

can see in it is that we want Mr. Walsh here. If we could only have him with us, then we would have all shades of political opinion represented in the Chamber. I think it would be found that after some hon. members had done with him here, he would hold different opinions himself. I can honestly and conscientiously express the wish that those members who have to go up for re-election will be returned to their places in this House. As I said to an hon. member to-day, a newcomer amongst us has not, in the early stages of his career as a member of this Chamber, the knowledge of the forms of the House and experience generally to enable him to carry out his work with justice to himself. When he has been in the Chamber for some time, it is different. He does not get very far during his first year or two because he has not established the confidence of other members in his ability and capacity. When we have amongst us eight or 10 experienced members who know how to give and take, how to debate and compromise, and yet maintain their strong personal opinions, we shall be fortunate if we have them back with us after the elections. I hope that will be our experience next year. In conclusion, I wish all the compliments of the season and I hope you will have a very happy and prosperous New Year. I desire to invite members to meet me in the President's room so that, over some refreshments, we may say farewell.

Question put and passed.

House adjourned at 4.4 p.m.

Legislative Assembly,

Friday, 18th December, 1925.

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The SPEAKER took the Chair at 11 a.m., and read prayers.

QUESTION—LAND RESUMPTION, KARRAGULLEN.

Mr. SAMPSON asked the Minister for Works: 1, In connection with the purchase and removal of Mr. T. K. White's house from land resumed at Karragullen, is he aware that the house has already been dismantled? 2, Will he say why it was that a written request, dated 2nd June last, asking for an opportunity to tender for the purchase of the building in the event of its being for sale, was disregarded? 3, Is he now able to give information regarding the conditions of removal and the price obtained?

The MINISTER FOR WORKS replied: 1, No. 2, Through a regrettable oversight. 3, No.

QUESTION—UNEMPLOYMENT AND CHRISTMAS HOLIDAYS.

Mr. PANTON (for Mr. Sleeman) asked the Minister for Works: 1, Is he aware that the unemployed recently sent out on the roads to work are to have a compulsory holiday without pay for 10 or 12 days during Christmas and New Year? 2, If so, will he en-

deavour to have these men, who cannot afford to have a holiday under these conditions, kept employed?

The MINISTER FOR WORKS replied: 1, No. There is no truth in the assertion.

QUESTION—WYNDHAM MEAT WORKS, UNSKILLED LABOUR.

Mr. PANTON (for Mr. Lamond) asked the Honorary Minister (Hon. S. W. Munzie): Is it the intention of the Minister to issue instructions to absorb the necessary unskilled labour for the Wyndham Meat Works for the forthcoming season from those permanently residing in the North-West?

Mr. MUNSIE replied: Yes, as far as practicable.

MOTION—COMMISSIONER OF RAILWAYS.

To approve Appointment.

THE MINISTER FOR RAILWAYS
(Hon. J. C. Willcock—Geraldton) [11.5]: I move—

That the re-appointment by His Excellency the Governor of Lieutenant-Colonel Harold Pope, C.B., as Commissioner of Railways, at a salary of £2,000 a year, in the terms of the Executive Council minute laid on the Table of the Legislative Assembly on the 17th day of December, 1925, be approved.

If I attempted to deal with all the matters that come within the administration of the Commissioner of Railways I should be here for a week. We recently had a discussion on the Railway Estimates which practically covered the administration of the Commissioner, and at that stage full particulars were given concerning the system generally. Whatever credit was due to the Commissioner was also accorded to him, and matters generally, were fully discussed. Since the Commissioner took office there has been a steady and consistent improvement in the financial position of the railways. Neither Colonel Pope nor anyone else can claim credit for all the improvements. Undoubtedly there has been wise and capable administration. At the same time our industries have developed, which would have tended to bring about a distinct and decided improvement in the system.

Mr. Sampson: The head of the organisation is the moving spirit.

Mr. George: If he has to take the kicks, he should have the ha'pence.

The MINISTER FOR RAILWAYS: And I would not deprive him of them. Neither he nor anyone else can take credit for the whole result of the policy laid down. Without capable and effective administration, from the head downwards, we should have been in a worse position than we are in now. Credit is certainly due to Colonel Pope for his administration of the department. There have been several minor complaints. There always will be complaints with regard to a big system like this.

Hon. Sir James Mitchell: We complained about the Minister himself yesterday.

The MINISTER FOR RAILWAYS: Without any justification.

Mr. Sampson: If there are no complaints there is no progress.

The MINISTER FOR RAILWAYS: The relationship between members of the staff has been comparatively cordial. There has been a disposition on the part of all the unions concerned in the working of the railways to meet one another amicably. This has shown tactical and wise administration. There are four points on which satisfaction exists. The financial position has considerably improved. The relationship between the Commissioner and the customers of the railways has been satisfactory. The relationship between members of the staff, which is an important factor, has been satisfactory. The maintenance of the system and all its ramifications has been kept up to a high standard. With regard to the extension of facilities for dealing with the traffic, as I said on the Loan and Railway Estimates, there is any amount of scope for the expenditure of capital, which would make not only for general convenience and the despatch of business, but would be a commercial proposition as it would bring in more than interest on the outlay. The Railway Department must share, with other departments, what can be allocated out of loan funds. We could spend double the amount of money available with benefit to the customers of the service and to the State in general.

Hon. Sir James Mitchell: With our limited funds we have to do the best we can for the State in general.

The MINISTER FOR RAILWAYS: That is what we are doing. The system can

only get its share. If we could give the railways a bigger share, we could do much more.

Hon. Sir James Mitchell: It would be a weak thing to admit.

THE MINISTER FOR RAILWAYS: There are many directions in which the system could be improved, but that can only be done by the expenditure of loan capital. We could increase our rolling stock, we could do more regrading, and generally improve the system which would make for more economical working, but we must do the best we can with the facilities at our disposal until sufficient loan capital is available for this work.

Mr. North: The expenditure of money would make for greater economy in working.

THE MINISTER FOR RAILWAYS: Yes. The Commissioner has been responsible for the administration, but the Government are entirely responsible for the loan expenditure. Whatever has been done in the latter direction has been done under the control and policy of the various Governments who have been in power since Colonel Pope assumed the Commissionership. Colonel Pope has always advocated the expenditure from loan of considerably more money than has been available. If more money were available, it would result in further economies, more efficiency, and more satisfactory and better administration generally. The pleasing feature about the Commissioner as an administrator is that practically the whole of his experience as a railway man has been gained in the State. It is gratifying to find that when the opportunity offers we have in our own service people who are capable, when they get the opportunity, of taking the higher positions in the land. This position is one of the two or three most important in our Public Service. It is pleasing to know that when the time came to appoint another Commissioner we had a man in the service capable of filling the position. Our railway system is reasonably efficient, and the difficulties and problems inseparable from such a growing concern have been successfully overcome. I wish to pay a tribute to the staff associated with Colonel Pope. He has a staff of very capable officers. The workmen scattered over a system comprising 4,000 or 5,000 miles in extent, have given of their best to make this great public utility the success it has been during the past four or five years.

No matter what capacity may be found in the administrative heads of the departments, it would be impossible for them to make a success of this big undertaking without the co-operation, help and assistance, which have always been freely and cordially extended to the management and the country by the whole of the officers and wages staff in every department of the Railway Service. The Commissioner deserves considerable credit for the tact he has displayed which has resulted in the amicable relations necessary for the successful operation of the system. I have much pleasure in submitting the motion.

HON. SIR JAMES MITCHELL (Northam) [11.13]: I am glad that Colonel Pope has been reappointed to the position of Commissioner. He has done magnificent service during his term of office. I agree that it is due largely to the personality of the Commissioner that the staff from one end of it to the other have co-operated to the extent they have done for the good of the country. Of course, there has been tremendous development, and we expected this would alter the financial position of the railways. The Minister cannot have all the money he would like to spend on the railways, money that could be borrowed at 6 per cent. and could perhaps earn 10 per cent. There is a limit to the amount we can borrow. Much could be done if only we had money to improve the system and the improvements would lead to further economies. Since 1914 we have been carrying on as best we could with the facilities available. Undoubtedly large sums of money could have been spent on improvements to our railways and to our harbours.

The Minister for Lands: Some members seem to think it is easy to get money.

Hon. Sir JAMES MITCHELL: That is so. Money will be difficult to borrow for some years to come, and when we do borrow it, it must be expended on works that will return real cash. We could not borrow money merely to reinvest it at a profit of 2 or 3 per cent.

The Minister for Lands: And you could not get that money if you wanted it.

Hon. Sir JAMES MITCHELL: That is so. Loan moneys for railways must be expended as economically as revenue. Too often that is not realised. I was glad to hear the Minister pay a tribute to the

Commissioner and to the men. I believe the public are fairly satisfied. We have a big system extending over nearly 4,000 miles of railways and, unfortunately, a good deal of the service consists of dead lines in the back country. The Commissioner has a very difficult position to fill.

MR. THOMSON (Katanning) [11.18]: I congratulate the Government upon their reappointment of Colonel Pope. It is gratifying to know that he received his training in the Western Australian Government railways.

Hon. Sir James Mitchell: He received training with the English railways first.

Mr. THOMSON: But he completed his experience here. His term of office has been to the credit of himself and the advantage of the State. He took over the railways when they were starved for rolling stock and were in a bad way. His generalship and administrative ability have brought the railways to the present satisfactory position, in which task he has had the loyal co-operation of the whole staff. Complaints are made, particularly by passengers who have travelled by the trans-Australian railway, regarding the sleeping accommodation available on the State railways. I hope the Minister will find it possible to have a certain number of coaches, both first-class and second class, reconditioned and altered so as to get rid of the 4-berth compartments. I thank the Minister for the courtesy extended to me in making available a copy of the agreement regarding the Commissioner's appointment. I take it that if the Government decide to appoint three Commissioners, it will involve an amendment to the existing Act.

The Minister for Railways: That is so.

Mr. THOMSON: Anything I desire to say on that point may be dealt with then. I congratulate the Government upon reappointing Colonel Pope who has done so much in the interests of the railways and of the State.

MR. LAMBERT (Coolgardie) [11.21]: In supporting the remarks of the Minister for Railways, I hope the Government will consider the question of separating the control of the railways from that of the tramways and the electricity supply.

The future of the State depends on cheap transport and power. It is beyond the capacity of any one man to control the railways, involving a capital expenditure of £20,000,000, the tramway system of the metropolitan area, and the power scheme of the State. The need for cheap power in Western Australia must be obvious to even the most casual observer, and that power must be developed and made available quickly. We are not likely to get anywhere if the present dual control continues. The work Colonel Pope has achieved as head of the Railway Department has been all that was expected of him, but he should be asked to control only the railway system. The tramways should not be run by the Railway Department administration, but should be run in competition with it, for the greater convenience of the public.

The Minister for Railways: Two State departments running in competition!

Mr. LAMBERT: Yes, it would liven up both. There is no competition at present.

The Minister for Lands: Nor should there be.

Mr. LAMBERT: There is serious outside competition against both the trams and the railways, and by the expenditure of £20,000 or £30,000 the Government could overcome that opposition.

The Minister for Lands: Why not make the people of Perth pay for their own trams.

Mr. Corboy: That would be all right.

The Minister for Lands: It would be all wrong, and I can show it to you in black and white.

Mr. LAMBERT: I will wrangle seriously with anyone who contends that the Commissioner of Railways can properly control his department and also control the tramways and the electricity supply. We have the most capable electrical engineer in the Commonwealth in charge of our power scheme, and that was demonstrated recently when the Commonwealth Institute of Electrical Engineers selected him to be one of the delegation to go to the Power Conference in England.

Mr. Sampson: Are you referring to Mr. Taylor?

Mr. LAMBERT: Yes.

Mr. North: And yet he has to put everything through the Commissioner for Railways.

The Minister for Lands: I consider that Mr. Taylor should confine himself to supplying power in bulk.

Mr. LAMBERT: That is a question of policy but, with all due respect to Colonel Pope, I claim that if we have a layman in charge we will not establish the policy of development so essential for the supply of cheap power.

MR. SAMPSON (Swan) [11.27]: It is admitted that the work of the Commissioner of Railways has thoroughly justified his appointment and I was glad to hear the tribute paid to him by the Minister. Too often the claims of local men are overlooked in favour of those whose experience has been gained in other countries. Too often, it has to be added, the final results show that the outsiders have been overrated. A man who has gained his experience, as did Colonel Pope, with the Government railways has a full knowledge of the organisation and can realise better where improvements can be effected. It is pleasing to note that the Railway Department is out vigorously for business.

Mr. Corboy: Even to the extent of disfiguring trucks to get a few extra bob.

Mr. SAMPSON: I do not approve of that. I am glad that the cash on delivery system has been inaugurated.

Mr. A. Wansbrough: But it has not been extended enough.

Mr. SAMPSON: The railway officials lack the quality of publicity. I hope the Minister and the Commissioner of Railways will extend the support given to the system, particularly for the distribution of fruit.

The Premier: And incidentally to advertise in the country Press.

Mr. SAMPSON: The matter of reduced prices for small lots has been previously mentioned.

The Premier: What has this to do with the motion?

Mr. SAMPSON: I hope the principle of doing all possible to assist the growers will be continued and extended.

The Minister for Lands: That has nothing to do with the appointment!

Mr. SAMPSON: I want to see the Victorian methods adopted here.

The Premier: You said that over and over again weeks ago.

Mr. SAMPSON: If those methods are adopted here it will result in very great assistance being given to the growers.

MR. NORTH (Claremont) [11.30]: It is very important that the remarks of the member for Coolgardie (Mr. Lambert) be taken seriously by the Minister, with the idea of relieving the electricity supply. Of course the present attitude is due to the lack of money, but it is important that the electricity supply should be separated from the administration of the railways. Only this morning we learned in the "West Australian" that Mr. George Fairbairn, Agent General for Victoria, had declared that England has discovered that industrially she has been left by America through not having installed cheap power. So long as the electricity supply is under Colonel Pope, his very duties as Commissioner of Railways must compel him to try to suppress another department under him from demanding funds.

Question put and passed.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Request for Conference.

THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [11.33]: I move—

That a conference be requested with the Council and that at such conference the managers for the Assembly be the Hon. P. Collier, Mr. Davy, and the Hon. A. McCallum.

Question put and passed and a message accordingly transmitted to the Council.

Sitting suspended from 11.35 to 11.55 a.m.

BILL—MINER'S PHTHISIS ACT AMENDMENT.

Returned from the Council without amendment.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Conference with Council.

Message from the Council received and read notifying that it had agreed to the Assembly's request for a conference and that the Council had appointed as managers Hons. J. J. Holmes, E. H. Harris and J. M. Drew.

Sitting suspended from 12 noon (Friday) to 7 a.m. (Saturday).

Conference Managers' Report.

The MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [7.5]: I desire to report that the Assembly managers met in conference the managers from the Council in respect of the amendments made by the Council to this Bill. The following agreement has been arrived at:—

No. 1. Clubs.—Council's amendment agreed to.

No. 2. Preference.—Council's amendment agreed to.

No. 3. Domestic Servants. — Council's amendment not agreed to and the first paragraph of subclause (6) of the Bill deleted. In lieu thereof the following is inserted:—“(6.) By inserting after the words ‘domestic service,’ in the interpretation of ‘worker,’ the words ‘in a private home, provided that no home in which more than six boarders and/or lodgers are received for pay or reward shall be deemed to be a private home.’”

No. 4. Insurance Canvassers.—Council's amendment agreed to.

No. 7. Same industry.—Council's amendment agreed to.

No. 8. Application to de-register while cases pending.—Council's amendment not agreed to.

No. 9. Registration of A.W.U.—Council's amendment agreed to.

No. 10. Consequential on No. 9.—Council's amendment agreed to.

Nos. 11 to 17 inclusive.—Council's amendments are not agreed to. In lieu thereof Clauses 8 to 14, inclusive, are amended as follows:—

No. 11, Clause 8. Strike out all words after the word “is” in first line and insert “amended by inserting after the words ‘shall be a’ in line 5 the words ‘person qualified to be appointed a,’ and by substituting for the word ‘nominated’ in line 6 the word ‘appointed’ and by substituting for the word ‘judge’ in line 7 the words ‘third member,’ such amendment shall have effect from the 7th day of April, 1925.”

No. 12, Clause 9. Strike out all words after “is” in first line and insert “amended by substituting for the words ‘a judge of the Supreme Court’ the words ‘a person qualified as aforesaid.’”

No. 13, Clause 10. Strike out all words after “as follows” to the end of the clause and insert “47 (1.) The tenure of office of the President shall be the same as in the case of a Judge of the Supreme Court; and he shall be entitled to all rights and privileges of a Judge (including pension).”

Provided that a President shall not continue in office after he shall have attained the age of seventy years.

(2.) Each ordinary member of the Court shall be appointed for a period of three years and until the appointment of his successor.

(3.) Each ordinary member of the Court shall be eligible for re-appointment.

(4.) In the event of the period of office of the ordinary members of the Court expiring

during the period of any investigation on which the Court has entered, the Governor may continue them in office for such time as may be necessary to enable them to take part in the completion of the matter.

No. 14, Clause 11. Lines 3 and 4, strike out the words “If he is not a Judge of the Supreme Court.”

Nos. 15 and 16. Council's amendments not agreed to.

No. 17, Clause 14. Strike out all words after “amended” in line 1 and insert “by omitting the words ‘other than the President’ and by inserting in place of the words ‘before the President’ the words ‘Before a Judge of the Supreme Court.’”

No. 18. Power of Minister to refer a dispute with an unregistered body to the Court to be given into the hands of the Court.—The Council's amendment is disagreed with and in lieu thereof Clause 15 is amended by the deletion of all words in sub-paragraph (b) from the beginning to the word “and” in the twelfth line inclusive.

No. 21. Appearance of Solicitors in Court.—Council's amendment agreed to.

No. 22. Order in which cases are to be taken.—Council's amendment disagreed with.

No. 24. Relief not limited to claim.—Council's amendment agreed to.

No. 25. Retrospective effect of awards.—Council's amendment agreed to.

No. 26. Employers not in industry.—Council's amendment agreed to.

No. 28. Term of award.—Council's amendment disagreed with.

No. 29. Term of award.—Council's amendment agreed to.

No. 30. Retrospective effect.—Council's amendment agreed to.

No. 31. Retrospective effect.—Council's amendment agreed to.

No. 32. Inclusion of non-employers.—Council's amendment agreed to.

No. 33. Repeal of Section 85.—Council's amendment not agreed to.

No. 34. Industrial Magistrates.—Council's amendment not agreed to and in lieu thereof the clause is amended by the insertion of the words “Police or Resident” before the word “magistrate” in line five.

No. 35. Gazetteal of appointments.—Council's amendment not agreed to, but in lieu thereof the clause is amended by striking out the last three words.

No. 37. Reference to Court by industrial unions or associations.—Council's amendment not agreed to and in lieu thereof the clause is amended as follows:—

Clause 56. Strike out all words after “as follows” and insert—

97. (1.) No industrial matter including any application for the enforcement of any industrial agreement or award of the Court or dispute shall be referred to the Court by an industrial union or association otherwise than pursuant to a resolution of the governing body of such industrial union or association.

(2.) In the case of an industrial dispute such resolution shall be published in a newspaper circulating in the district in which the

registered office of the union or association is situated.

(3.) If in the case of an intended reference by an industrial union a request in writing signed by not less than ten per centum of the union is made to the governing body within fourteen days after such publication to submit the matter of the intended reference to a ballot of the members, such ballot shall be taken in the prescribed manner, and the dispute shall not be referred to the Court unless a majority of the members who record their vote vote in the affirmative.

(4.) In the case of an association if within fourteen days after the publication of such resolution a majority of the industrial unions represented on the association at special meetings to be called for the purpose of taking such resolution into consideration pass resolutions forbidding the reference, the dispute shall not be referred to the Court.

No. 38. Basic wage.—Council's amendment agreed to subject to the following amendments:—

To subsection two of new section 100, the following provisos are added—

“Provided that in the application of the basic wage to industrial agreements and awards so far as a wage is thereby fixed for workers who receive from their employer without charge board and lodging, or lodging, or board, or partial board, or other allowances which are deemed by the Court to be a just set-off the monetary value thereof, as assessed by the Court, shall be deemed, *pro tanto*, payment of a portion of the wage received by the worker.”

“Provided also that in fixing the basic wage the Court shall not deem itself bound by any previous decision of the Court or any other Court fixing a minimum or basic wage.”

In subsection six of new section 100, in lines three and four, the words “in money or money's worth” are deleted.

In new section 101, the words “commencement of” in line two are deleted and in lieu thereof the words “first declaration of a basic wage under” are inserted.

In new section 102, the words “commencement of” in line two are deleted and in lieu thereof the words “first declaration of a basic wage under” are inserted.

In new section 102, paragraph (a), the word “and” is inserted after “wage.”

In new section 102, paragraph (b) “any” in line one is deleted, and all the words after “remuneration” in line two to the end of the paragraph are deleted, and the word “and” is added.

In new section 102, paragraph (c), the words from “deductions” in line one to the end of the paragraph are deleted and the word “therefrom” is added.

In new section 103, the word “in” is inserted before “parity” in line five.

No. 48. Prescribing number of apprentices by regulation.—Council's amendment disagreed with.

No. 51. Clubs. — Council's amendment agreed to.

No. 52. Powers of inspection by union secretaries.—Council's amendment agreed to.

No. 53. Industrial magistrates.—Council's amendment disagreed with.

No. 54. Period in which action may be taken for recovery.—Council's amendment agreed to.

No. 55. Obtaining opinion of Full Court.—Council's amendment disagreed with.

No. 56. Power to enforce awards.—The Council's amendment is amended by the deletion of all words after “thereof,” in line 7, to the end of Subclause 1 and by the insertion in lieu thereof of the following words: “and if on such inquiry he shall be of the opinion that any person has committed or is committing any breach of this Act or any industrial agreement or award of the Court he shall forthwith acquaint the Court and the Crown Law officers accordingly.”

No. 57. Penalty for contempt.—Delete all words after “principal Act” to the end of subclause (2) of proposed new clause, and insert “is amended by inserting the figure (2) instead of (3) as the number of the last paragraph.”

In Committee.

Mr. Lutey in the Chair; the Minister for Works in charge of the Bill.

The MINISTER FOR WORKS: I move—

That the recommendations of the Conference managers be adopted.

Hon. W. D. JOHNSON: I fully recognise our position. We have to either adopt the amendments or lose the Bill. I candidly admit that I am not capable of going into the details of the Conference manager's report, because one could not follow them. An apparently trivial, but yet far-reaching, amendment that we are asked to insert in this Arbitration Bill is that the retiring age for a judge shall be 70 years. The retiring age throughout the Public Service is 65.

The Premier: Not for judges; they can stay on as long as they like.

Hon. W. D. JOHNSON: There is no need to specify the age of 70. Some men are vigorous and active at 70, but others are not.

The Premier: But a man might go on doddering till he is 80, refusing to resign. Queensland passed a special Act telling such men to get out.

Hon. W. D. JOHNSON: I think a man should be retired before he is 70, but the age of 70 years is to be inserted in the Bill. We have no difficulty in getting rid of a man if he is not capable of performing his duties. I cannot believe that a judge of the Supreme Court would deliberately hang on after he is incapacitated.

The Premier: Judges have done that in Queensland—hung on till they were doddering.

Hon. W. D. JOHNSON: There may have been special circumstances. I do not like the introduction of a retiring age into this Bill. If it is to be done, let it be done in connection with the Public Service Act. We have a general standard for the whole Public Service.

Mr. Davy: But judges are not public servants.

Hon. W. D. JOHNSON: I know that. I do not want to give the Public Service a lead to maintain that the retiring age shall be raised to 70 years. However, I only pick that out as one detail. Other matters introduced are equally debatable. Yet we have either to accept the whole of the amendments or else reject the Bill. We are accepting a great deal on the blind. We have to back the opinions of those who represented us at the Conference. That is not altogether fair, because it will be some considerable time before we shall know what we are agreeing to.

The MINISTER FOR WORKS: It is only fair that I should give a brief explanation of the amendments. I am not at all satisfied with the Bill as it left the conference. Still, we have in it some very good clauses. On the question of clubs we could not shift the Council, except with a restriction permitting union secretaries to go only as far as the office. Since the court has ruled that all incorporated clubs are under the Act, we were not prepared to accept a proviso that would restrict those under the Act, merely to bring under it two or three more. On the question of preference we could not shift the Council. All domestic servants will now be included where there are more than six boarders or lodgers in a house. In respect of insurance officers, we accepted the Council's amendment. The Council would not budge to let the A.W.U. come under the Act. We could not shift them on that. As to the constitution of the court, the decision is that a person having the qualifications of a judge may be appointed president for life and he shall occupy all the other conditions of a judge. He will be appointed for this job, and this job alone, and will have nothing to do with Supreme Court work. Consistent with their usual attitude towards me, the Council's representatives would not agree to the Minister referring into court a dispute

where an unregistered body is involved. However, they agreed to the court doing it, so it suits me very well. The appearance of solicitors in the court in cases of prosecution was insisted upon by the Council. Our proposal for the order in which the cases are to be taken, that is to say as the issues are settled, was adopted. We could not get the Council to agree to our view as to employers not in an industry being bound by the award. So, too, in respect of men engaged in the industry, but who do not employ labour. As to the term of an award, our provision was agreed to, with a slight amendment. The Council's representatives would not agree to retrospective pay in any form. Our idea as to the position of industrial magistrates was adopted. As to referring disputes to the court, we asked that all disputes be referred by resolution of the governing body of the union. The decision arrived at by conference was that the governing body of the union shall carry a resolution to refer a dispute to the court, and that resolution shall be advertised in a newspaper circulating in the district; and if within fourteen days a petition from 10 per cent. of the membership of the union is received, asking for a ballot, the ballot shall be taken before the case goes to court. Of course, in the absence of such a petition, reference will be made to the court on the resolution of the governing body. That will save a mint of money. It will greatly expedite and cheapen the process. All enforcement cases are left to the resolution of the governing body. The greatest part of our time was taken up with the basic wage provision. It was agreed that the court shall fix the basic wage once every year, the decision to be come to in June and to operate from the 1st July. Where people are living in the court will declare the amount to be allowed for board and lodging, and any other allowance deemed by the court to be a just set-off shall be assessed by the court. No one but the court can do that.

Hon. W. D. Johnson: How is the basic wage to be determined? Was your decision adopted?

The MINISTER FOR WORKS: No. We had to agree to the existing condition, but I have had a proviso added. The whole of the trouble has been that the courts have held that the existing definition complies with the Harvester judgment, and that while that wording exists they are bound by the Har-

vester judgment. The proviso I have secured is to the effect that in fixing the basic wage the court shall not deem itself bound by any previous court or by any other court. It will allow the court to start afresh, without bothering about any previous case. The court will be free to form its own standard.

Hon. W. D. Johnson: Who initiates the fixing of the basic wage?

The MINISTER FOR WORKS: The court must declare the basic wage each year.

Hon. W. D. Johnson: There is no responsibility on anybody to move the court.

The MINISTER FOR WORKS: No. They must do it annually, but all organisations are entitled to be represented and to put up their respective cases. We did not agree to the proposition of the Council that the court should be given power to prescribe a number of offences by regulation. The period within which action may be taken to recover wages will in future be 12 months, instead of three months. The question of the registrar being compelled to institute proceedings immediately any trouble arise, has been settled in this way: The registrar shall inquire into the matter and report his opinion to the court and to the Crown Law Department. Those briefly are the amendments that were agreed to at the conference. Thus, with the machinery we shall set up, particularly the boards and the other amendments that have been made, we hope to be able to bring about successful arbitration. The amendments I have read have been secured in addition to the other amendments that were made to the Bill when it was before us previously, and there will follow a considerable improvement on the existing position. I am disappointed, naturally, that I was not able to go further, but it will be agreed that we did our very best and that we could not have done more. All the same, I believe, that the Bill, as it has been improved, will make for the smooth working of industries. There will be a permanent man at the head of affairs whose sole job will be to look after arbitration court matters. We have not had that up to date. So long as we get the right man as president and good laymen with him, we should do well. I accept the Bill now as the best it is possible to get and I hope that next session we shall be able to improve on it. I am convinced that no one could have done better than we did at the conference.

Hon. Sir JAMES MITCHELL: We should all be satisfied that the night has been well spent. We thought that the Minister for Works, who can never be convinced, would never convince anyone else. Now we know better. The Arbitration Act needed amendment and personally I think we owed it to the workers to see that the Act was amended this session. These proposals, will, I think, go a long way towards re-establishing confidence in the court. Having listened to the explanation of the Minister for Works, I am satisfied that considering all the circumstances, the managers did better than might have been expected of them. The principal amendment relates to the constitution of the court. Without a properly constituted court we could not have successful arbitration. The Bill, when it becomes an Act, will be far more satisfactory a measure than the country has ever had and I congratulate all who have had anything to do with it on the termination of their work. I know that some members will say that this side of the House is getting too much. That is not the position. We want an Act that will be workable and make for industrial peace. We on this side, are not representing any particular section of the people in this matter. It has to be recognised that the very comfortable existence of the worker in this country depends upon arbitration and that the future progress of the country depends largely upon the Arbitration Act. We have made wonderful strides in respect to this legislation this session and the Minister should be satisfied with what has been done.

The Premier: Reasonably satisfied.

Hon. Sir JAMES MITCHELL: Surely the Minister would not expect to make any greater progress in one session. We all hope that the amendments that have been agreed to by the Conference will prove entirely satisfactory. I am convinced that they will lead to the smoother working of the Act than has been the case in the past and that we shall be able to avoid many of the troubles we have had to contend with in the past. Boards have been introduced for the first time and I am hopeful that they will do a considerable amount of good in the way of saving loss that results from strikes, a loss too, that is more keenly felt by the worker than anyone else.

Mr. Heron: Strikes affect the workers more.

Hon. Sir JAMES MITCHELL: I feel that if we rejected the amendments made by the conference we would be taking a great risk and we would be doing an injustice to all sections of the community. I have much pleasure in supporting the motion for the adoption of the Conference report.

Mr. THOMSON: I congratulate the managers on the result of their deliberations. We are dealing with a Bill that must prove distinctly beneficial to the community in that arbitration has an important effect on the life of the State. I congratulate the Premier and the Minister for Works on the attitude they adopted, believing as I do that the Bill as it will be now amended will be a decided improvement on the existing one. The most important work of this session has been done by the six members who were appointed managers at the Conference. They have worked solidly on the Bill for 19 hours and the workers and the State generally owe a debt of gratitude to those gentlemen. I trust that as a result of their efforts we shall now have industrial peace and prosperity.

Mr. PANTON: I extend my sympathy to the managers after their protracted sitting of 19 hours.

Hon. Sir James Mitchell: We sat about here also.

Mr. PANTON: At the same time I am particularly disappointed. Whilst I realise that the Bill will be a considerable improvement on what we have had, I regret that the biggest section of the workers in the State, those who are responsible for the construction of all the important public works, have been refused permission to go to the court. I refer to the members of the A.W.U. I regret now that there will be for them only one alternative, and that is the weapon of the strike. That is what will happen as the result of the denial of the right to that section to approach the Arbitration Court. I want the public to realise that it will not be the fault of those men; they believe in arbitration, but somebody in another place is not prepared to allow them the right to approach the court. It is an absolute disgrace that a section of the Legislature should say, "Although you are prepared to arbitrate, we will not allow you to do so; we are going to force you to strike to obtain better conditions." I agree that the approach to the Arbitration Court will be considerably facilitated by the Bill, but I regret that the section to which I have

referred will be forced to resort to striking in order to obtain any benefit.

Hon. W. D. JOHNSON: I have always maintained that there have been three great weaknesses in the Arbitration system, and three that were constantly irritating the workers. One was that the court was never available when its services were required. That has been overcome by the appointment of a permanent president who will devote the whole of his time to the work of the court and whose presence will facilitate the approach to the court. Next, there was always a difficulty in enforcing the provisions of an award. As a matter of fact the enforcement of an award was next to impossible. The court itself was so busy that they always set aside important matters. I have had experience of having lodged papers for enforcement, and seven months afterwards being called upon by the court to prove my case. That has been impossible after such a lapse of time. Once action is taken against a man who breaks an award, he goes on breaking it until the court tells him he is wrong. In many cases employers find it profitable to break awards. They say that by the time the court gets them they will have made sufficient profit out of the breach to pay the penalty imposed. The other question is the difficulty of getting proper consideration for and concentration on the establishment of a basic wage. The difficulty in the past has been that any union that went before the court at a given stage, largely based on Knibbs's figures, might be a small union with an inexperienced advocate. The result might be that other unions would not be satisfied with the case that had been presented for the basic wage and that the basic wage as declared, in comparison with the cost of living, etc., might not be satisfactory to them. The court having fixed that rate for one union would not alter it for a certain period. That difficulty is now overcome by the fact that the court itself will fix the basic wage and unions and employers will have an opportunity to arrange that their case is presented in such a manner that once a decision is given it will be respected.

Hon. Sir James Mitchell: That is worth a lot.

Hon. W. D. JOHNSON: Yes. We have made a great deal of progress. With regard to enforcements, these will be expedited considerably under the new machinery. The Minister for Labour can be satisfied, but he

must ask leave to be dissatisfied later on. This Bill for the moment is satisfactory in regard to the attitude of another place. When we get this going we shall have another opportunity of again amending it in the manner desired by the Minister. I believe industrial peace would have been guaranteed to a greater extent had the Minister's proposals been adopted in toto.

Hon. Sir James Mitchell: We do not think so.

Hon. W. D. JOHNSON: One big mistake was to leave out the A.W.U. from the Bill. There is always that invitation that they have to take direct action. Once the lead is given to one union to do this, it creates a disrupting factor throughout organised labour. There is always a section that will say, "If the A.W.U. strike, why should we bother about the Arbitration Court?" I regret that. The A.W.U. has always advocated arbitration. Its executive officials have suffered as a result of their determination to keep arbitration in the forefront of their constitution. Now another place denies them the right that is desired by their constitution. They have stood by that constitution better than any other organisation in Australia. No union has suffered more than the A.W.U. because of its continued advocacy of arbitration. We now say, "Although you are one of the biggest organisations in Australia and have consistently advocated arbitration, you shall be denied the right to use it." Some day that mistake will be realised.

The PREMIER: Perhaps I may be allowed to express my appreciation of the work done by the managers for both Houses. No doubt it was pretty strenuous work. A considerable amount of tenacity must have been shown on both sides for the conference to have sat for 18 or 19 hours. On behalf of the managers of this House, I should express my regret that members generally were kept waiting for such a long time. Had we thought we would be so long, it might have been possible for them to leave the precincts of the House. A considerable amount of reason was shown in the conference or we should never have reached an agreement. Probably many people thought that an agreement would not be reached and that all the work and time spent on the Bill would have been lost, as was the case last year.

Hon. Sir James Mitchell: You had better have another session next January.

The PREMIER: Although we had to yield on many points, we think we have got a Bill that is a considerable advance on the existing Act. Although I do not desire to make any distinction as between the managers, I must say my colleague did wonderful work, and put up a great fight for his Bill. I should like to say further that the member for West Perth (Mr. Davy) was time and again a tower of strength to the conference. He assisted in the drafting of alterations and amendments, and in the exercise of a spirit of reasonableness he helped very considerably towards the final results. I wish to take this opportunity of expressing my appreciation of his help, and the splendid assistance he rendered to the conference.

Members: Hear, hear!

Question put and passed.

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

Sitting suspended from 7.55 to 9.0 a.m.

BILL—DAY BAKING.

Council's Message.

Message from the Council notifying that it insisted upon its amendments to the Bill now considered.

Request for Conference.

The MINISTER FOR WORKS: I move—

That a conference be requested with the Legislative Council and that at such conference the managers to represent the Legislative Assembly be Hon. W. D. Johnson, Mr. Latham and the mover.

Question put and passed.

BILL—DRIED FRUITS.

Order of the Day read for the second reading.

Point of Order.

The Minister for Agriculture: I ask for your ruling, Mr. Speaker, as to whether the Bill is in order. The Bill is now before us and if it is not in order, it is not worth while discussing it. I would like a decision on the point.

Mr. Speaker : What is the ground of the objection?

The Minister for Agriculture: The Bill was introduced in the Upper House by a private member and is out of order because it should be introduced by Message in this House, as it provides for the appropriation of funds from the Crown.

Mr. Latham: Which clause deals with that?

The Minister for Agriculture: Clause 21 provides that the Minister may purchase or compulsorily acquire dried fruits, while Clause 22 also deals with the acquisition of dried fruits. With such provisions in, I fear that if the Bill were passed it would be entirely illegal, because such a Bill cannot be introduced other than by Message and by a Minister and certainly cannot be introduced by a private member in another place.

Hon. Sir James Mitchell: While it is for you, Mr. Speaker, to decide the question, it seems to me that the intention of the Minister is wrong. Even if he were right, he should be most keen on getting such a Bill before the House.

The Minister for Agriculture: That is not the point.

Hon. Sir James Mitchell: This represents part of the Minister's own proposal in his Fruit Marketing Bill, and, therefore, I should have thought he would desire it to be considered. I think the Minister himself might have brought down a Message and introduced the Bill. The House should be given an opportunity to deal with it.

Mr. Thomson: I regret very much if, as is indicated by the Minister, it will be impossible for me to submit the Bill. I will have to accept the ruling of the Speaker. In support of what the Leader of the Opposition has said, I would like to read the following telegram that I received from growers concerned. The telegram reads:—

At the annual meeting last night the following resolution was carried unanimously: That this meeting of dried fruit producers urgently—

The Minister for Lands: I rise to a point of order. Is not the question before you, Mr. Speaker, whether or not the Bill is in order?

Mr. Thomson: That is so, but I wish to draw attention to this telegram.

The Minister for Agriculture: What has that to do with the Bill?

Hon. Sir James Mitchell: Was the Minister right in entering his protest?

Mr. Speaker: Order!

Mr. Thomson: The only object I have is to urge the Minister that he take charge of the measure. I would be grateful to the House if I were permitted to read the telegram. It is not a matter of propaganda.

The Minister for Agriculture: I have a similar telegram myself. It has nothing to do with the question before the House. The issue is simply whether the Bill has been properly introduced. It would be futile and illegal, if the Bill were passed, by reason of its having been improperly introduced. In the circumstances I think I am right in asking for a ruling.

Mr. Thomson: I would like your ruling, Mr. Speaker, on Section 46 of the Constitution Act Amendment Act which says that a Bill shall not be taken to appropriate revenue or moneys by reason only of, among other things, the demand of payment or appropriation of fees for licenses or registration "or other services under the Bill."

Hon. W. D. Johnson: Read Clause 14 of the Bill!

The Minister for Agriculture: Read Clauses 21 and 22!

Mr. Speaker: My attention having been drawn to this measure, I shall first of all deal with the points submitted by the member for Katanning. Section 46 of the Constitution Act, 1921, says—

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

If the Bill to which my attention has been drawn merely be any one of those matters referred to in that section, I should have no hesitation in ruling that it could properly be introduced by a private member, or in another Chamber; but the Bill goes beyond that and perpetuates an irregularity and a danger that has been corrected in the House of Commons, I was going to say centuries ago. As the matter is important, and for the future guidance of the House, I desire to draw attention to

the fact that there is no better authority on this point than Todd's Parliamentary Government. At the close of the seventeenth century and at the beginning of the eighteenth, irregularities such as we are now dealing with were perpetrated in the House of Commons, and Todd tells us that in 1705 the abuse became so notorious that in the next session, on the 11th December, 1706, before any petitions of this sort could be again offered, the House resolved—

“That they would receive no petition for any sum of money relating to public service, but what is recommended from the Crown.” This resolution was made a Standing Order on the 11th June, 1713, and amended on the 25th June, 1852, to bring it into conformity with existing practice, by the substitution of a new order to declare “That this House will receive no petition for any sum of money relating to public service, or proceed upon any motion for granting any money, but what is recommended from the Crown.”

That is precisely on all fours with the matter before us. On page 190 Todd continues—

Where such Bills have originated with private members, they have as a general rule been productive of great abuse, by encouraging injudicious and extravagant expenditure. If the principle of the Bill obtains the sanction of Parliament, the faith of Parliament becomes pledged to the outlay involved, and Ministers are obliged to include, in future estimates, distinct provision for it; and when the particular grant that is required to carry out any such measure is brought forward in committee of supply, any objection to its principle is commonly met by the assertion that it is useless, if not unfair, to oppose it at this stage, inasmuch as Parliament has already agreed that the proposed expenditure ought to be incurred. So long as private members are permitted to initiate measures which involve the expenditure of public money without the previous consent of the Crown, it would be in vain to expect an economical administration of the public funds. These considerations were brought under the notice of the House of Commons by a private member (Mr. Ayrton) who proposed in 1866 that “The Standing Order of June 25, 1852, relating to applications for public money, be repealed, and, in lieu thereof, that this House will receive no petition for any sum relating to public service, or proceed upon any motion for a grant or charge upon the public revenue, whether payable out of the consolidated fund, or out of moneys to be provided by Parliament, unless recommended from the Crown.

Nothing could be more explicit or be of greater guidance to this House than the quotation I have read. The whole question depends upon whether the Bill goes further than the exemptions provided for in Section

2 of the Constitution Act Amendment Act, 1921. I am certain it does. In the first place, the measure itself declares its character. Clause 27 of the Bill is printed in italics.

Mr. Latham: Is it not struck out?

Mr. Speaker: Members know that that is done for the convenience very often of the Government. It is a procedure that is adopted to permit of such a measure being introduced in another place by a Minister of the Crown. In order, therefore, that there may be no violation of the rule that all Bills dealing with money matters should originate in the Legislative Assembly, the money clauses are printed in italics and a line run through them. That is meant to imply that they are not part of the Bill whilst the Bill is before another place. The Bill in question is not before another Chamber now. It has been introduced in the Chamber where the financial responsibility rests—the Legislative Assembly—and therefore Clause 27 is part of the Bill so far as this House is concerned. It is clear from the references made by the Minister for Agriculture that this is directly and conclusively a money Bill. This Bill provides—

Subject to Section 92 of the Commonwealth of Australia Constitution Act, and for the purposes of this Act or of any contract made by the board, the Minister may on behalf of His Majesty purchase by agreement or acquire compulsorily any dried fruits in Western Australia grown and dried in Australia, not being dried fruits which are held for export under and in accordance with a valid and existing license granted under the Dried Fruits Export Control Act, 1924.

This authorises the Minister to expend public funds in the purchase of dried fruits. Again in the same clause it is set out—

The Minister may authorise the board to acquire on his behalf any dried fruits which this Act empowers him to acquire.

Subclause 4 sets out—

The Minister, or the board acting on his behalf, may, for the purpose of obtaining money to carry out any acquisition authorised by this section, enter into any agreement with any person or with any bank carrying on business in Western Australia.

There is no question therefore that this is a money Bill. If the Bill had originated in this Chamber, Clause 27 would not have been printed in italics, and it would have been part of the Bill. It is intended now to make it in this Chamber part of the Bill. I have to ask myself the question whether I could permit a private member in this Cham-

ber to introduce and conduct a Bill through its various stages in the Assembly with provisions analogous to those contained in this Bill. Every members knows that that would be against all precedent and against all constitutional rules and conduct of all the Parliaments of the British Empire. The printing of Clause 27 in italics makes no difference. It is not now in another Chamber; it has reached this Chamber and the rules relating to money Bills apply directly to this measure. I have therefore to rule that the measure can proceed no further.

Mr. Sampson: In view of the constitutional difficulty, which has been made clear to every member by your explanation, may I appeal to the Minister to bring down a message and thereby—

Mr. Speaker: The hon. member is not in order.

BILL—SWAN RIVER IMPROVEMENTS.

Returned from the Council without amendment.

BILL—RESERVES.

Council's Amendments.

Bill returned from the Council with a schedule of two amendments made by the Council, which were now considered.

In Committee.

Mr. Lutey in the Chair; the Minister for Lands in charge of the Bill.

No. 1. Clause 7—Delete.

The MINISTER FOR LANDS: The Council's Message refers to the reserve at South Perth which was set aside for the purpose of botanical gardens. This House altered the destination of that reserve to the purposes of recreation with the exception of golf. A part of the Zoological Gardens reserve has been set aside as parking ground for motor cars. The Council consider that this matter should be deferred to the next session with a view to a satisfactory agreement being arrived at. Before the introduction of the Bill arrangements were made with the South Perth road board and the Zoological Gardens Committee for the change. The reserve for caretakers' quar-

ters was made during the Premiership of Sir Newton Moore. Strictly speaking, the area can only be used for that purpose, from which, however, the Zoological Gardens Committee wish to depart. As regards botanical gardens, it is thought that the Zoological Gardens can serve that purpose. There is, however, a difference of opinion among South Perth residents, 200 of whom have signed a petition against the Bill, while about 600 have signed a petition for it. Unfortunately a large number of those who signed the opposing petition were informed that the ground was to be turned into a "White City." I move—

That the amendment be not agreed to.

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

No. 2. The Schedule—Delete.

The MINISTER FOR LANDS: This amendment is consequential on the preceding one. I move—

That the amendment be agreed to.

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

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

BILL—TAXATION (MOTOR SPIRIT VENDORS.)

Council's requested Amendments.

Bill returned from the Council with a Schedule of six requested amendments which were now considered.

In Committee.

Mr. Lutey in the Chair; the Minister for Works in charge of the Bill.

No. 1. Clause 13, delete "fund" in line 6 and insert "trust account."

The MINISTER FOR WORKS: This requested amendment is in accordance with what was done in the Main Roads Bill. I move—

That the amendment be made.

Hon. Sir JAMES MITCHELL: What is this amendment?

The CHAIRMAN: I have only a copy of the Bill.

Hon. Sir JAMES MITCHELL: Then the Chairman cannot put the question.

The CHAIRMAN: The Minister read the amendment.

The MINISTER FOR WORKS: The amendment refers to Clause 13, and merely alters the title of the fund into which the tax is to be paid.

Hon. Sir JAMES MITCHELL: We have not a copy of the amendment. We ought to have a copy.

The Premier: Only the copy of a message is sent.

Hon. Sir JAMES MITCHELL: Though the amendment is simple, this is a very lax way of doing business.

The Premier: At this stage of the session it has never been done in any other way.

Hon. Sir JAMES MITCHELL: Yes. The Chairman generally has the amendments before him. If he had these I could then refer to his copy.

The Premier: I will endeavour to have two typed copies supplied of any further messages.

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

On motions by the Minister for Works, the following requested amendments were made:

No. 2, Clause 13—Insert after "expended" in line 6 the words "as provided in the Main Roads Act, 1925."

No. 3, Clause 13—In lines 7 and 8 delete the words "Minister charged with the administration of the Road Districts Act, 1919" and insert "Governor on the recommendation of the Main Roads Board."

No. 4, Clause 13—Delete the proviso.

No. 5, Clause 15, Subclause (1)—Delete all words after "the" in line 3 down to the end of the subclause and insert "tax as prescribed by this Act shall be reduced by so much thereof as is the tax imposed under any law of the Commonwealth aforesaid."

No. 6, Clause 15—Delete Subclause (2) and insert in lieu thereof "Notwithstanding anything in this Act contained, if an application is made to the Commissioner of Taxation by or on behalf of a consumer of motor spirit residing in that part of the State north of the 26th parallel of south latitude for a rebate of tax levied on motor spirit used by him in that part of the State, and the application is supported by a statutory declaration as to the facts, and the Commissioner of Taxation is satisfied as to the truth of such declaration, he shall allow such rebate."

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

Sitting suspended from 10.0 to 10.25 a.m.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Council's further Message.

Message from the Council received and read notifying it had agreed to the recommendations of the conference.

BILL—GROUP SETTLEMENT.

Returned from Council without amendment.

BILL—DAY BAKING.

Conference with Council.

Message from the Council received and read notifying that it had agreed to a conference in the President's room forthwith, and that it had appointed as managers Hon. J. Duffell, Hon. A. Lovekin, and Hon. J. W. Hickey.

Sitting suspended from 10.28 to 11.28 a.m.

Conference Managers' Report—Bill discharged.

THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [11.28]: I have to report that the managers met and failed to reach an agreement. I move—

That the order of the day be discharged from the notice paper.

Question passed; order discharged.

BILL—TRAFFIC ACT AMENDMENT.

Council's Amendments.

Schedule of two amendments made by the Council now considered.

In Committee.

Mr. Lutey in the Chair; the Minister for Works in charge of the Bill.

No. 1, Clause 3.—Delete all words after "is" in line 2 down to the end of the clause and insert in lieu thereof the words, "amended by omitting the words '31st day

of December, 1925,' and inserting in lieu thereof, '31st day of October, 1926.'"

No. 2, Title.—Delete "repeal" and insert "amend."

On motion by the Minister for Works, the foregoing amendments were agreed to.

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

BILL—TAXATION (MOTOR SPIRIT VENDORS).

Message from the Council received and read notifying that it had read the Bill a third time.

Sitting suspended from 11.35 a.m. to 12.45 p.m.

BILL—STAMP ACT AMENDMENT.

Council's Amendments.

Bill returned from the Council with a schedule of two amendments, which were now considered.

In Committee.

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

No. 1. Clause 2.—Insert a subclause to stand as Subclause 3, as follows: "(3) This section is subject to the provisions of Section 71."

The PREMIER: The amendment has been approved by the Solicitor General and it is inserted to make it quite clear that a conveyance or transfer under any trust shall be subject to the stamp duty fixed in the Act, at a maximum charge of 10s., and that those coming within that category will not have to pay a greater amount. It was considered that the clause might be construed as overriding Section 71, but the amendment will make it clear that Clause 2 is subject to the provisions of Section 71. I move—

That the amendment be agreed to.

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

No. 2. Clause 4.—Delete Subclause 2 and insert in lieu thereof a subclause as follows: "(2) By substituting in the item headed 'Conveyance or transfer on sale of any property,' and in the item headed 'Land Trans-

fer,' the figures '1927' in place of the figures '1926' as inserted by the Stamp Act Amendment Act, 1924."

The PREMIER: The effect of the amendment is to limit the operations of the measure to one year. I am sorry that the provision has not been made permanent.

Hon. Sir James Mitchell: I am glad it was not.

The PREMIER: As a matter of fact, the clause was passed by the Council in Committee. Occasionally, however, clauses are recommitted in the Council and this one was amended on recommitment. I have no option but to accept the amendment. I move—

That the amendment be agreed to.

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

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

BILL—MAIN ROADS.

Council's Message.

Message from the Council received and read notifying that it had agreed to amendment No. 23 made by the Assembly, and that the Assembly's amendments Nos. 27 and 35 had been ruled out of order.

Request for Conference.

The MINISTER FOR WORKS: I move—

That a conference be requested with the Council, and that at such conference the managers to represent the Assembly be the Hon. W. C. Angwin, Mr. North, and the mover.

Question put and passed.

Sitting suspended from 1 p.m. to 1.55 p.m.

Conference with Council.

Message from the Council received and read notifying that it had agreed to the Conference requested on amendments Nos. 27 and 35 made by the Council in the Main Roads Bill and that it had appointed as managers the Hons. A. Lovekin, T. Moore, and H. Stewart.

Sitting suspended from 1.57 to 3.45 p.m.

Conference Managers' Report.

THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [3.45]: I have to report that the Conference managers, having met, recommend the following amendments:—

No. 1. Clause 21, line 1, after the word "may" insert the words "of his own initiative or."

No. 2. Clause 21, Subclause 2, line 1, strike out "and" and insert "or" in lieu.

No. 3. Clause 29, Subclause 1, add a further proviso as follows:—"Provided that no money to the credit of the trust account shall be applied to the provision or construction of developmental roads without the approval of the Governor."

The MINISTER FOR WORKS: I move:

That the report be adopted and a message transmitted to the Council.

Question put and passed.

Council's Message.

Message from the Council received and read notifying that it had agreed to the recommendations of the Conference managers.

ADJOURNMENT—CLOSE OF SESSION.*Complimentary Remarks.*

THE PREMIER (Hon. P. Collier—Boulder) [3.53]: That concludes the business of the sitting and of the session. Before dispersing for the Christmas holidays, we wish to offer you, Sir, the compliments of the season and to hope that you will enjoy a quiet, restful week or two after what has been a fairly strenuous session. Although members have applied themselves zealously to the work of the House for the past five or six months, we have been able to conduct the business with a fair degree of sweet reasonableness. Whilst members have contended very keenly for their points of view on the various matters that have come before the House, nevertheless we have been able to conduct the business without undue heat or strife. Moreover, we might say that the session has been a fairly fruitful one. We have almost established a record in the number of Bills introduced and considered, totalling, according to the file, 66. Of that number about 54 have passed both Houses.

Hon. Sir James Mitchell: I wish some of them had not.

The PREMIER: I regret that some of those lost were not passed.

Hon. Sir James Mitchell: I have no regrets for the dead ones.

The PREMIER: It can be said that not only in volume of work done but also in importance this session will be remembered beyond many that have gone before. I believe the Industrial Arbitration Act Amendment Bill, short as it is of what the Government would have liked, nevertheless is an important piece of legislation and should be of great advantage to the State in the years immediately ahead of us. I wish to express the gratitude of the Government for the courteous treatment we have received at all times from members of the Opposition, from members of the Country Party and from our own supporters. We have been able to get through all this volume of work without having to undergo the trial of many all-night or even late sittings; the one we are now concluding is rather a record—29 hours continuously. I desire to express the best wishes of all members to the Clerk, the Clerk Assistant, the "Hansard" staff and officers and servants of the House generally for the courtesy and consideration they have extended to members on all occasions. We regret that at the end of our labours two of our members through illness are not able to be with us. The member for Forrest (Miss Holman) unfortunately has been laid aside with illness during the past week or two, and for the past day or two so has the member for Mt. Margaret (Hon. G. Taylor), the father of the House, who has been here continuously for the past 24 or 25 years. We all wish both those members a speedy recovery to good health and that, after all, they may enjoy a pleasant Christmas. I again thank you, Sir, for the help you have given the House throughout the session. I hope that during the next week or two members will be found at Nornalup or Frankland River or Augusta with rod and gun enjoying their holidays. I hope, too, that throughout the recess members will have good health and all good fortune. I trust we shall be able to meet next session in the same spirit that has characterised our association during the session that is just now closed, and that the work of members generally, disinterested and whole-hearted

as it has been, and will be I am sure in the future, may be of general benefit to the country.

HON. SIR JAMES MITCHELL (Northam) [4.0]: I regret the illness of the member for Forrest (Miss Holman) and the member for Mt. Margaret (Hon. G. Taylor). It is unfortunate that they should be laid aside at this season of the year. I hope they will speedily recover their health, and that when we meet again they will be quite restored to vigour. I join with the Premier in wishing you, Sir, the Chairman of Committees, the officers of the House, the "Hansard" staff, and the staff generally attached to Parliament a very happy Christmas and a bright new year. I am sure your duties have been fairly arduous during the past five months. In the early stages of the session I was particularly sorry for you because of the long hours in which you had to sit in the Chair. The Premier has said that the number of Bills passed through this House during the session has constituted a record. I am sure we have put up a record. I hope it will prove a record of usefulness. One can never tell what will happen in that respect. In most English-speaking countries, far too great a value is often placed upon legislation, particularly when it is a taxation measure. The Premier regrets the loss of a number of Bills. I do not know that I feel the slightest regret that these Bills have not passed into law. I do, however, regret the passing of others. I am delighted that the Industrial Arbitration Act Amendment Bill will be placed on the statute book. It is a most important measure, and I believe we have very much improved it by the legislation we have passed to-day. The Minister for Works has had a trying session. I hope he will not be so anxious to grind out legislation next session. For this one day at all events in the whole session he appears to have been reasonable.

Mr. Heron: Perhaps he had no choice in the matter.

Hon. Sir JAMES MITCHELL: I do not know about that. I hope, with him, that for the good of the country the Arbitration Bill will do for the State all that we expect of it. We can flatter ourselves that we have passed legislation which is an improvement on the existing law. I hope

members will have a pleasant time during the holidays, that they will enjoy good health, and come back quite ready for the fray next session. It has been a difficult session. The Bills have always meant work and trouble for the Opposition. We have sat pretty closely to our duties, and I agree that we have had a heavy time. I wish the Premier and members supporting him, as well as members who sit on this side of the House, long life, happiness and prosperity. I wish you, Sir, and the officers of the House and all concerned the compliments of the season.

MR. THOMSON (Katanning) [4.5]: I join with the Premier and the Leader of the Opposition in extending to you our sincere thanks for the courteous manner in which you have treated all members of the House. I congratulate you upon the dignified way in which you have filled your present position. You have shown a sense of fairness and justice to every section of the House. For that, on behalf of the small section with which I am associated, I wish to tender you my appreciation. I also wish to place on record my sincere thanks to Mr. Grant and Mr. Steere for their courtesy and kindness. Members would have been in a difficult position on many occasions but for their good offices. I am sure every member desires to tender to those gentlemen his thanks and good wishes for Christmas and the coming year. I also desire to extend these good wishes to "Hansard." I do not know if they would reciprocate, particularly in view the last 29 hours. I am sure there have been times when, if they could have said what they really thought, the opinions they would have expressed concerning some members would perhaps have staggered them.

The Premier: I am afraid they may be thinking bad things of us now.

Mr. THOMSON: I wish to extend to them and the entire staff of Parliament House our sincere thanks. I think we can congratulate ourselves on the general personnel of the staff of the House, from the highest to the lowest. We have experienced nothing but courtesy and consideration from the Government. There have been times when we have disagreed on the floor of the House, but I am pleased to say that our differences have finished inside the House. We have been through a strenuous session. I

endorse all the good wishes that have been extended to you. Sir, by the Premier and the Leader of the Opposition, and trust you will be spared to preside over the deliberations when the House re-assembles. I very much regret the illness of the member for Forrest and the member for Mt. Margaret. We hope they will both be speedily restored to good health and strength.

MR. SPEAKER: Mr. Premier, Sir James Mitchell, Mr. Thomson, and hon. members: I feel that this is a more or less formal ending of the session, but yet that behind it all I have the good wishes of those who have spoken so kindly of myself as Speaker, and also of the officers who have so capably assisted me. To me the session has not been as strenuous as former sessions, when I was on the floor of the House; and that is owing to the fact that hon. members themselves have greatly assisted the Chair. There has been no occasion that I can remember when it has been necessary to exercise any action which would leave behind it a sting of ill-feeling or regret. That, after all, is the essence of good parliamentary government. While hon. members respect themselves, and respect the Chamber of which they are members, and its constituted methods of government and control, there can be no question as to orderly and expeditious conduct of business; and I am confident that that has made itself felt as a principle and as a rule of conduct by every member of the Chamber during this last session. I personally, too, wish to express my appreciation of the help that has been rendered to me by the Chairman of Committees, by the Clerks of the House, and by every officer necessary to the conduct of business. I also am appreciative of the arduous services

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rendered to the cause of legislation and parliamentary government by the "Hansard" staff. Let me also, from the Chair, say that I regret as much as all members do the absence from this last gathering during the session of the member for Forrest (Miss Holman) and the member for Mt. Margaret (Hon. G. Taylor). It is sad at a season like this, when jovial gatherings and happy meetings and reunions take place, that sickness robs us of, and isolate us from, those who should be in our companionship on such an occasion. You are tired, you are weary, and have had a long session and particularly a long sitting. I will not weary you more, but will again express my appreciation of your kindness, and wish to every one of you a genuine Christmas holiday, and not only a holiday, but a Christmas filled with those pleasant memories that not only bring the living together, the present together, but also those who are gone from us and those who are distant—those who cannot gather with us at this happy season of the year. It is a time, of all periods, of the year, when we feel the solidarity of our race, when we feel that we do not live alone but that we are parts of individual families, however removed and scattered, and that those families are part of that race of which we are proud not only as to its traditions and its glories, but as to its hopes for the future. To all and each I wish a real, a happy Christmas, and a prosperous New Year.

THE PREMIER (Hon. P. Collier—Boulder) [4.12]: I move—

That the House at its rising adjourn until the 21st January, 1926.

Question put and passed.

House adjourned at 4.15 p.m. (Saturday).