they would have to pay a considerable sum of money for the resumptions.

Hon. J. J HOLMES: I am inclined to think that the position would be worse than that indicated by Mr. Lovekin. In the event of resumption, a man may get the cost of his dam, but he is left with the dam and he is charged £250 for water that he does not want. I thought we had enough to do in this country to look after people who would not look after themselves, but according to Mr. Moore we are going to look after those who are looking after themselves. Mr. Moore talked about the man who might have a water supply for a good season, but would run short in an off season. He suggested that a generous Government should come along and, as that man might run short, force him into this scheme. We have pioneers who want to help themselves and will tell anyone that all they desire is to be left alone. It is the parasite who comes along and sees what these pioneers have done and, being too lazy to do the same for himself, runs to the Government urging them to provide a scheme and make all, including the pioneer who desires to be left alone, pay for it. There is no logic, reason, or justice in the proposal. If we force measures like this upon men who want to be left alone, we will kill enegry, enterprise, and development.

Hon. J. NICHOLSON: The Minister has perhaps overlooked the provisions of Section 46 of the principal Act relating to the taking of private land. I understood him to say that it was the intention of the Government to include certain catchment areas that were not utilised at present, and to construct reservoirs in the vicinity of the rocks there, leading the water thence to wherever it was required. The remarks by Mr. Lovekin raise the question of the position of a settler who happens to have land with good rock and catchment areas, where he has been successful in establishing a good water supply for himself. That man may be deprived of his water supply, and that is the danger the settlers will have to run. Thus, the point mentioned by Mr. Lovekin is pertinent. There is a good deal also in the point raised by Dr. Saw regarding compensation. Section 46 sets out what the water board can do. It may be that there are some sites where water supplies have been provided that would be suitable for the requirements of the district. There was the instance cited by Mr. Lovekin.

Hon. A. Lovekin: I could take water to the whole of the Tammin settlement area.

Hon. T. Moore: But you could not supply them with the quantity of water you mention.

Hon. J. J. Holmes: Is not the point that the Government might take Mr. Lovekin's water from him and sell it back to him?

Hon. J. NICHOLSON: That is so, and while he might claim compensation under the Public Works Act, he would be deprived of his water supply and would probably be required to pay, on his holding, about £250 to the Government.

The Honorary Minister: But that supply would not be suitable for the purposes of the Government.

Hon. J. NICHOLSON: There are other provisions in the principal Act which might result in this legislation operating harshly on private owners, and I am glad to have the assurance that the supplies in some of the areas I have referred to, would not be suitable for the purposes of the Government. I realise that it is not the intention of the Government to hinder settlement.

Hon. C. F. BAXTER: In the particular districts where the Government suggest laying down the schemes, thousands of pounds have been spent and yet it has not been found possible to provide water necessary for the holdings. I do not know of any permanent water in those districts, and even in wells the water is not permanent.

Hon. V. Hamersley: I know of one where there is a magnificent supply that will keep the country going.

Hon. C. F. BAXTER: And I have known the time when that supply was as dry as any street in Perth to-day.

Hon. J. J. Holmes: Then the amendment cannot do any harm.

Hon. C. F. BAXTER: I am afraid that if the amendment be carried, the Government will not go on with the Bill. The people have been battling for these water supplies for a long time, and it is too serious to risk the loss of the Bill. I am afraid that if the present conditions continue for much longer, the settlers will not be able to remain on their holdings, seeing that some of them have to cart water for distances upwards of 20 miles. I hope the Committee will not agree to the amendment.

Hon. A. LOVEKIN: Reference has been made to the rock at Korrelocking. I would like to explain that I have not owned it for some years and have no interest in it now.

The CHIEF SECRETARY: It is difficult to follow the remarks of hon. members. I do not know whether they are stating facts based on experience or are merely referring to what they consider may happen. Are Mr. Lovekin, Mr. Holmes, and Mr. Nicholson acquainted with these districts? I am not. I have been supplied with information by the Water Supply Department from which I learn that settlers have been carting water for upwards of 20 miles.

Hon. C. F. Baxter: That is true.

The CHIEF SECRETARY: I could scarcely credit it, and before accepting that statement, I had it verified. It seemed almost incredible that settlers should have to cart water for such a distance. Members showing opposition to the Bill should be able to state facts. Mr. Holmes spoke about old pioneers who would be oppressed by the Bill. Such settlers have been asking for the Bill.

Hon. J. J. Holmes: Then they have no water supply?

The CHIEF SECRETARY: No.

Hon. J. J. Holmes: Then the amendment can do no harm.

The CHIEF SECRETARY: I want to know the reason for the amendment. Is there a water supply in those districts or not? I was under the impression that the rock catchments were on Crown lands. If they are on private property, the Government would have to resume them and pay for them. If members could show that the Government propose to provide water supplies where they are not required, there would be some foundation for their objections.

Hon. V. HAMERSLEY: As settlers require water supplies, I have no wish to jeopardise the Bill. There are splendid rock catchments and good schemes can be laid down. Even the Government were going to abandon the State farm at Wongan Hills because water could not be obtained.

Hon. J. J. Holmes: Did they get it subsequently?

Hon. V. HAMERSLEY: Yes, a good supply. The hotel at Wongan Hills is dependent upon rain water tanks. If the Government failed to get an adequate supply for their State hotel, it is small wonder that private individuals have not succeeded in providing supplies for themselves. When they have tried and obtained supplies, they should receive some recognition for their work and expenditure. The Bruce Rock town and many of the farmers need an adequate water supply. Mr. Hedges has a good supply and so have some of the farmers, and it seems unfair that such men should have to pay for water supplies for those who have not attempted to help themselves.

Hon. H. A. STEPHENSON: I take it that a large majority of the settlers have asked for water supplies and I have heard no objection to the Government's proposal. The Government should be congratulated on their efforts to overcome this difficulty. We shall be taking very little risk if we pass the Bill, and I should be sorry to think that the amendment would be pressed to the extent of jeopardising the passage of the measure.

Hon. A. J. H. SAW: My recollection of Perth extends back over 50 years. In those days we were dependent on windmills and surface wells for water supply. Then came a scheme, but I never heard any suggestion of paying compensation to the people who had windmills or surface wells, or exempting them from the ordinary water rate. What is good enough for the town should be good enough for the country.

Hon. J. J. HOLMES: There is this difference, that while town people pay the water rate, if a man has a supply of his own, he does not have to pay for any excess. Under this Bill, if a man has an adequate supply, he will have to pay the full rate per acre irrespective of whether he takes any water from the scheme. If water cannot be obtained except by these means, where is the objection to the amendment, and where is the necessity to threaten the Committee to abandon the Bill if we insist on the amendment, a threat that we ought to resent.

Hon. J. Cornell: That was only a suggestion.

Hon. J. J. HOLMES: It has evidently frightened two members who support the amendment. If they are prepared to run away from it, I shall not.

Amendment put and negatived.

Clause put and passed.

Clauses 7 to 9, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—JURY ACT AMENDMENT.

In Committee.

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

Clause 6—Amendment of Sections 28 and 31:

Hon. A. J. H. SAW: The retention of this clause would have been consequential if the special jury system had not been retained. As it has been retained there is no necessity for the clause. The same thing applies to Clauses 7, 8, and 9.

Clause put and negatived.

Clauses 7 to 9—negatived.

Clause 10—Amendment of Section 37:

Hon. A. J. H. SAW: I move an amendment—

That in lines 2 and 3 the following words be struck out:—"By omitting the words 'for a common jury and twenty-five shillings per juror per diem for a special jury' and"

This will mean that the increase from 15s. to £1 per day for a common jury will be granted, and that the sum of 25s. per day for a special jury will remain.

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

Clause 11—negatived.

Clause 12—agreed to.

Postponed clauses 2 and 4—negatived.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by Hon. A. J. H. Saw, Bill recommitted for the purpose of further considering Clause 3.

Hon. J. W. Kirwan in the Chair; the Honorary Minister in charge of the Bill.

Clause 3—Repeal of Section 6:

Hon. A. J. H. SAW: This clause repeals the qualifications of special jurymen. As the Committee has decided that special jurors shall be retained it is necessary that there shall be some qualification for them. I do not think we are agreed that the present qualifications are the best. On the other hand, every other State but Queensland has special jurors, and their qualifications are higher than ours. I hope the Government will appoint a Royal Commission to inquire into the whole of the jury system, but it would be well in the meantime if the Committee retained the present qualifications for special jurymen. I shall, therefore, vote against the clause.

The HONORARY MINISTER: I cannot say what the Government will do in respect of Dr. Saw's suggestion. I am surprised that certain amendments of which notice was given were not moved. The voting that has taken place indicates that members have a dead set against the Bill.

Clause put and negatived.

Bill again reported with a further amendment.

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. E. H. HARRIS (North-East) [8.40]: This Bill should be of great interest to members, inasmuch as it affects the Electoral Act under which they are elected to this House. The Commonwealth Government are frequently charged with invading State rights. On this occasion the Government of the day suggest that one of the State institutions, the Electoral Department, shall practically be handed over to the Federal Government, whose officers will, under the direction perhaps of the State Electoral Officer, conduct the machinery for cleansing the State rolls. The Leader of the House has covered the chief features of the Bill, one of which is with reference to compulsory voting. Last session Mr. Ewing introduced a Bill for compulsory enrolment, which found very little favour with members.

Hon. A. Burvill: And compulsory voting also.

Hon. E. H. HARRIS: This Bill provides for compulsory voting.

Hon. V. Hamersley: For the Assembly.

Hon. E. H. HARRIS: Yes, and for the Legislative Council. I am not wedded to compulsory voting. The majority of the people who are interested in those who may be elected to Parliament will go to the poll. If we look at the statistics for the Legislative Council, the Legislative Assembly, and the prohibition poll which was taken last year, we find that the average percentage of voters recorded to the net enrolment in the contested districts for these three elections, was 53.72, and that 7 per cent. less females recorded their votes to males in proportion to the numbers on the roll. Whilst compulsory voting may compel the greater number of electors to record their votes, those who would not be sufficiently interested to go to the poll but for compulsion would rarely exercise the franchise in the same way that persons who were interested would do. A person who has been forced to go to the poll will most likely simply mark off on the paper the names, one, two, three and four, in the order in which they appear there. I am open to conviction on the subject of compulsory voting, but at present I am not in favour of the proposal. As regards compulsory voting for the Legislative Council in particular, it is not obligatory on the individual to enrol for the Legislative Council. If anyone setting out to induce a person to enrol for the Legislative Council informs him at the same time that if, being enrolled, he neglects to vote he will be liable to a fine, the chances are that the person will not enrol at all. Whilst any person 21 years of age can enrol for the Legislative Assembly, the qualifications for enrolment for the Legislative Council are entirely different. This position might arise: a person might be occupying premises and might be on the ratepayers' roll, and his name might inadvertently be allowed to remain on the municipal roll after he ceases to occupy the premises. That person should not then be on the municipal roll and he would not have a qualification to vote for the Legislative Council; yet he would come within the scope of this Bill and be liable to a fine if he did not record a vote at a Legislative Council election. Certain clauses of the Bill vest various powers in the Minister. Many measures before us recently have vested powers in the Minister administering them. In this instance power is taken away from the Governor to be vested in the Minister. The Bill provides that the Minister may appoint returning officers. It might happen that a Minister appointed a returning officer in an electorate which he himself was contesting. It is open to argument whether a Minister should have the right to make such an appointment. Certainly the Minister would be wise to refrain from exercising the power. As the Bill vests him with the power, however, he is liable to find himself in an awkward position. There is another aspect to which I would like to draw the Chief Secretary's attention. Clause 42 provides that any person having resided in Western Australia for a period of three months shall be eligible for enrolment. Any person who has been in the Commonwealth for six months, and in one district for one month, is entitled to be placed on the Federal rolls. Thus a man arriving in Western Australia from the Eastern States will have to remain here for three months before becoming eligible to be placed on the State roll. In an election over which feeling was running high, say a State election following closely on the heels of a Federal election, the departmental officers would find it very difficult to explain to a person who had voted at the Federal election that he was not eligible to vote at the State election.

Hon. J. Cornell: Anyone enrolled for the Commonwealth should be allowed to vote for the State.

Hon. E. H. HARRIS: The conditions of enrolment should be absolutely uniform. Such a position as I have suggested would cause grave discontent, and political capital might be made out of it, possibly to the detriment of the Electoral Department. Clause 52 seeks to amend Section 75 of the principal Act. Section 75 provides—

> Subject to the provisions of Section 8 of the Constitution Act Amendment Act, the Governor may extend the time for nomination of candidates.

Section 8 of the Constitution Act Amendment Act refers to members who are to retire periodically, and also to the times for issue and returns of writs, and how seniority of members for the various provinces is to be determined. Clause 52 of this Bill seeks to strike out the words "Subject to the provisions of" and to insert in lieu "Notwithstanding anything contained in." Section 75 of the principal Act, if Clause 52

of this Bill is carried, would then provide that "Notwithstanding anything contained in Section 8 of the Constitution Act Amendment Act" certain things may be done. It looks like a clumsy attempt to amend the Constitution. Certainly the Constitution Act is not to be amended by amending the Electoral Act. Perhaps the Leader of the House, when replying, will indicate what is really meant by Clause 52.

Hon. J. Cornell: The Bill is out of order unless it is accompanied by a certificate that it was carried by an absolute majority in another place.

The Chief Secretary: That provision refers to the time for nomination of candidates..

Hon. E. H. HARRIS: But does it not in effect propose to amend the Constitution?

Hon. J. Cornell: Of course it does

Hon. J. J. Holmes: If the clause does not seek to amend the Constitution Act, it is an attempt to get behind that Act.

Hon. E. H. HARRIS: Another amendment proposed by the Bill refers to postal votes. The Leader of the House made a special point that in future postal vote officers would not be allowed to run around taking postal votes on polling day upon the plea that someone was sick. As this measure seeks to follow the lines of the Federal Electoral Act, I would recommend the Government to follow the Federal procedure in regard to the taking of postal votes. It is not possible to work many jokes under the Federal system of taking postal votes. One has to apply to the Federal officer with a certificate signed by certain officials. The Federal officer then issues a ballot paper, and a certificate has to be signed in the presence of officers by the individual who is alleged to be sick or outside the district. On more than one occasion in Western Australia cases have occurred where the postal vote section of the State Electoral Act has been abused, and abused badly. The clause of this Bill empowering the postal vote officer in a district to delegate to some other person the power to take his vote is a very good idea, particularly as regards remote centres. It will, however, leave the system open to many abuses which would be obviated if we followed the lines of the Commonwealth scheme. The Bill provides for the issue of notices to persons applying for enrolment, and for the issue of further notices that they have been enrolled. I would like the Chief Secretary to indicate whether two separate notices are to be sent out by the Federal officer—a Federal notice and a State notice. The Federal Act provides for a penalty, and occasionally we hear of people being fined for not being enrolled or for not notifying a change of address. Similar conditions are provided with regard to the State. As they are to be attended to by the same officer, I would like to know whether in the case of a prosecution the Federal and State Governments would each issue a summons and whether two charges would be laid against the individual? Furthermore, who would issue process? Would the State Government take the initiative in prosecuting, or would the Federal Government? Two or three clauses of the Bill provide that the Minister may be vested with powers that are now vested in the Governor. This being a Bill to amend the Electoral Act, I would like to see provision made whereby the State Chief Electoral Officer would take his instructions solely from the Minister in charge of the Act, if there are any instructions to be given. As the Bill stands, the Chief Electoral Officer may not get his instructions direct from the Minister. No one should come between the Minister controlling the Electoral Department and the officer in charge of it. Another important amendment follows upon compulsory enrolment. There is a clause providing that people following certain vocations, such as boundary riding, kangaroo hunting, and surveying, after having been enrolled in a location, will not be called upon to put in an alteration card should they change their address. My experience of both the Federal and the State departments has been that if a man of the nomadic class duly notifies the electoral officer that he is frequently away from home for long periods, a special note is made on his card and he is not removed from the roll as he otherwise would be. The provision in the Bill permits of a man, once he is enrolled, keeping his name on the roll for all time, for under it his name could never be removed. I cannot help thinking that the provision goes further than was intended.

Hon. J. J. Holmes: They forgot to include rabbit trappers in this.

Hon. E. H. HARRIS: Yes, and bushrangers.

Hon. J. Nicholson: And commercial travellers.

Hon. E. H. HARRIS: Commercial travellers were originally in the Bill, but in another place were taken out, and for very good reasons. Then there is in the Bill a provision to the effect that the validity of any enrolment shall not be questioned on the ground that the person enrolled has not lived in the district or subdivision for which he is enrolled, for a period of one month. Before I vote for that, I will require very good reasons for it. I cannot understand why the provision has been inserted. It is said that it has been taken from the Commonwealth Act.

The Chief Secretary: Yes, it is in the Commonwealth Act.

Hon. E. H. HARRIS: We provide in the Bill that appeals may be lodged, but if the validity of enrolment cannot be challenged it would be foolish for anybody to waste time lodging an appeal. Then, there is a provision in Clause 36 that justices of the peace shall be permitted to sit on a bench dealing with appeals in relation to enrolment. That, I submit, should be left to stipendiary or police magistrates, for we have many justices of the peace who are active political partisans, notwithstanding which they may be called upon to preside over some important electoral appeal nase. That would not be desirable.

Hon. A. Burvill: Are you not casting a reflection on justices of the peace?

Hon. E. H. HARRIS: No, but I repeat that many of them are actively connected with political parties, and so it is undesirable that they should sit on these appeal cases. As to compulsory voting, it is provided that a person who fails to record his vote shall be liable to a penalty of £2. The Chief Electoral Officer will compile a complete list of those who have failed to vote and will ask them for valid reasons why they did not vote. It would be perfectly easy for any person to give a thousand valid reasons why he did not go to the poll. I should like to have explained to me the machinery under which such a person is to be fined £2. The list is to be compiled by the Chief Electoral Officer. Is he then to take action against all who fail to give valid reasons for not having voted, or is he to submit the reasons to the Minister and le the Minister decide as to who is to be prose cuted? If we are going to fine people fo not voting, we should definitely provide tha in every instance it is the duty of the Chie Electoral Officer to prosecute unless he get a valid reason for the elector not voting. Th power to say whether the electoral officer is o is not to prosecute should not be left with an Minister. I will support the second reading but will move several amendments in Com mittee.

Question put and passed.

Bill read a second time.

BILL—MUNICIPALITY OF FREMANTLE.

Second Reading

HON. G. POTTER (West) [9.10] in moving the second reading said: For a con siderable number of years the municipa authorities of Fremantle have been endea vouring to amend some of the architectura mistakes of the past. No one travelling through Fremantle would say that when the town was originally laid out there was any attempt at town planning. In those days of course, town planning was scarcely dream of, but now, with a quickening of the muni cipal conscience, there is a very sincere de sire among the municipal authorities of Fremantle to improve the town structurally and bring it up to what it should be as the chief port of Western Australia. I do not propose to traverse the provisions of the Bill at any length, since it is identical with the City of Perth Bill, which was unanimously passed by the House only a day or two ago. That being so, and since the conditions that apply in Perth apply also in Fremantle, hon. members will not desire that I should speak at any length on the second reading. When I say that such a Bill is just as necessary to Fremantle as it is to Perth of course I admit that the requirements of Perth are greater. Still, I can safely say that the Bill is as necessary to Fremantle as it is to Perth in direct ratio to the size and population of the respective towns. Therefore, I will content myself with moving—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—PERMANENT RESERVE A4566.

Received from the Assembly and read a first time.

House adjourned at 9.17 p.m.

Legislative Assembly,

Wednesday, 14th October, 1925.

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

QUESTION—TIMBER LOADING DISPUTE.

Mr. WITHERS asked the Minister for Works: 1, Is he aware that a dispute occurred in Bunbury over the rate to be paid for the handling of powellised timber to be shipped by the s.s. "Kolonga" on 2nd September, 1925? 2, Is it a fact that this timber was re-railed to Manjimup on the 10th September, 1925? 3, If so, what was the cost of re-railing? 4, What was the total amount of the increase asked for? 5, Is it a fact that 10 trucks of this timber were then sent to Fremantle on the 9th October, 1925, to be loaded into the s.s. "Lowana," which is proceeding to Bunbury for a full load of timber? 6, If so, what was the reason for sending the 10 trucks of timber to Fremantle? 7, Is he aware that 100 loads were sent to Busselton? 8, Why was this sent to Busselton, seeing that it was the last timber put into the hold, and the ship was going to Bunbury to complete loading? 9, Will he give this matter full consideration with a view to saving a repetition of what occurred?

The MINISTER FOR WORKS replied: 1, Yes. 2, Yes. 3, £250. 4, A board of reference, as provided under the award of the Federal Court, was called and awarded 7½d. per hour extra over the ordinary rate, but the Bunbury lumpers demanded 1s. per hour extra, and refused to abide by the board of reference decision or the instructions, telegraphed from Melbourne by their own union executive, to work the timber. 5 and 6, No. The 10 trucks of powellised timber sent to Fremantle came from Pemberton, and was not the same timber. 7, Some powellised timber has been loaded at Busselton. 8, To suit the convenience of the State Saw Mills Department. 9, The Minister has no control over the shipment of this timber, as the steamship companies are responsible for its loading. I invited the representatives of the Bunbury union to meet me and discuss the matter, but they did not accept the invitation.

QUESTION—RAILWAYS, CEMENT TESTS.

Mr. MANN asked the Minister for Railways: 1, Is it a fact that the Railway Department have made a series of practical tests with local cement and with several imported cements? 2, If so, what was the result of those tests?

The PREMIER (for the Minister for Railways) replied: 1, Yes. 2, Although some of the local cement previously manufactured varied somewhat in quality, that now being produced is satisfactory, and recent tests compare favaurably with those of imported cement.

MINISTERIAL STATEMENT.

Mining—Comet Vale.

THE MINISTER FOR MINES (Hon. M. F. Troy—Mt. Magnet) [4.34]: I promised to make a statement regarding the Sand