

HON. C. A. PIESSE: You mean the *Morning Herald*.

HON. F. T. CROWDER: I mean the financial papers. I suppose they are just as good as the *Morning Herald*.

HON. C. A. PIESSE: Yes; just about as good.

HON. F. T. CROWDER: The department that is presided over by the brother of the hon. member who is interrupting me is making great mistakes at the present time, and it will be three or four years before we can approach the money market in England; and if it will take three or four years before we can borrow any more money, what is the use of spending £10,000 in making surveys for two lines, when the money to construct these two lines cannot be borrowed for three or four years? These amounts have been put in the Bill to flout the message which we sent to His Excellency the Governor, and to show the power the Government have over the Legislative Council; that is my opinion, and nothing will make me alter it. I am sorry the Bill has to be passed. The House is placed in an awkward position, and can do nothing but pass the second reading. But I trust when the Bill is in Committee, members will think of their dignity, and the dignified position of the House, before they will pass the two surveys. The House has already said that it will not pass these two surveys, but some hon. members will go back on their votes, and I understand the reason why—because £200,000 is going to be spent in their constituencies. I am sorry Mr. Matheson is not in his seat because I should like to express my deep regret at the personal attack which he made on Mr. Parsons this evening. To my mind it is most contemptible conduct, and during the four years I have been here I have never before seen the privileges of this House so abused, and I trust it will be the last time it will happen while I sit in the House.

Question put and passed.

Bill read a second time.

ADJOURNMENT.

The House adjourned at 9.30 p.m. until the next day.

Legislative Assembly,

Tuesday, 20th September, 1898.

Papers presented—Question: Timber Cut on Alluvial Claims — Question: Franking Letters and Telegrams for Members—Goldfields Water Supply Construction Bill, first reading—Motion for Papers: Official Receiver in Bankruptcy—Gold Mines Bill, Discharge of Order—Public Education Bill, Legislative Council's Amendments, in Committee, Division — Workmen's Wages Bill, second reading, debate concluded; in Committee, clauses 1 to 9, Divisions (2), progress reported—Imported Labour Registry Act Amendment Bill, first reading—Immigration Restriction Act Amendment Bill, first reading — Jury Bill, Legislative Council's Amendments, in Committee — Adjournment.

THE SPEAKER took the chair at 4.30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the PREMIER: Coolgardie Water Scheme, Plan showing catchment area of Helena dam. Also (at a later stage, upon motion made), Official Receiver in Bankruptcy, Correspondence.

Ordered to lie on the table.

QUESTION: TIMBER CUT ON ALLUVIAL CLAIMS.

MR. VOSPER asked the Minister of Mines—1, Whether it was true that the alluvial diggers in the vicinity of Broad Arrow had been ordered by the police to refrain from cutting timber upon their claims. 2, If so, why so. 3, If so, by what and whose authority the police had so acted, seeing that the Goldfields Act expressly sanctioned the cutting of such timber.

THE MINISTER OF MINES (Hon. H. B. LEFROY) replied—1, The alluvial diggers in the vicinity of Broad Arrow have been ordered by the police to refrain from cutting timber on their claims. 2, Because such claims are in a forest reserve. 3, The Warden: Clause 16 of Goldfields Act excepts such forest reserve from privileges conferred on holder of miner's right to cut timber. Steps have

been taken to enable the diggers to use the timber on their claims.

QUESTION: FRANKING LETTERS AND TELEGRAMS FOR MEMBERS.

HON. H. W. VENN, without notice and by leave, asked the Premier whether members were permitted, during the session of Parliament, to have their letters and telegrams franked, when passed through officers of the House.

THE PREMIER (Right Hon. Sir J. Forrest) said he did not know the practice, but he believed it had been customary for letters to be franked when handed to the Clerk or other officer of the Chamber. As to telegrams, he was not aware.

MR. MORAN: Letters used to be franked, but they were not now.

THE PREMIER: Certainly some letters had been franked, for letters in that form had reached him from members. Nothing had been done in the matter by the Government.

HON. H. W. VENN: The matter was discussed some days ago, and he had to-day tested the question. Since doing so, he had been informed that some letters had previously been franked.

THE SPEAKER: If this practice was to be introduced, an extra vote would have to be put on the Estimates to pay the cost, because the Postmaster General charged against this House everything which was franked in the form of letters or telegrams.

COOLGARDIE GOLDFIELDS WATER SUPPLY CONSTRUCTION BILL.

Introduced by the PREMIER, and read a first time.

MOTION FOR PAPERS: OFFICIAL RECEIVER IN BANKRUPTCY.

MR. HIGHAM moved:—

That all correspondence, if any, between the senior Official Receiver and the Premier, the Attorney General and the Auditor General, respectively, relative to the examination of the accounts of the senior Official Receiver by the Auditor General, be laid on the table of this House.

MR. KENNY seconded the motion.

THE PREMIER: There had been no correspondence between the Official Receiver and himself. Of course the Auditor General's report could be laid upon the table of the House, and he had no objection

to other papers also being laid on the table, except that a Select Committee had been appointed by the House relative to this matter, and the Committee could call for persons and papers. This appeared to be sufficient.

THE SPEAKER: The proper procedure was to have all papers ordered to be laid on the table if they could be, and then to have them referred to a Select Committee, if a Select Committee had been appointed.

Question put and passed.

GOLD MINES BILL.

DISCHARGE OF ORDER.

On the order of the day for resuming consideration of the Bill in Committee,

THE MINISTER OF MINES (Hon. E. B. Lefroy) said: I have a statement to make with reference to the Gold Mines Bill. Upon my assumption of office as Minister of Mines, it became my duty to see that a Mines Bill was framed embodying the recommendations made by the Mining Commission. Of course I set to work to carry out this idea, and within a month of the meeting of Parliament we had a Bill laid upon the table of the House. In deference to the wishes of hon. members, the consideration of that Bill in Committee was delayed for about two months; and we have now come to this stage, that the session is getting on, and we do not seem to progress very much with the Bill. While in Committee, during the last few evenings, opinions were expressed on several occasions by hon. members that we would not be able to settle this Bill during the short time available to us. The Premier has informed me that he is unable to give more than another fortnight to the consideration of this Bill; and as it will have to go through another place, where it will receive probably as much discussion as at the hands of members here, the members representing the mining districts of the colony have met and consulted with me with regard to the passage of the Bill. An opinion has been expressed by a large majority of members representing the mining community, that this Bill should be withdrawn from the House for the present session, and introduced again at the commencement of next session; and that at present we should deal simply

with an amendment of the existing Act in certain directions, and with the repeal of the present Mining on Private Property Act, so that we might introduce as a separate Bill the provisions in the Bill before us dealing with mining on private property. I regret very much it is considered necessary to take this course; but it seems there is so much debatable matter in this Bill that, judging from the tone of the debate that has taken place up to the present time, there is no chance of our getting this Bill safely through the House in the short time now at our disposal. I regret it exceedingly, because I consider that we have here a very good Bill, which, with certain modifications, would be acceptable to the mining community as a whole in this colony. But it is for members to deal with the Bill; and as they assure me they have not time to deal with it properly during the time now available to us, and as they are desirous of getting away to their own business, and we have still a great deal of other work before us, it is proposed to withdraw the Bill for this session.

MR. VOSPER: It is hardly a fair thing to say the goldfields members want to shirk their duty.

THE MINISTER OF MINES: As far as I am personally concerned, I am prepared to sit here twelve months, if necessary, to consider the Bill.

MR. VOSPER: I was against the Bill being withdrawn, personally.

THE MINISTER OF MINES: It is with extreme regret that I adopt this course, because, as far as I am concerned, I am prepared to work night and day for getting through the Bill: and, personally, I dislike very much to turn back and look behind, when once I have put my hand to the plough. Still, the Bill was introduced by the Government through me, and it is for the House to consider it; but it appears from the tone of the debate that the Bill cannot be considered in less than a month, and then it will have to pass through another place, and might come back to us probably with amendments for our consideration.

MR. ILLINGWORTH: Why cannot the House sit longer?

THE MINISTER OF MINES: The leader of the Government informs me

he has not the time at his disposal to devote to this Bill which members seem to think would be necessary. I merely make this statement, and I desire, with the approval of the House, to take the course now proposed, that this Bill should be withdrawn in its present form, and that a Bill should be introduced to amend the present Goldfields Act, embodying those matters which members representing the mining community consider to be of the most vital importance at the present moment, and that the provisions dealing with mining on private property contained in this Bill should be embodied in a separate Bill to be introduced. I consider this is an excellent Bill, as I have said, and my opinion is that hon. members have not studied it perhaps in the same manner as I have, and have not looked into its provisions as carefully. I think there are many points that are excellent in the Bill; and, had we had time, we could have sent from this House a Mines Bill which would be second to none in the Australian colonies. However, it does not appear to be the wish of a majority of the members to deal with the question in this way at the present time; and as the Bill is of such length, and a delay of over two months having occurred before the Bill got into Committee, that delay being brought about really in deference to the wishes of the mining members, and not through any desire on my part, for I was prepared to go on with the Bill a month ago, if members had not so frequently asked me to keep it back because they wanted the mining community to consider it, this being the position now, I shall be glad to hear the views of hon. members on the course which it is proposed to take. If the House were prepared to deal with the Bill at the present moment, no one would be more pleased than myself to see it become law; because I consider, as I said before, that we have in it a very good measure which would be acceptable to the mining community, and be of great service to the country.

THE SPEAKER: The hon. member had better move that the order of the day be discharged.

THE MINISTER OF MINES: I move that the order of the day be discharged.

Mr. GREGORY (North Coolgardie): I move, as an amendment, that the debate be adjourned until Thursday next. Mining members want to be fully assured of their position; and to be quite satisfied that if an amendment of the existing Act is brought in after this Bill is withdrawn, we shall be able to introduce any clauses or amendments we think fit. We want to be assured that there will not be the slightest danger of friction occurring, or that amendments, when proposed, will be ruled out of order. It is intended there shall be another meeting of the goldfields members on Thursday afternoon.

Mr. MORAN (East Coolgardie): What a large majority of the goldfields members decided was, first that the present Bill should be discharged, and, secondly, that various alterations should be made in the existing Act. The second meeting of mining members is for the purpose of confining our attention to the necessary amendments, so that we may not inflict on the House any long debate. I hope the House will support the motion of the Minister of Mines.

Mr. VOSPER (North-East Coolgardie): I rise to support the amendment.

THE SPEAKER: It has not been seconded yet.

Mr. VOSPER: I will second it *pro forma*, for the purpose of enabling me to speak.

THE SPEAKER: You can speak without that.

Mr. VOSPER: I do not see that I shall do any great harm by seconding it; but I would like to say there has been a doubt in my mind also as to whether, when a fresh Bill on the subject is introduced, members will have the same privilege of moving new clauses as they would have under ordinary conditions. If we are certain that we shall have such privileges, there will be no objection to the present Bill being discharged. I want to inform the House that, although the minority was only small in the meeting of goldfields members, still it was very decided in its view. My opinions of the Bill it is proposed to withdraw are of a rather mixed character; for I have looked on some of its provisions as being distinctly bad, and I was prepared to combat them to the fullest

possible extent; but, on the other hand, I recognise that there are many provisions in the Bill which are good, and therefore I am extremely sorry to see that the measure is to be sacrificed. If I give my consent to the Bill being retired at all, I do so in order to consult the convenience of the House; but I ask your ruling, Mr. Speaker, firstly as to whether it will be in order to introduce a Bill identical with the one which has already been debated in this House, and, secondly, if such a Bill be introduced, will hon. members have the opportunity of dealing with it as they would with an ordinary Bill, by proposing amendments and new clauses?

THE SPEAKER: I answer both the questions of the hon. member in the affirmative.

Mr. ILLINGWORTH (Central Murchison): I rise to express my dissatisfaction with the statement that, because the Government want to close Parliament, therefore this Bill is to be withdrawn. Parliament has business to perform, and the decision as to withdrawing a particular Bill should not be left to the Government at all, because it is for this Parliament to say when its business shall be closed, and not for the Government to say they will close it at a particular time. Of course the Government, having a majority, know they can do as they like; but I must submit that it is not for the Government to come down at any moment they please, when the House is engaged in important business, and say they intend to close Parliament. They can do it, as we know, because their majority enables them to do anything that is in order or out of order. There is no reason why the Government should not do what they please, if they can get the House to sanction it; but I contend that it is for this House to say how much power they will give to the Government under certain circumstances. Other Parliaments, which have met earlier in the year, will have to sit on to Christmas and perhaps later, and there is no reason why this Parliament should close in October. It may just as well close in December, if business has to be done. I suggest that no time will be saved by this proposal—none whatever—because motions are sure to be tabled, and they

will take just as long to be discussed as the Bill itself. We have done a certain amount of work on this Bill, and we ought not to erase that. I rise to protest against the idea that, because the Government want to close Parliament on the 14th of next month or thereabout, therefore this Bill must necessarily be withdrawn.

MR. MORGANS (Coolgardie): I admire the good nature of the hon. member who has just spoken, for he says it does not matter whether this Parliament sits till after Christmas or not. The hon. member seems to be oblivious of the fact that he lives in Perth, while many other members live 300 or 400 miles away from Perth.

MR. ILLINGWORTH: That does not affect the principle.

MR. MORGANS: It affects the principle very much, for I am talking about the convenience of members of this House, and the hon. member seems to be entirely oblivious of the fact that other members live so far from Perth, whereas the hon. member is ensconced in a comfortable villa, and can come down every day to this House without any inconvenience to his own business or to himself, whereas members who live on the gold-fields have to make very serious sacrifices of their own business and convenience in order to attend the meetings of this House. I have undertaken the responsibility of representing the constituency of Coolgardie, and am prepared to make any reasonable sacrifice of my time and personal convenience in order to serve the interests of the public; but I am bound to say that some limit should be placed upon the demand made upon business-men like himself, and that, when the hon. member calmly suggests that this House should sit from January to December, or nearly so, I cannot agree with him, and I do not think it is a reasonable proposition for any member to make. We commenced sitting in June, and the hon. member suggests that we should sit on till near Christmas, so that we should be in session a large portion of the whole year. It would be most inconvenient for me, and I think there are very few gentlemen in this colony who would be prepared to undertake parliamentary duties if they were supposed to

give up their whole time. I, for one, could not do it. The suggestion of the hon. member was made with calmness and deliberation, but I think it was made also without any consideration for the convenience of others, and I cannot agree with it. In view of the discussion that has taken place this afternoon on the Mines Bill, it is my opinion that this House, in view of the length of the Bill, and notwithstanding that I acknowledge, and I am glad to say that the public also acknowledge, that the Bill is well drafted and contains very valuable clauses, and if we had time to deal with the clauses they are well worthy of the best attention of this House; yet in view of the fact that we have not time to deal with the lengthy Bill, and in view of the fact that an amending Bill can be brought in which will answer the purpose of the present time, until the next session of Parliament, for getting rid of some of the difficulties of the existing Act, I respectfully submit that the best course to take is to bring in an amending Bill, which need not take more than a week at the outside for its discussion. It will be better for the convenience of this House and of members generally that this course should be taken; therefore I have much pleasure in supporting the proposal of the Minister, that the Bill shall be retired for the present time and an amending Bill brought in for the consideration of the House.

THE MINISTER OF MINES: I suppose there will be no difficulty in bringing in an amending Bill, after the present Bill is discharged?

THE SPEAKER: Certainly not. It would not be necessary to discharge this Bill, if the Bill were to be brought in again in the same form. The House has not negatived this Bill nor expressed an opinion upon it; therefore, if this Bill be withdrawn, another Bill on the same subject can be introduced.

MR. GREGORY (in reply): Being assured that a Mining Bill can be brought in, and that no custom or usage will debar members from proposing any amendment they desire, I cannot see any objection now to the course proposed. In moving the amendment, I thought it would be better to consider the matter further: but I am satisfied now with the course it is proposed to take. I was influenced by remember-

ing a question which arose last session in connection with two Bills on the same subject.

THE SPEAKER: They were both before the House at the same time.

MR. GREGORY: Yes; I remember that was the difficulty, and I was afraid it might be repeated here. I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Question put and passed, and the order of the day discharged.

PUBLIC EDUCATION BILL.

LEGISLATIVE COUNCIL'S AMENDMENTS.

The schedule of 28 amendments made by the Legislative Council was considered.

IN COMMITTEE.

No. 1—Page 2, clause 3, definition of State school—Strike out the whole:

THE MINISTER OF MINES (Hon. H. B. Lefroy) moved that the amendment be agreed to.

MR. MORAN asked the Minister for an explanation of the amendment.

THE MINISTER OF MINES: These amendments had been proposed in another place, and it was for the Committee to say whether they should or should not be agreed to. Hon. members would notice that in clause 31 of the Bill the Council proposed to strike out "State and other schools established under this Act" and insert "Government schools." The Minister of Education (Hon. G. Randall) had informed him that he had no objection to the proposed amendment: still, he (the Minister of Mines) thought a State school might as well be clearly defined. Possibly, when dealing later with the Council's amendment to clause 31, the Committee might attain this object by adding words fixing the ages of children.

MR. ILLINGWORTH: This was a definition clause, which defined a State school as one assisted and supported by the State. The definition was absolutely necessary; otherwise every approved school would be a Government school for the purposes of the Act. He therefore disagreed with the Council's amendment. The definition would be required right through the Bill.

MR. MORAN: The Council's amendment made it possible for a State school to be established on the plea that a district contained any number of children whose ages varied from five minutes to 14 years. The minimum school age ought to be fixed. Infants in swaddling clothes were not required in State schools.

THE MINISTER OF MINES: The Council's amendments required time for consideration, which he had been unable to devote to them. He had moved that this amendment be agreed to, with the object of promoting discussion in Committee, and not because he was personally in favour of it. He would withdraw the motion.

Motion, by leave, withdrawn.

THE MINISTER OF MINES moved that the amendment be not agreed to.

Put and passed, and the Council's amendment disagreed to.

No. 2—Page 4, clause 11, last line—Strike out the words, "on the recommendation of the Minister":

THE MINISTER OF MINES moved that this amendment be not agreed to. What necessity could there be for striking out these words? Such appointments were always recommended by the Minister to the Government. How otherwise could the Government make the appointments, which ought to be provided for in the Bill?

Put and passed, and the Council's amendment disagreed to.

MR. WOOD: Hon. members seemed to be at sea in regard to these amendments. The Minister had stated that there had been no opportunity for their consideration. He (Mr. Wood) moved that progress be reported. No hon. members had given much study to these amendments.

MR. LEAKE: The hon. member ought to have done so.

Motion (Mr. Wood's) put, and a division being called for by Mr. LEAKE, it was taken with the following result:—

Ayes	...	...	...	6
Noes	...	...	...	19
				—
Majority against	...			13

Ayes.

Mr. Conolly
Mr. Doherty
Mr. Higham
Mr. Moran
Mr. Quinlan
Mr. Wood

(Teller).

Noes.

Hon. S. Burt
Sir John Forrest
Mr. A. Forrest
Mr. Gregory
Mr. Hassell
Mr. Holmes
Mr. Illingworth
Mr. Leake
Mr. Lefroy
Mr. Oats
Mr. Pennefather
Mr. Piessé
Mr. Rason
Mr. Solomon
Mr. Vosper
Hon. H. W. Venn
Mr. Wallace
Mr. Wilson
Mr. Kenny

(Teller).

Motion thus negatived.

Question put and passed, and the Council's amendment disagreed to.

No. 3—Page 5, clause 17—Strike out the whole, and insert the following in lieu thereof:—

Qualification of electors. *Ibid.*, s. 11.—17. Any householder occupying a dwelling house of the clear annual value of ten pounds sterling, and who has resided within the district for six months, shall be qualified to have his or her name placed on the electoral roll of the district.

THE MINISTER OF MINES moved that the amendment be not agreed to.

Put and passed, and the Council's amendment disagreed to.

No. 4—Page 5 clause 20, sub-clause (2)—Strike out the whole, and insert the following in lieu thereof:—

2. Every person so appointed may continue to be a member of such board until the first day of January following the next general election of such board.

THE MINISTER OF MINES moved that the amendment be agreed to. This amendment was an improvement.

MR. MORAN: The Minister might have been expected to give a little explanation or reason for the alteration made in another place.

THE MINISTER OF MINES: Members of this House were not supposed to know what went on in another place.

Put and passed, and the Council's amendment agreed to.

No. 5—Page 7, clause 29—Add the following to the end of the clause:—

Provided that upon the constitution of a district board, which shall include any such school

or district, the said correspondents or board of advice shall be superseded by the district board, and be merged therein.

THE MINISTER OF MINES moved that the amendment be not agreed to. There seemed to be no need of it. When members of a district board were appointed or elected, the first thing for the Governor to do would be simply to remove the local correspondents or board of advice.

Put and passed, and the Council's amendment disagreed to.

No. 6—Page 7, clause 31, sub-clause (1)—Add the following words:—"Where an average attendance of twenty children is maintained:"

THE MINISTER OF MINES moved that the amendment be not agreed to. There was no necessity for the proposed words to be added.

Put and passed, and the Council's amendment disagreed to.

No. 7—Page 7, clause 31, sub-clause (7)—strike out the whole:

THE MINISTER OF MINES: It was proposed to strike out sub-clause 7 of clause 31.

MR. MORAN rose to a point of order. He had a Bill in his hand which said "as amended in Committee." In clause 31 there was no sub-clause 7. What was he to do? Was the Bill right or wrong?

MR. VOSPER: There was no sub-clause 7 in the original Bill.

THE CHAIRMAN: The Bill he had contained sub-clause 7.

MR. ILLINGWORTH: Members had not the Bill, and he found that there were none in the House to distribute, so he could not see how members could possibly go further with these amendments.

A MEMBER: Where was the Bill as amended?

ANOTHER MEMBER: At the Government Printer's.

THE MINISTER OF MINES: The Bill he had was as amended by this House in Committee. He received it this morning, and he was sorry members had not the amended Bill.

MR. ILLINGWORTH: The Government ought not to put members in such a position as this.

MR. VOSPER rose to a point of order. Were the Committee discussing a motion for reporting progress? He thought Mr.

Illingworth moved a motion to that effect.

THE PREMIER: A quarter of an hour had not elapsed since the previous motion.

MR. VOSPER rose to a point of order. Were members in order in discussing a Bill which they had not before them?

MR. GEORGE: Were members to be asked to discuss the education question in the absence of the Bill as amended; and was it the intention of the Government to push this matter in a manner which could do nothing but throw discredit upon them? Members should refuse to be made fools of. Members had not the Bill, and might as well be dummies.

THE PREMIER: The Government had not heard that members had not the Bill until now.

MR. GEORGE: Why not report progress?

THE CHAIRMAN: The adjournment of the debate could be moved.

MR. GEORGE: The time limit having expired, he moved that progress be reported. His reason for doing so was that the Bill as amended was not before the House, and members were asked to give an opinion upon the matter without really knowing what they were called upon to speak about.

THE MINISTER OF MINES said he would like to make one remark.

THE CHAIRMAN: Discussion could not proceed.

Motion—that progress be reported—put and passed.

Progress reported, and leave given to sit again.

WORKMEN'S WAGES BILL.

SECOND READING.

Debate resumed on the motion for second reading, moved by the Attorney General on the 13th September.

MR. WILSON (Canning): I consider that the only good point about this Bill, to secure the better payment of workmen's wages, is the last clause, No. 28, to repeal the existing Act. We are suffering from over-legislation. We find that the Workmen's Lien Act does not operate and is no good, not serving the purpose for which it was intended. Now we are rushing into a Bill which appar-

ently has had very little consideration from practical men, and which, to my mind, will put us into a worse position than we were in before. I do not wish to go fully into the matter, and I simply say that if we pass this Bill as it is, the effect will be to stop credit, inasmuch as merchants and others who are supplying building contractors with material will cease to give credit when they know that the money in the hands of the employer, or the person who is having the building erected, can be attached. As far as I can see, there is no limit to the arrears of wages for which this money can be attached. If such a Bill were passed at all, it ought to be applicable to wages due from the last previous pay day. Although I and every other member of the House would ensure, as far as possible, due payment of workmen's wages, yet the workmen must take some responsibility and see that they get their wages paid on the due date. If the contractor engaging men does not pay their wages on the proper pay-day, it is the duty of the workmen to leave that employer, and not go on working week after week and month after month, until the wages practically amount to a large sum, which may swallow up the whole of the money that is to go on the contract, and leave those who have given credit for material in the lurch as regards what is due to them. Consequently, this Bill would have the effect of driving employers to do the work by day labour, and would do away with contract work to a large extent, because the position of an employer would be so complicated, by having not only his own responsibility in being required to keep in hand the money attached for the purpose of paying wages due by the contractor to his workmen, but the same position would apply to a subcontractor, so that there would be no end to the liability of the employer for whom the building was being erected. Any person wishing to build a house and looking at the provisions of this Bill, would be likely to say that rather than put up with the complications and responsibilities and liabilities which the Bill creates, he would do the work by day labour, in-

stead of by contract; and I do not think that is a state of affairs to be desired. Further, I see a grave objection to the clause by which it is intended to make the position of the employer secure, for it says he shall be liable only for the amount due on the contract; but in an ordinary contract, as is well understood and known, nothing is due from the owner until the architect has given a certificate for a certain amount to be paid to the contractor; therefore, how can you arrive at the amount that is due under a contract? Supposing a workman puts in a declaration that the contractor owes him £5 or £10 or £15 for wages, how can you assume that the amount is due from the contractor, when the work has not been passed by the architect? It is not due until the contractor gets a certificate from the architect showing a certain amount is due on the work done. I see no end of difficulties on the face of the Bill, and I am sure it will be absolutely unworkable, and will do no good to the workman, to the employer, or to the contractor. As to the legislation we passed last session on this subject, I never thought much of it, and I do not think it was desired by the working men in this colony. I do not know of many cases in my experience, in fact very few, wherein working men have lost their wages due from a contractor; and I say that, if they have lost them, it is generally due to their own negligence in not insisting on the wages being paid on the proper pay-day. At the present time, both in this colony and in England, workmen are protected, because wages are a first claim on any estate in bankruptcy; and it is very seldom we find an estate will not pay out sufficient to pay the wages due for labour on contract work; and when such a case does occur, it is, as I have said, largely the fault of the workmen in allowing the contractor to run into arrear with the payment of wages. Workmen are responsible for that, and ought to suffer the consequence. To take a few of the clauses, I observe that clause 3 specifies that wages shall be paid at intervals of not more than one week.

THE ATTORNEY GENERAL: We propose to increase that to four weeks.

MR. WILSON: That period would be a step in the right direction, because wages in country districts are not paid weekly, and it would be no advantage to the workmen to have it so, and would only be an inconvenience to contractors and employers in country districts. Clause 5 gives to the workman power to attach for all wages due and to accrue due. That is indefinite, for one workman or several workmen might act in collusion with a contractor and allow their wages to run on for several months, and then they could attach the whole of the money left in the hands of the employer, and thus leave in the lurch those who supplied the material. That would certainly have the effect of stopping credit. Clause 7 is one which no hon. member will be likely to agree with, for it gives to the workman whose wages are in arrear more than eight days a right to go into his employer's office and inspect the accounts, and the workman may take a copy or make extracts. We are coming to a pretty pass, if we have to enact a law by which a workman can go into the office of his employer and demand to see his books and take copies! If that is to be the position of an employer, I think it is time that employers closed down their works and stopped operations. (MR. GEORGE: Hear, hear.) Clause 9 provides that the money attached may be paid into court; and clause 12 enacts that if the workman does not proceed and obtain judgment within three months, then that money is to be paid out to the contractor. This means that, if a number of workmen have a claim, real or imaginary, against an employer, they simply have to give notice to the employer, and he is then bound to pay a sufficient sum into court to cover the claim; and three months must elapse before that claim can be dealt with, if the workmen do not proceed with it. That would have the effect of locking up the employer's money, perhaps £500 or £1,000 on a job; and it would probably stop the contractor from having a settlement; and it means that eventually the employer for whom the work was being executed might have to take the contract into his own hands

and finish it, so that the contractor would be practically ruined. These are the main objections I see to the Bill, which, as a whole, seems to me to be absolutely unworkable and absolutely unjust; and, further, it is a Bill that the workmen do not want, and certainly do not need, and if they get it they will not know what to do with it. I think the best thing hon. members can do with the Bill is to strike out all the clauses from 1 to 27, and pass only clause 28, which repeals the Act of last session, which has proved such an incubus to the Commissioner of Railways and Director of Public Works during the short time it has been in operation.

MR. WALTER JAMES (East Perth): There can be no possible doubt that the operation of the Act which it is proposed to repeal has been most beneficial. One does not want to listen to gentlemen interested in contracts to tell us the Act has been a failure, for the fact remains that, since the Act has been in force, and by reason of it, workmen have been able to obtain their wages who would not have been paid had it not been for that Act; and, although one effect has been that the Commissioner of Railways has had to become responsible to the workmen for wages due, yet some of those men would never have been paid had it not been for the existence of that Act. I repeat that the legislation of last session on this subject has been the means of saving the wages to a number of men who would not otherwise have been paid.

MR. GEORGE: Why?

MR. JAMES: Because there are contractors who will not pay, if they can get out of it.

MR. GEORGE: Very few.

MR. JAMES: The hon. member's experience has been with contractors who always paid, and he therefore takes a rosy view of the actions of contractors generally. But I think he is wrong in that, and that he will bear me out in saying that legislation, as a rule, is not introduced for controlling or limiting or directing what shall be done by honest employers, but it is intended to check those who are dishonest and who produce the evils against which the legislation is directed. We legislate to check the dishonest, and not to interfere with those

who are honest. It may be there are some provisions in the Act passed last year which are undesirable, and I think it does interfere unduly, in some respects; but that does not detract from the general proposition that there is a real need for legislation of this kind. That Act has had the effect, in at least one instance, of insuring the payment of wages to men who would otherwise have been defrauded; and that one instance is worth dozens of speeches.

MR. GEORGE: One instance in the whole colony!

MR. JAMES: One instance in twelve short months, in a small colony like this, one instance of which we know publicly; and there is another instance of which I know, privately and professionally. I have no doubt there are other instances, of which professional men have knowledge in this country. It must not be forgotten that in the last few months working men were not aware of the existence of this Act, that it had not attracted their attention, and I think I may also say that the employers were not aware of it; so that we cannot point to the fact that there have been only one or two disclosed instances within the last twelve months as proof that the Act is not required. Legislation of this nature exists elsewhere; therefore, what can be the objection to it? It seems to me that a man who works for a contractor should be paid by that contractor, and the man whose labours should have a preferential claim in respect of his wages for his labour. We give the landlord a preferential claim, for he is entitled to go into the house of his tenant and sell not only the tenant's goods, but the goods of other people which may be there. But the labourer, who has his claim for wages by virtue of having by his labour earned money the contractor claims, is to have no preference. I must submit that the wage-earner is the man who is entitled to preference. Take the rule of common law which provides that, if a man is employed upon a movable chattel and improve that chattel, he is entitled to a lien upon it in respect of the work done; that is, if it is a chattel of which he can hold possession. I think that principle is founded on justice; and why should it not be extended as far as we can possibly

extend it? If any of us labour for a contractor, and by virtue of our labour earn the money which is paid to him, why should we not be paid out of that money which we have helped to earn? That is the general principle; but it seems to me the member for the Murray (Mr. George) does not understand it.

MR. GEORGE: You do not understand it.

MR. JAMES: Well, I am endeavouring to understand it. To me it seems very simple—the broad principle that the man who earns money should be paid his wage out of money he earns.

MR. GEORGE: On that I agree with you.

MR. JAMES: Then that being the general principle, why should we not adopt legislation for the purpose of preventing men from taking from the pockets of those who earn money and giving it to those who do not earn it?

MR. GEORGE: There are other claims besides wages to be considered.

MR. JAMES: I am quite prepared to admit that, and to protect the contractor himself by bringing in a Workmen's and Contractors' Lien Bill. I do not wish to be narrow or selfish in urging this general principle. But, so far, we have a chance of applying it in only one particular direction, and why not apply it in that direction when we have the chance? Why should we say that we will not give protection to the workman because we cannot at this moment also give it to the contractor? Give it to both if you can; although I am quite sure the hon. member (Mr. George) will be the first to agree with me when I say that, if a conflict arises between the man who supplies goods and the man who supplies labour, then the man who is living on his labour from day to day should be first paid, care being taken that arrears of wages should not be allowed to accumulate. If a man can afford to work for months without payment, he becomes a capitalist who can look after himself; but I think we should give the labourer a preference as far as we possibly can. There are objections to the existing Act, which only disclosed themselves in its actual working, and which no one could have foreseen. Those evils have been

found, and this Bill has been brought forward to meet them.

MR. WILSON: The Bill is unworkable.

MR. JAMES: I would ask the hon. member first of all to agree with me on the general principle. If we think there are principles in the Bill which are defective, we can modify them as we go through it; but I would ask hon. members to agree with me that the workman should be paid if he earns the money.

MR. GEORGE: Certainly.

MR. JAMES: I have pointed out a case which has been notorious, and I know in my professional experience of another case.

MR. GEORGE: One drop in the ocean.

MR. JAMES: Even if it be one drop in the ocean, if we can by this Bill save the working men of the colony two or three hundred pounds a year, we shall surely do well.

MR. WILSON: In one of those cases the wages were in arrear.

MR. JAMES: The wages were not long in arrear; and, if they are not long in arrear, they ought to be paid. The members for the Murray (Mr. George) and the Canning (Mr. Wilson) lay particular stress on the point that every contractor is anxious to pay his men. Most of them, I believe, are anxious to do so; but we want to legislate for those who are not; and, if we can do an act of justice by checking the power of doing evil by those contractors who want to be dishonest, we ought to use our best efforts to secure that end.

MR. GEORGE (Murray): I certainly agree with the member for the Canning (Mr. Wilson) in his action with regard to this Bill. I have gone carefully through it; and, so far as my experience goes and my understanding will allow me to judge, I think it is a Bill which would do far more harm to the working man than it would do him good. I believe it will practically stop contracting, that it will practically stop the granting of credit to the men who enter into contracts, and that it will practically stop enterprise on the part of private individuals in respect of buildings and other works. I will endeavour, as I go on, to give my reasons for so thinking. Before I do so, I wish to reply to my genial friend, the member for East Perth (Mr. James),

whom I am glad to see in his place again, and I hope he will not be long before he regains his accustomed vigour. There was not so much fire in him this evening as we like to see. However, I shall try to supply that when it is necessary. The hon. member says we legislate to check dishonesty. I quite agree with him; but have we succeeded? We have succeeded so well with our Bankruptcy Act that it is far cheaper to forgive a man a debt than to sue him. So far as trading is concerned, there is more dishonesty now than there was twelve months ago. I should like to have the opinion of the member for the Ashburton (Hon. S. Burt) on this point. On such a subject his opinion will be worth listening to. The member for East Perth, who I trust will not go away, because I wish to stir him up a little, gave an instance where a contractor did not pay his wages. I know that instance well, and know the reasons which led to the contractor being unable to pay his men. It was not a lack of honesty, but lack of coin in that case; and the lack of coin was brought about by the action of the Government department for which he was working.

THE COMMISSIONER OF RAILWAYS: Indeed!

MR. GEORGE: The Minister will be able to reply later on, if he wishes to do so; but I think he has too many important matters in hand now to be able to interfere in the case of this small contract. This case was one where there was no lack of honesty. The contractor's name was Gibson. I know him well, as he has worked for me for years; and, if he has a fault, it is lack of control where drink is concerned. He took a contract in the South-Western District, and the department dropped upon him and stopped his certificate, and consequently he could not pay his men. For that one instance, the hon. member wishes to brand contractors as being men who habitually do not pay their way. I say that is not very generous; and the hon. member could not have thoroughly understood the facts of the case. He (Mr. James) also referred to my experience of contractors. Perhaps it has been my good fortune that I have had good men to work for; but in the course of about 28 years' experience in

connection with contractors in different portions of the world, I may say that, not only the employers for whom I have worked, but those I have known, have been honourable men and have paid their wages punctually; and most certainly it is an article of faith, even amongst that dishonest crowd called contractors, that whoever else goes short, wages must be paid; and I believe that throughout the world they are paid. The hon. member draws a distinction between wages and goods. Let me take the case of a building, and suppose a contractor undertakes to build a row of houses. He buys his bricks, and surely there are wages in respect of those bricks? Bricks cannot be made without employing men, who require their wages just as much as the bricklayers or bricklayers' labourers. Take goods such as the member for the Cannington (Mr. Wilson) would supply—sashes and doors: wages are required in the making up of these, even more than for material; and surely these wages are as important as the wages of the carpenters who fit them up in the building? Take the question of stone for the foundations of a house: the getting and the carting of that stone mean wages; and surely those men are as much entitled to their wages out of the job as are the men who cut and carve that stone and place it in position in the building? It seems to me there is a difficulty in connection with that matter which no doubt legal members will be able to solve and prove that it does not really exist.

MR. WILSON: They propose to carry the principle right down.

MR. GEORGE: If they do, suppose the Attorney General wishes to build a house at Claremont, though I should be sorry to see the hon. gentleman undertake it in the present state of affairs; but suppose he lets out a contract to some builder, we will say the member for North Perth (Mr. Oldham), and that the Attorney General is the employer; then the building progresses, and the member for North Perth, whose pardon I beg for using his name as an illustration, is by some reason or other unable to pay the wages of his men. Then the men can, under this Bill, call upon the employer

either to pay the wages or to put money apart for so doing.

THE ATTORNEY GENERAL: That is in the existing Act; but it cannot be done under this Bill.

MR. GEORGE: Clause 9 says distinctly:

Any workman whose wages remain unpaid for twenty-four hours after they become payable and have been demanded may serve the employer, or his attorney or agent, with a notice of attachment in the form No. 1 set forth in the schedule hereto, or to the effect thereof; and upon service thereof all moneys due and thereafter to become due and payable to the contractor shall be attached, and shall be retained by the employer until the court in which the claim is heard shall direct to whom and in what manner the same are to be paid.

THE COMMISSIONER OF RAILWAYS: That is if the employer owes him anything.

MR. GEORGE: The Bill says distinctly:

But any employer may pay into the aforesaid court the sum mentioned in the notice of attachment if such sum is an ascertained and fixed sum, and the receipt of the registrar or the clerk of such court for the said sum shall be a full discharge to the employer of his liability under the attachment.

But supposing the other instance, where the workman obtains a judgment, then has not the employer to appear in court to prove that there is not that amount due? I wish to ask the Attorney-General, supposing he is an employer, and one workman wants his wages, being a right and proper thing to have, and the workman serves this notice of attachment upon the hon. gentleman, and the case is to come before a magistrate, would not he, as the employer, have to appear in the court?

THE ATTORNEY GENERAL: If the money were not due, the employer would have to appear.

MR. GEORGE: Very well. Would not that position be so intolerable to the employer that he would sooner search round the place for someone who would complete the house, than undergo this inconvenience of being harassed by workmen under this Act?

THE ATTORNEY GENERAL: Oh, no.

MR. GEORGE: Then you are not built like other men.

THE ATTORNEY GENERAL: The employer can be sued now.

MR. GEORGE: I know he can be sued. I do not object to protecting the workman. My sympathies are entirely with him:

but do not so harass the employer that he would rather prefer to stop work than to go on and give employment. It is not given to every man who wishes to build a house to be able to judge as to the progress being made with the structure, for he is in the hands of his architect; and it is within our experience, I am sure, that architects' certificates have been given for more money than could fairly have been asked in respect of work done. How are architects' certificates obtained? Probably the member for East Perth (Mr. James) does not know; but I will tell him how they are usually obtained. An architect receives so much money for drawing the plans, and so much for supervising a building; and he has to give a certificate to the builder that there is material on the ground and work done representing the amount of such certificate. On a Saturday morning the builder may want a certificate in order to get money for wages. The architect goes down and views the building, and says to himself: "Oh, I think there is about enough work and material there," and gives a certificate. But I have known numbers of cases where the job has been thrown up, and it has afterwards cost the owner double the amount that has been kept in hand to finish that job. I do not want the hon. member to think I am trying to labour this question, for I am simply speaking from a practical point of view. Then, as I pointed out with regard to the wages of the other men, I know the member for East Perth will say the brickmaker, the stone merchant, or the timber man would have enough capital to provide wages, and that his profits would be sufficiently large for the purpose. I have not the slightest doubt, however, there is not one brickmaker, stone merchant, or timber man who, during the last six months, has made anything like a respectable interest on the capital employed. I can tell the House, and other hon. members can confirm my statement, that if we take our list of book debts, and go through them, we shall not obtain more than 60 per cent. of the amount. That is the position at the present time, and it is not because of dishonesty, but simply because trade has been dull or crippled, whichever you like to call it, and people have had stacks of

stuff on which they could barely realise. I am not able to put the matter as clearly as I would like, but it seems to me this Bill will stop a man who wishes to build by means of a contract, from doing so; for he will say, "I cannot be bothered this way. If I cannot say that the price is £1,500, pay it, and go into the house and have done with it, I shall not build it at all." As to clause 7, referred to by the member for the Canning, with regard to keeping a correct and truthful account, is it not too inquisitorial altogether that a contractor must allow his banking books and anything else to be open to any workman or any other person who likes to go through them? Supposing a competitor in trade wishes to know the business of another, all that he has to do is to find a clever, unscrupulous workman, and there are such persons other than those engaged in law, and induce him to obtain employment under this rival contractor, pick a quarrel with him, and then demand to inspect his books. Last session I said I had never seen an instance where every part of a man's business and private concerns was supposed to be open to such inquisitorial legislation as that comprised in the Industrial Statistics Bill. That Bill seems to have been only one step, and the present proposal is another. How much further we are going, goodness only knows! Clause 26 says: "Every workman in the service of such sub-contractor shall have the same rights and remedies," and so forth. Here is a person who takes a contract for well-sinking. Two men are employed, one being below and the other at the brace, and the man below is generally the man who draws the money. They generally go into camp and live by themselves, the man below being the man to find the tucker. After a while they have a quarrel, because perhaps the man at the brace does not draw the stuff up quickly, or it falls on the man below. When that takes place the man at the brace will, under this clause, say, "Mr. Attorney General, you are the gentleman having that house built; I am serving a sub-contractor under the contract for a well, and I am not getting my dues. I want my money." Take an ordinary building costing £1,500 or £2,000. The number of labourers directly engaged on that

building would run to about 40 or 50, which means that there would be 40 or 50 chances of the owner of the house, or the person who wants to build it, being brought under this Bill. I hope the suggestion of the member for the Canning will be accepted, and that the Bill will be thrown out. I do not believe that it is needed by the working men, and it certainly is not required for the reason that the men are done out of their wages. Another thing I would like members to consider is that we do not meet to legislate in a grandmotherly style, but for the purpose of doing right. If a man will not protect himself by refusing to work when he does not get his wages, he does not deserve any sympathy or support. He has his own remedy, and he ought to take it, and I am sure if the Bill passes it will become ineffective.

MR. MORGANS (Coolgardie): I wish the Attorney General to say who asked for this Bill? Who has asked for protection? So far as I can understand the position of affairs, the working man has, at the present time, all the protection that is desired. As far as I can see at present, the House is entirely in the dark as to who has brought in the Bill, and what is the object of it. What is the intention of the Bill? If it is a Government Bill, I feel that it does not do the Government any credit. It seems to me to be trying to saddle the employer of labour with restrictions and responsibilities that are altogether outside the bounds of reason. I do not quite understand the position, as far as the ordinary labourer is concerned, but I do know that mining labourers possess ample security for any claim they may have against an employer.

MR. JAMES: Why should not other labourers have a claim as well?

MR. MORGANS: The member for East Perth asks why other labourers should not have a claim. There is no man in this House to whom I yield in this, that every workman should have a proper control over the results of his labour. I do not object to that at all; but it seems to me that the ordinary labourer has that control. If he works for one week, and he finds on Saturday when he comes to receive his wages, that his employer does not pay him those

wages, he has a remedy. He need not go on the following Monday, and all he has to do is to at once bring the employer before the court, and ask him to pay the wages due.

MR. JAMES: Why cannot a miner adopt that course?

MR. MORGANS: That is just what he does do.

MR. JAMES: He gets a lien as well.

MR. MORGANS: No Legislative Assembly has any right to make a special provision for the protection of one man against another which is not a common protection to the whole of the public.

A MEMBER: What about landlords?

MR. MORGANS: If a tenant has not paid his rent, the landlord sues him, and gets it.

MR. JAMES: Oh, no; he sells the goods.

MR. MORGANS: He has the same rights as the labourer possesses in this case. It is absurd for the House to attempt to establish separate legislation for one particular class. It is ridiculous, and uncalled for. Legislation in this House is to protect all classes, and, as I said before, if a man at the end of a week goes to the office of his employer, and finds that his week's wages are not paid, all he has to do is to sue in order to get them.

MR. JAMES: Suppose he is employed by the fortnight?

MR. MORGANS: It does not matter. The majority are employed by the week; but if one is employed by the fortnight, then he can go for his wages at the end of the fortnight and adopt the course I have suggested. I say, with all respect, this House must not be made the medium of class legislation. It is not the intention of any Anglo-Saxon Legislature in the world. The legislation of this colony, which is a British colony, is intended to protect the rights of all. I do not yield to the member for East Perth one iota in my desire to protect the workman. I wish to protect him in every shape and form; but I object to any legislation that gives him special protection against anybody else. As I say, he has at the present time all the protection that is necessary to enable him to secure himself; and if he does not avail himself of the facilities afforded, it is his own fault. The House, and the

laws of the country, cannot be blamed for that; therefore, as far as I am concerned, I desire to move that this Bill be read this day six months.

A MEMBER: Let the Bill go into Committee

MR. JAMES: Throw it out.

MR. MORGANS: I am prepared to let it go into Committee and be discussed on its merits

THE PREMIER: The present Act is worse.

MR. MORGANS: In that case we will let it go into Committee. If we do so we can discuss the various clauses, but I strongly oppose the general principles of the Bill.

At 6.30 p.m. the SPEAKER left the chair.

At 7.30 the SPEAKER resumed the chair.

MR. SOLOMON (South Fremantle): I cannot agree with the previous speakers on this matter, for I think this Bill will be a step in the right direction. The existing Act for regulating the payment of wages has worked very well to a great extent in cases that have come within my personal knowledge, but there are two or three details in it which require alteration. The existing Act requires that the contractee, being the person who is having the building erected, must know from the workmen whether they have been regularly paid; and I observe that this Bill proposes to amend that provision in such a way that I think no one who is an honest employer of labour will object to. Since the Act was passed last year, I have not heard of any case in which employers of labour have objected to say they have paid their men or intend to pay their men. The member for the Murray (Mr. George) referred to the supplying of bricks as a case in point; but I would remind the hon. member that a person who manufactures bricks is an accredited man of business, who can in ordinary cases go to his banker and get a certain amount of credit, whereas the working man has nothing to support his family but his poor weekly wage, and if he goes back at all his credit is stopped at once by the store-keeper.

MR. GEORGE: That is not the point.

MR. SOLOMON: That is a material point, and I believe that no contractor who means honestly to pay his men will object to this provision. The Bill is intended to protect people against dishonest contractors and others, and nearly every statute has the same object, for all through our statutes it will be found that Bills are framed with that object. If one man robs another, there is a statutory protection by which the delinquent can be punished. This Bill is a considerable improvement on the existing Act, because, while protecting the workman, it also protects the man who provides the capital for carrying on the work.

MR. A. FORREST (West Kimberley): I agree with the remark of one hon. member who said we should strike out all the clauses in the Bill except clause 28, which repeals the existing Act for regulating the payment of wages. The Act which was passed last year was not understood by hon. members, and no Act ever passed through this House has caused more dissatisfaction. As far as I can see, this Bill is little or no better than the Act of last year, which has been so harassing to those who employ labour and provide the money that its provisions are almost unbearable. I know instances in this city of employers having had to pay money twice over, through not being aware of the existence of this Act; and in general practice we know that a contractor who is carrying on work has to obtain a progress payment from the person for whom, say, he is putting up a building, before that contractor can pay his workmen; and in some cases a contractor in this position has to sign a declaration, knowing it to be untrue, that he has paid his workmen before he can obtain a progress payment from the person who provides the money for that work. Builders and contractors are not men of large means, as a rule, but are men of rather limited means, and before they pay their workmen they have usually to get a certificate from an architect, in the case of a building, that so much work has been performed.

MR. JAMES: And the workmen must take all the risk?

MR. A. FORREST: The architect gives a certificate stating that the contractor is entitled, say to £200; the contractor

takes that certificate to the person for whom the building is being erected; but before the £200 can be paid, the person who is responsible for the money must satisfy himself that the workmen have been or will be duly paid; and if he pays on that certificate, he takes a risk so serious that in some cases within my knowledge an amount has been paid twice over. I do not recollect a case in this colony, in any matter I have been connected with, where the workmen have not been paid their wages, and there are very few such cases in the colony. The irritation that has been caused by the Act passed last year is something unheard of. The Commissioner of Railways, in carrying on works for the country, and dealing with some well known contractors, has had to send round and satisfy himself that the workmen were paid their wages, before the public money due on the work could be paid over; and I ask whether it is fair that such a proceeding as this should have to be gone through by anyone who has to pay over money for carrying out public works. Would any person do that in his own business?

MR. GEORGE: He would sooner not do the work.

MR. A. FORREST: I know that in one case a man had to swear an oath which was not true, that he had paid his workmen, for he said to me: "I cannot pay these men till I get this money from you," and I, as the employer, could not pay him till he got a certificate stating that he had paid his workmen. That is not what we require. This Bill may be a little better than the Act passed last year, but it seems to me that the Bill is not much better. However, during this session we are looking into legislation a little, and not doing as we did last year, when several Bills passed through which have since been found to be entirely unworkable, and not for the benefit of the people of the colony. It is time we stopped the operation of the present Act, and nipped it in the bud. If workmen are not protected, then bring in a Bill providing that workmen be paid weekly, so that they can only lose one week's wages. But I do not think there are many cases of that sort. We all recognise, especially those of us who are employers of labour, that workmen must be paid first.

MR. JAMES: This Bill recognises that principle.

MR. A. FORREST: Quite so. The hon. member is not an employer of labour, or he would understand the question more clearly.

MR. SOLOMON: There is nothing in the fourth schedule to show that the contractor has paid the men.

MR. A. FORREST: I shall vote against the second reading, and shall afterwards move to repeal the existing Act.

THE PREMIER: No; the course is to pass the second reading, and to move in Committee that all portions of the Bill except clause 28, which repeals the Workmen's Lien Act, 1897, be struck out.

MR. A. FORREST: I do not think the Bill is in the interests of the working men themselves, or of those who provide money to pay for the work.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piessé): This Bill is brought before the House for the purpose of amending an Act passed last year, which is found to work unsatisfactorily. The principle I think is a good one: and there is no doubt that, if it can be carried out in the way provided by the Bill, without proving unduly irksome, possibly some good may be done for workmen; but with the Act under which we are now working I can assure hon. members that very great difficulties have arisen. Under that Act a contractor has to make a declaration which, as the member for West Kimberley (Mr. A. Forrest) pointed out, meant that if he were to follow out the dictates of the Act he would have to commit perjury—that is if he wished to obtain the money to pay his workmen. Some contractors decided that they could not conscientiously make such declarations, and consequently they threw upon the Government the onus of finding the money to pay the workmen. This course entailed great expense to my department; in fact, in some instances we had as many as five Government paymasters travelling about the country paying workmen engaged on various railway contracts. This course had to be adopted to protect the Government. The object of this Bill is to amend the existing law; and if hon. members who disagree with the principle, and desire that both the present Act and this amending Bill be

thrown out, their proper course, I take it, is to agree that the Bill be read a second time, and when in Committee stage, if the Bill cannot be made a workable measure, to strike out all the clauses except the last. If such is the desire of the House the course appears to me easy. I think, however, that before the Bill is finally disposed of, it is the duty of the House to see whether it cannot be made a workable measure. If it can be, then by all means let us bring our experience to bear upon it with a view to bringing about a result which will be satisfactorily not only to the workmen, but to contractors also. There are many cases in which the workman does suffer, and if some measure can be brought in which will protect him, it is the duty of Parliament to bring about such a result. At the same time I think the existing Act is entirely unworkable. The present Bill also is not one which I would advocate, although it has been introduced by the Government. Still, as the Attorney General has pointed out, there are clauses which can be amended in Committee stage; and if these clauses are amended to the satisfaction of the House, perhaps the Bill may be allowed to become law; but if it be the decision of the House that not only this Bill but the present Act shall be abolished, then I take it that the course is to strike out all the clauses except clause 28. On the other hand, if the suggestion of some hon. members is followed, to resolve that the bill be read this day six months, the present Act will remain in force. That is very undesirable, because we shall then have endless trouble in the Public Works Department, resulting in a large expenditure of money to attain an object which the Act intended should be attained, but which it was not intended should be attained at the expense of the country.

MR. LEAKE (Albany): This Bill, and I presume the Act at present in force, seem to me to introduce an entirely new principle into the law of contracts: that a particular party, in this instance the workman, has a power to attach which is not given to anybody else. He can attach moneys in the hands of a third party, before the debt has been ascertained to be due—before judgment, in fact. It may be necessary to protect the

workmen, if it has been shown to the House that any injustice has been done to them with regard to contracts or contracting generally; but so far as I understand the situation there has been no attempt to prove that such necessity exists, and we are indulging, it appears to me, in a little sentimental legislation. I do not see the necessity for this Bill, or for the Act which was brought in by the Government and passed last session.

MR. A. FORREST: The Government did not bring it in.

MR. LEAKE: It was introduced by the Attorney General.

MR. A. FORREST: No; by the member for East Perth.

MR. JAMES: No; it did not go far enough to suit me.

MR. LEAKE: No; there was not enough dynamite in it to suit the member for East Perth. There is really one good clause in the Bill, and that is the last one, providing for the repeal of the present Act. I should not move to strike out that clause, but I am inclined to follow the advice given by one or two members, that we should pass the second reading of the Bill, and, when in Committee, tone it down by striking out, if possible, 27 clauses, and thus make it a Bill which we can not only understand but appreciate. So far as workmen are concerned, protect them by all means; but we must take care, as the member for the Murray points out, not to harass the proprietor, the real employer of the men. It is immaterial to the employer to whom his money is paid, so long as he is satisfied that he ought to pay it; but do not put him in such a position that he may have to pay twice over, possibly through no fault of his own. I would remind hon. members that the workman is amply protected at the present moment by the operation of the Masters and Servants Act. He can get all he wants there.

MR. JAMES: He can get a barren order.

MR. LEAKE: Is it a barren order? The man who disobeys the order goes to prison.

MR. JAMES: What about bankruptcy?

MR. LEAKE: I do not think there is much barrenness about that. It is barren of enjoyment for the man who has

the money, but it is not barren to the workman.

MR. JAMES: What about bankruptcy? Will you answer that question?

MR. LEAKE: I thank the hon. member for the interruption. In bankruptcy the workman is protected, because his wages are made a first charge on the bankrupt's estate; so where is the disadvantage?

MR. JAMES: The assets may be *nil*.

MR. LEAKE: The bankruptcy law protects the workman, and the Masters and Servants Act protects the workman; and this Bill does not really give any extra advantage to the workman, but it does harass the man who spends the money, and you do not want to kill the goose that lays the golden eggs. I certainly feel disposed to fall in with those members who are in favour of the repeal of the present Act. I have no particularly strong feeling on this subject, one way or the other; but I do think that whilst we are legislating for one class—and this is class legislation—we should take care that we protect the others. If any hon. member can show me that there is an injustice being done, or likely to be done, well and good; I will support the Bill. But until that is shown, I do not think we need trouble ourselves about the subject; and we may well go on as we did until this time last year, before we passed the present Act.

HON. H. W. VENN (Wellington): The mover of the amendment—

THE SPEAKER: There is no amendment.

HON. H. W. VENN: I thought the member for the Canning (Mr. Wilson) moved as an amendment that the Bill be read this day six months.

THE SPEAKER: No.

HON. H. W. VENN: I am sure the hon. member's object is the same as that of the leader of the Opposition (Mr. Leake), for he prefaced his remarks by saying there was no necessity for the Bill, no cry from the country for it, that the Act now in force was absolutely unworkable; and that the rights of the working man were protected under common law in every possible way, without this inquisitorial and most undesirable measure now before the House. I think

the procedure suggested by the leader of the Opposition would be the right one. Were we to decide that the Bill be read this day six months, we would still leave the present Act unrepealed; therefore I shall say nothing more than that I am absolutely opposed to the Bill, as I was to the Bill introduced last session which is now the law, and against which I then spoke strongly. I believe our best course is to go into Committee on the present Bill, strike out all the clauses but the last clause, and pass that; and then we shall be quit of both measures.

MR. KENNY (North Murchison): I am certainly more than surprised that members claiming to sit in a democratic Assembly should use such endeavours to oppose what I, at least, consider one of the best measures ever introduced into this Chamber. I look upon the Bill now before the House as a twofold measure, for it is not only to protect the workman, and to see that he receives the reward of his labours, but also to put down the crowd of mushroom contractors who have sprung into existence whilst the Government have been expending such a large amount of money during the last few years. We have instances where an ordinary labouring man of to-day springs up into a full blown contractor to-morrow. He goes around and gets some soft-hearted friends to sign a guarantee that he will carry out his contract, and he puts men on to work. One or two weeks pass away, and he suddenly finds he cannot pay his employees. He gives them half-time for one or two weeks, and, at the end of the month, the unfortunate men find themselves without the wages due to them. Suddenly there is a cessation of work, and the guarantors have to step in and finish the contract, whilst the men employed have, as one member has said, to go to law. I think most of us have had a little experience of what going to law spells. We all know the meaning of the law's delays, and I would like to know what would become of the wife and family of a labouring man while he was waiting for the law to take its course. If it were for nothing else than to put down the dishonest contractors, this Bill would be doing good work; and I have no hesitation in saying that the honest contractor

need have no fear of the Bill. In regard to the Prevention of Crimes Bill, one of the arguments adduced was that it will not press upon the honest man, but only on the dishonest man; and I say that this Bill does not interfere with the honest contractor, but only with the dishonest one, who will never, if he can avoid it, pay his workmen. I am sorry that the member for the Murray invariably treats us to some of his wit on such an occasion as this. I am rather disposed to think he labours under the impression that he was sent into this House to further his own interests. There is no other member of the House who seizes the opportunity so frequently as he does to advertise his own business.

MR. GEORGE: Where does my business come in? I am not a contractor, nor the son of a contractor. Why do you not contract?

MR. KENNY: The member for Albany informed us that the dishonest contractor would be sent to prison if he did not pay his way. The member for East Perth, who is just as learned in the law as the leader of the Opposition, quietly throws in the Insolvency Court. If a working man is to sit down until he gets a dividend out of the Insolvency Court, God help him. We have had some experience of the working of the Insolvency Court, and I pity the man whose wife and children have to wait for the reward of his labours, until he gets it through the Insolvency Court. I was rather astonished at some remarks in which this was characterised as class legislation.

THE PREMIER: Who was that?

MR. GEORGE: The member for Albany, I think.

MR. KENNY: I never heard a term less appropriately applied, for I think the measure will protect the masses, and not the classes. That is the secret of the opposition. If it had been a measure for the classes, and not the masses, there would not have been such a tirade against it.

THE PREMIER: You must not say such a thing against your leader.

MR. LEAKE: Go as you please.

MR. KENNY: I cannot take into consideration either one side or the other when I consider my duty to the men who sent me here.

A MEMBER: The picks and shovels.

MR. KENNY: This is not class legislation, although it has been asserted that it is for a particular class. It is legislation for a class which I am sorry to say does not receive a very great amount of attention at the hands of this Assembly—the workers and bread-winners of the colony. Whenever a measure has been introduced into this Assembly, having for its object the benefitting of the masses, it has been invariably met with the remark: "Who asks for it? If they want it, why don't they ask for it?" I can assure the member who made use of that argument that if he were to stand outside the pay offices of some of the mushroom contractors in this city on a Saturday night, and see men coming out with a few shillings instead of the amounts to which they are entitled, he would very soon know who asks for it. What opportunities have the labourers and working men of this colony to procure legislation if it is not through the medium of the Government? There is no doubt the Attorney General, when he introduced the measure, was fully alive to the fact that it had been asked for. His connection with the law, and his position as Attorney General, doubtless indicated to him that working men are crying aloud for this legislation against unscrupulous contractors who are robbing them of the fruits of the sweat of their brow. I do not mean to say for one moment that the Bill is not capable of being amended; but I say it will be a blot on this session of Parliament, if the Bill be permitted to pass in the way certain hon. members have suggested.

MR. VOSPER (North-East Coolgardie): It is always a satisfaction and pleasure for me to be in a position to congratulate the Government, and I do congratulate them very heartily upon the principles laid down in this Bill. I am willing to admit at once that the Bill may be capable of amendment, but at the same time I recognise fully that the principles embodied in it are good. The last measure of the kind contained the same principle, but it proved to be unworkable, and this measure is an honest attempt to set right the difficulties and errors existing in the present statute. For that reason I give it a very hearty welcome, and shall be glad to support the second reading. As

to class legislation, why should the House, having repeatedly assented to the principle with regard to one portion of the population, refuse to apply it to those who live a little nearer home? If we look at the goldfields we shall find that every miner working on a mine has a lien over that mine, and over the lease, and the same principle was incorporated in the Bill which has been withdrawn to-day. If we find the principle good enough for our goldfields—and I would remind hon. members it appears on every statute dealing with gold-mining throughout the whole of the colonies—and it does no harm, while it is a real assurance to the workman that his wages will be paid at proper intervals, it is only reasonable to suppose that if it is applied to other people it will have a like effect. Why should a gold-miner have special protection with regard to his wages, while an ordinary workman is left without such protection? I think it would be just to apply this principle to all classes of artisans and labourers. I notice the very specious nature of the arguments introduced by the leader of the Opposition. For example, we are told that workmen could send their employers to gaol, in the event of employers refusing to pay. I ask every member to reflect for a moment, and to say what satisfaction there would be to a workman to send a man to gaol for not paying wages. Again, many of these men escape, because they have brought the persons interested in sending them to gaol for their misdeeds to such a state of poverty that they are unable to undertake a prosecution. A man who takes up the case has to go into court as a private prosecutor, and has to pay a lawyer; and after he has spent all the money he has, or can borrow, what satisfaction is it to him, I again ask, to send his employer to gaol? Where is the justice of that? If you sent 50 men to gaol, it would not compensate for one man's wages. The object of the proposed legislation is not to inflict a particular punishment upon a man, but to endeavour to see that contracts as between man and man shall be carried out. We have to consider, not the greatest punishment that can be inflicted upon a person, but the most successful method of enabling workmen to compel employers to keep to their engagements. Suppos-

ing a man has been sent to prison, he can escape by means of the Insolvency Court. When sent to prison, he has only to file a petition in insolvency, and then he is released. We know very often that in insolvency cases the dividends are quite hypothetical. It is absurd to talk about a man having a primary claim to a dividend. We know that every man has a first claim, on what there is in an insolvency estate, for wages; but how many insolvencies are there occurring at the present time in which there are no assets worth speaking of? And where is the remedy for that? The principle laid down in this Bill is that a man shall have an actual lien over the work which he himself has performed; for example, if he has taken a piece of wood, or a number of pieces of wood, and by the application of his skill or labour has transformed them into a boat, he should have the first charge on the increased value produced by his own labour. I ask, can there be a more just principle, and one less calculated to do harm, than to give an assurance that a man shall be likely to be paid some share of the value of the labour he has created?

A MEMBER: Give some cases?

MR. VOSPER: I will. The hon. member knows of a case in the North, where men who were engaged on salt marshy land were left stranded there. There was the case of a contractor named Dunsford, and I know some of those men have not been paid yet; they had to be supported out of public funds, but after some steps had been taken, they were paid a certain portion of their wages. A few weeks ago I met some of those men, who told me they had not been paid. The other day there was a local contract. No less than 27 men came to me at my office and complained of the fact that they were not paid. I recommended them to prosecute, and advised them to go to the member for East Perth as a suitable man to carry the case into court for them. I am only stating actual facts as they occurred. I did not intend to mention this, but I was asked to state cases. I may state that cases of the kind are of frequent occurrence. The law, as it stands now, does not give sufficient remedy against any person who deprives the workman of his wages. This

Bill seems to me to afford protection, and for that reason I shall give it a hearty support. As I said just now, I think amendment necessary. I see that clause 3 provides that workmen engaged, or employed, in manual labour shall be paid weekly. When the Bill goes into Committee, I shall, if present—and, if not, I hope some member in the House will take the matter up for me—move that there be inserted after the word “paid,” the words “in coin of the realm.” My object in so doing is to put down the pernicious method known as the truck system.

A MEMBER: Where does it occur?

MR. VOSPER: It occurs in the South-West; in Karridale, so I am informed. I know there are places in which it is carried on; men being paid in the form of goods and overcharged for them, whilst the goods themselves are of an inferior quality. Men have been working for years and years, and when they have come to ask for a settlement, they have found themselves in debt. In all the other colonies, and in the British nation itself, as far as I know, the truck system has been abolished, so that wages can no longer be paid in goods instead of cash.

MR. GEORGE: The truck system is not the same here.

MR. VOSPER: It is only another form of the same disease. We do not want men to be slaves, but to be independent and capable of acting as free citizens. By introducing three or four words in clause 3, we can destroy the truck system; and I think that is urgently required. I have heard that the truck system has been adopted in some cases on the goldfields, and also on timber stations in the South-West.

MR. MORGANS: I do not know of a single case.

MR. VOSPER: I am only speaking from hearsay. I cannot say whether it is so or not, but I do assert that there is a tendency on the part of some people to adopt the system. I am not of opinion that all employers do it, but there are a certain number who see an opportunity of making an extra profit out of men by means of the truck system. We have a chance here of putting an end to this system once and for all by stipulating that

wages must be paid either in cash or in some valuable security, and must not be paid in the form of goods. I shall, as I have already stated, consider it my duty to move an amendment to that effect, when the clause comes up in Committee. In the meantime I would ask members to think this matter over. The member for North Murchison said there was nothing in this Bill which an honest contractor need be afraid of. It does not touch the honest man in the slightest degree, but only aims at the rogue and the man who goes into business without sufficient resources. It is one of the necessities of civilisation that we should see that all contracts are faithfully observed. We know a great many contracts at the present time are shamelessly broken, and I am glad to see the Government step in and put a salutary check upon such conduct in the future.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather): I regret very much that when I introduced this Bill into the House, many members who have spoken this evening were not in their places, because they would then have heard it was brought in to repeal an existing measure which has become unworkable by reason of too great a duty being imposed upon the employer. Under the present Act, as members know, an employer is bound, no matter whether he has heard of any complaint or not, to satisfy himself that the workman has been paid his wages, before he makes a further payment to the contractor, and it is incumbent on him to be in such a position as to be able to identify the actual worker. We may run a good measure, like a good horse, to death; and I think after the last year's experience of that part of the Act, which really is a very salutary one, it has in fact become unworkable, and the object of this Bill is to reverse that order of things altogether. According to this Bill, the employer does nothing until a complaint is made by the worker that his wages are due and have been demanded. Then the latter gives notice to the employer, and from that moment the employer holds back sufficient money to pay that man's wages.

MR. GEORGE: Does not the position become intolerable?

MR. A. FORREST: What is the need to be bothered with all that?

THE ATTORNEY GENERAL: It may be a misfortune sometimes that an employer finds he has got a tricky contractor to do work for him; but in the case of the ordinary honest contractor, such a difficulty will not occur. The Bill is aimed only at the dishonest contractor and the dishonest employer.

MR. GEORGE: You put it in the power of a person to harass an employer.

THE ATTORNEY GENERAL: If the hon. member means that it is harassing an employer, when a workman asks for his wages from the employer, he must be an unreasonable man to complain of that.

MR. GEORGE: That is not my argument, and you know it.

THE ATTORNEY GENERAL: I do not know it. The hon. member is sometimes inconsistent, for he usually stands up as the champion of the workmen, and claims a sole monopoly in doing so; but according to the hon. member's argument to-night, he does not want workmen to be protected by this Bill.

MR. GEORGE: I say, protect the workmen, but do not harass the employer.

THE ATTORNEY GENERAL: We are endeavouring to protect the workmen in such a way as will not harass the employer. I know there are some provisions in the Bill that will need to be materially altered. Clause 3, requiring that wages must be paid weekly, will have to be altered, for I have learned that, as a rule, wages are paid fortnightly in some trades, and we will have to modify that clause so as to cover four weeks as the period for wages to run. Then, to placate some members who are opposed to clause 7, I am afraid the Bill may be wrecked if that clause remains in it, and rather than incur the risk of losing the measure I prefer to sacrifice the clause. As regards the main provisions of the Bill, they do not aim at harassing the employer, but they are aimed at the dishonest employer and the dishonest contractor. In the illustration given by the member for the Murray in regard to a sub-contract, when he said the workman would have to go first

against the sub-contractor and then against the employer, I think the hon. member will find in the clause that the employer cannot be touched in such a case, because you cannot go back beyond two removes. The contractor stands then in the place of the employer.

MR. GEORGE: Then you do not protect the workmen.

THE ATTORNEY GENERAL: Yes. The Bill protects the workmen, for, in the case of an honest contractor dealing with a dishonest sub-contractor, the Bill operates against the dishonest man.

MR. GEORGE: I am afraid the Attorney General knows more about law than about contracting.

THE ATTORNEY GENERAL: It is not the privilege of every man to be ignorant of contracts. We happen to learn something, but we do not boast about it, as some members do. I trust the House will allow the Bill to go into Committee, and that we shall make it a good, practical measure, which will remove the grievances that have arisen under the existing Act.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Interpretation:

MR. A. FORREST moved that the first 27 clauses be struck out. He said it was better to move this now, rather than devote a whole evening to useless discussion.

THE CHAIRMAN: Only one clause could be dealt with at a time, in Committee.

MR. A. FORREST, in accordance with the Chairman's ruling, moved that clause 2 be struck out.

MR. JAMES: For what reason?

MR. A. FORREST said he did not believe in the Bill at all.

MR. JAMES: This seemed a strange reversal of the ordinary practice, for surely there ought to be some reason given for striking out the clause.

MR. A. FORREST: It was not necessary to make a long discourse on an iniquitous Bill, for it was certainly iniquitous as applied to employers of labour. The hon. member (Mr. Vosper), who had attempted to quote cases, was able to mention only two in the whole of

the colony, and as to the one in the North, the Commissioner of Railways would say the workmen there were treated very badly. He intended to oppose every clause in the Bill, except the last.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) said he hoped the amendment would not be pressed, for the principles of the Bill were good. He could quite bear out what had been said with regard to workmen engaged on a contract in the North, for in that case no notice had been given to the contractor in the first instance, and when the Act was found to be in operation, notice was given to the contractor that he would be required to comply with its provisions. It was true the Act had been found to be unworkable during the short time it had been in operation; but he was satisfied its principles were good, and that if modified as proposed in this Bill, with perhaps other amendments, the measure would be a good one. With regard to the contract on the South-Western Railway, the workmen were able to obtain their wages in that case to the amount of something like £280, which they would not have been able to get if the Act had not been in operation; for although there was no more honest man than the contractor in that case, yet he unfortunately took the contract at a rate which did not pay him, and therefore he was not able to pay the workmen. Had it not been for the operation of the existing Act, those workmen would not have been paid. It was a right principle that workmen should have the first claim on any money a contractor for the work had to receive; and, while preventing any undue harassment of employers and contractors, it should be possible to make this Bill a workable measure which would give satisfaction. Clause 7 should be either struck out or materially altered.

MR. MORGANS asked the Commissioner to state what were the good points in the Bill, for he could not see them at present, and until he did so he could not vote for the Bill.

THE COMMISSIONER OF RAILWAYS said the principle was good.

MR. MORGANS: Would the Commissioner state the good points?

THE CHAIRMAN: Clause 2 was before the Committee, and not the whole Bill?

Amendment—that the clause be struck out—put, and a division taken with the following result:—

Ayes	...	...	...	8
Noes	...	...	...	15

Majority against	...	7
------------------	-----	---

*Ayes.**Noes.*

Mr. A. Forrest	Sir John Forrest
Mr. George	Mr. Gregory
Mr. Hassell	Mr. Hall
Mr. Hubble	Mr. Higham
Mr. Morgans	Mr. Holmes
Hon. H. W. Venn	Mr. Kenny
Mr. Wilson	Mr. Illingworth
Mr. Leake	Mr. Lefroy
(Teller)	Mr. Pennefather
	Mr. Piessie
	Mr. Quinlan
	Mr. Solomon
	Mr. Throssell
	Mr. Vosper
	Mr. James

(Teller)

Amendment thus negatived, and the clause passed.

Clause 3—Workmen employed in manual labour to be paid weekly:

MR. VOSPER moved an amendment, which he said he had not exactly framed, to the effect that the wages to be paid should be in current coin of the realm, or by cheque, at intervals of not more than one week.

MR. GEORGE: No cheque. Say a marked cheque, and he would agree to that.

MR. A. FORREST: It could not be done.

MR. VOSPER: It was absurd for members to say it could not be done, for the same enactment had been passed by the House of Commons in England, and it was found to be workable. Having regard to the different circumstances of this colony, he would alter his amendment so as to leave in the words "coin of the realm."

MR. A. FORREST: How would the hon. member have coin of the realm taken into the country, in remote places, for weekly payments?

MR. VOSPER: That was a difficulty, but what he was aiming at was that workmen should not be paid in shoddy goods nor in goods of any kind, but in coin of the realm. This objectionable and pernicious system was rife in timber

stations in the South-West of the colony on some of which it was well known no person could establish a store, and no employee of the timber company could purchase goods except at the store of the company. His only desire was to follow the wise legislation of the mother country which the Premier had so often commended for imitation.

MR. GEORGE said he had an amendment in an earlier part of the clause. He moved, as an amendment, in the first line, that the words "in the absence of an agreement in writing" be struck out. It should not be possible for a man working for a daily or weekly wage to enter into an agreement contrary to the spirit of the Bill. The cardinal principle of the Bill was that the men who worked for daily wages should receive them.

THE ATTORNEY GENERAL: The speaker had omitted to mention the class of workmen who contracted to perform services for a term of perhaps many months. If the words proposed to be struck out were not retained, it might be contended that, no matter what written contract had been entered into between employer and workmen, the wages must be paid weekly, or at such other interval as were provided by the Bill.

MR. GEORGE: That was exactly what was wanted.

THE ATTORNEY GENERAL: The hon. member's intention might be good but his action was doubtful. The intention of the amendment apparently was to wreck the Bill. That was patent on the face of it.

MR. GEORGE: Was the Minister in order in so reflecting on his character?

THE ATTORNEY GENERAL: The hon. member's character was protected against such observations. If the amendment were carried, shepherds and other who contracted for long periods of service would be left out of the operation of the Bill. Such people should be allowed to contract for quarterly or half-yearly payment of their wages, as the case might be.

MR. GEORGE: Was it usual for shepherds to be employed by contractors or sub-contractors? Was not the contract made directly between the shepherd and the owner of the sheep?

THE ATTORNEY GENERAL: The hon. member should not ask conundrums.

MR. GEORGE: Who, except the Attorney General, ever heard of a brick-layer contracting to work for a definite period of time? All such men were engaged at a daily wage, and could leave or be dismissed without notice. Among workmen it was not customary to make agreements for the length of time this clause would suggest.

MR. MORGANS: As an experienced employer of labour, he had never heard that a workmen should be compelled by Act of Parliament to enter into a written agreement with his employer. Was it necessary to make the relations between employer and employed more difficult than at present? The proposal was absurd; and, although he did not agree with the reasons urged against it by the member for the Murray (Mr. George), he would vote with him. He entirely agreed with the member for North-East Coolgardie (Mr. Vosper) in his stricture on the "truck system;" but there were certain cases upon our remote gold-fields where mining companies were obliged to supply goods to their employees, and some exception must be made in their favour. The member for West Kimberley was interested in a mine in a far north-east goldfield, and there was no storekeeper within 70 miles of it; therefore, unless the company sent stores there, the men would find it impossible to get anything to eat.

MR. JAMES: The Bill would not stop that, but merely provided that wages be paid in cash.

MR. MORGANS: That was not possible in all cases.

MR. ILLINGWORTH: Could not the men pay the mine-owners for the goods in cash, if they received wages in cash?

MR. A. FORREST: Suppose they cleared out with the cash, and left the storekeeper's bill unpaid?

MR. MORGANS: Every man who earned wages should be paid, and allowed to do the best he could with his money, but in certain parts of the colony it was necessary that the mine-owner should provide stores, and provision must be made to meet such cases, although he was not prepared to say how it should be done, whereby the mine-owner should be able

to supply the wants of his workmen. The provision for an agreement in writing was absolutely impracticable; and, as applied to mining, it was absurd to try to force it on workmen or employers.

SEVERAL MEMBERS: It was not compulsory.

MR. MORGANS: The clause read, "In the absence of an agreement in writing to the contrary," meaning that if an employer wished to save himself from compliance with certain provisions of the Bill, he must make an agreement in writing with his men. That was an absurdity.

MR. VOSPER: And a bad plan, too.

MR. DOHERTY: The last two speakers (Mr. George and Mr. Morgans) were evidently trying to legislate for their own businesses. In far-off districts, pastoralists had frequently to pay the passage money of workmen to distant places, and they must have some protection in order that they might get their money back. The mining business and the foundry business were not the only businesses in the colony. It was necessary also to legislate for the protection of pastoralists. Employers must be protected as well as workmen. These had no truck system, but on stations inland it was necessary that goods should be supplied. He happened to know some people who worked at timber mills, and they seemed to be well treated. Why should these men be compelled to go a long distance, if they could get things at the same price close by?

MR. VOSPER: It was not proposed to compel them.

MR. DOHERTY: It was said the truck system was detrimental.

MR. VOSPER: The allusion made had reference to cases where people were compelled to take goods in payment.

MR. DOHERTY: People could not be compelled to take goods in payment. He did not think there was such a thing in this colony. Compulsion on a workman to receive goods in payment would meet with his opposition. He took it that employers up in the North would, unless some agreement were made, be simply in the hands of the workmen.

MR. QUINLAN: The truck system was beside the question altogether, and the point would be met by the proposal of the member for North-East Coolgardie

(Mr. Vosper). As to the amendment proposed by the member for the Murray (Mr. George), he entirely disagreed with it, and was surprised that a man of his experience as an employer of labour should have moved in that direction. Supposing people in the North-Western portion of the colony had no alternative but to enter into a weekly contract, and they could be thrown out of employment if they did not take particular goods or do some small matter or other, they would be entirely at the mercy of their employers. The provision made in the Bill would meet any objection of that kind.

MR. WILSON: The amendment was desirable, but he would go further, and ask that the clause be struck out altogether, for it was not required. It specified that wages should be paid weekly; but that, as the Attorney General admitted, would be unworkable, and it would be a hardship on those people who were employed up country and elsewhere. Something had been said relative to the truck system, but members hardly understood the meaning of the truck system. The truck system meant barter, the wages of a working man being paid either partially or altogether in kind, and not in coin; but he did not think the system obtained in any part of this colony. Certainly large stores were run by station-owners, but it was not compulsory on a man to take out his wages in goods at those stores.

MR. GEORGE: Yes, it was.

MR. WILSON: The member for the Murray was wrong. On one station in Western Australia, the male employees must, he believed, deal at the store; but that was a different thing from forcing a man to take out his wages in goods. The firm with which he was associated ran stores on their timber stations, but the employees were not forced to deal at those stores, and could deal anywhere they liked. If a man ran an account at the company's store, the company were justified in deducting that account from his wages, though under the present law, if he liked, he could demand his wages in full.

MR. KENNY: And be discharged at the same time.

MR. WILSON: If a man liked, under the present law he could say: "You shall

not stop that account from my wages," and of course he would get discharged. The member for East Perth would discharge a man who would not pay his account, and expected to be paid his wages in full.

MR. GEORGE: The man would be put in gaol.

MR. WILSON: The truck system, as it used to exist in the old country, was not generally in vogue; and, as he had already said, he did not believe it was in force in any portion of the colony.

MR. GEORGE: That was correct.

MR. WILSON: It would be better to strike this clause out, because certainly a responsibility rested upon the workman. If a man did not receive his wages at the end of the week, fortnight, or four weeks, it was his duty to say he would not work any longer, and he could recover the amount due, with payment for his loss of time in attending the court. Workmen knew very well how to protect themselves. Members were willing to give protection when necessary, but there was no need to make a workman absolutely a tool. He might let his wages run for months and then come forward and want to take all the money in the hands of the employer.

MR. MORGANS: The member for North Fremantle (Mr. Doherty) and the member for Toodyay (Mr. Quinlan) had misunderstood his remarks. His point was that he objected to the truck system or the establishment of stores by the owners of any mine, timber station, or anything else, where it was not absolutely necessary for the benefit of the men employed; but, that in cases where no ordinary stores could be found, the system would be quite right. That was why he suggested that provision should be made in the Bill whereby a station owner, a pastoralist, or a mine-owner should be able to afford facilities for workmen to get their stores.

A MEMBER: They were not debarred.

MR. MORGANS: It seemed to him that they were debarred; for no employer would supply these stores in a remote part of the country, unless he could deduct the value from the men's wages.

MR. ILLINGWORTH: The whole question to be decided was whether a man who engaged to give his services

should be permitted to enter into an agreement in writing or not. We should be going a long way beyond the proper bounds of legislation if we attempted to forbid a man from entering into an agreement for a week, month or year. The object in asking that wages should be paid once a week or once a month was that the workman should get them, or that his loss should be minimised as much as possible. When a man entered into an agreement with a squatter to serve him for six months and to receive a cheque at the end of the term, part of his payment very often consisted of rations; consequently he had no particular use for the money in the meantime, and there was no reason why, if he was satisfied with his employer, he should not enter into a written agreement to receive his wages in three, six, or 12 months.

MR. GEORGE: There was a wish that a man should not contract himself out of the Act.

MR. ILLINGWORTH: A man would not do so, by this clause.

MR. GEORGE: Yes; he would.

MR. ILLINGWORTH: If a man chose to say he wanted his wages once a week, this rested between him and his employer, and so it would be if he wished to be paid once a month. To strike out the words in question would be going too far.

MR. WALLACE: Unless the whole clause was struck out, he hoped the words in question would not be omitted. Members knew that owners of stations could not be expected to pay their men in cash. If the words were struck out, the Bill would be simply one for the protection of men engaged on buildings and works of that sort, and he did not think we should legislate for one particular class of workmen.

MR. GEORGE said he was not willing to withdraw his amendment.

MR. MORGANS moved that the clause be struck out.

MR. KENNY appealed to members to allow the clause to stand, and regretted that some members did not look beyond the four corners of their backyards to see how the Bill would affect working men throughout the country.

Question—that the clause be struck out—put, and a division taken with the following result:—

Ayes	...	...	12
Noes	...	...	12

A tie.	...	0
--------	-----	---

Ayes.

Noes.

Mr. Doherty	Sir John Forrest
Mr. Hassell	Mr. George
Mr. Higham	Mr. Holmes
Mr. Hubble	Mr. Kenny
Mr. Illingworth	Mr. Lefroy
Mr. James	Mr. Monger
Mr. Leake	Mr. Pennefather
Mr. Morgans	Mr. Piessie
Hon. H. W. Venn	Mr. Solomon
Mr. Wallace	Mr. Throssell
Mr. Wilson	Mr. Vosper
Mr. A. Forrest	Mr. Quinlan

(Teller)

(Teller)

The CHAIRMAN gave his casting vote in favour of the clause, which was thus passed.

MR. MORGANS claimed that Mr. Vosper's vote for the "noes" could not be recorded, as the hon. member was not in a seat.

THE CHAIRMAN: The hon. member being in the Chamber and on the side of the "noes," his vote must be counted. If an hon. member did not wish to vote, he should leave the Chamber.

Clause 4—Wages to be first charge on money due to or in hands of contractor:

MR. JAMES moved, as an amendment, that the following sub-clause be added:—"No workman shall, under this Act, be entitled to a charge or claim for any amount exceeding twenty-five pounds." This amount would be equal to 5 or 6 weeks' wages, and he thought some limitation in the amount was necessary.

THE ATTORNEY GENERAL said he had an amendment to the same effect, and he moved, as an amendment on the amendment, that the words "twenty-five pounds" be struck out of the amendment, and "ten" inserted in lieu thereof.

MR. VOSPER said he had an amendment for putting an end to the truck system. Any purchase that was voluntary he would not interfere with; but where it could be shown that a workman who purchased goods from an employer was under some pressure to take the goods, then it should not be legal to deduct wages for those goods. He read some of the provisions in the Truck Act now

in operation in England, showing that it applied to all trades, that all wages had to be paid in current coin of the realm, that payment in goods was illegal, and that no set-off was allowed for goods supplied by the employer to the workman, the wage-earner being entitled to recover the full amount of his wages.

THE PREMIER: The amendment would be useless, because the employer never openly compelled the workman to purchase goods.

MR. VOSPER said he would move it later, as an addition to this clause.

MR. HASSELL (referring to Mr. James's amendment): Would it interfere with a shepherd who had an amount of, say, £45 due to him for wages, if he could claim for only £25?

MR. JAMES: A shepherd would not have a lien in respect of any contract made between himself and the sheep-owner. With the exception of clause 3, the whole of the Bill referred to the ordinary contractor.

MR. GEORGE: It did not say so.

MR. JAMES: It did.

MR. WILSON: It had already been decided that wages should be paid weekly.

THE ATTORNEY GENERAL: On a recommendation, he intended to alter that.

MR. GEORGE: The Committee might not agree to the suggestion.

THE ATTORNEY GENERAL said he was not addressing the hon. member.

MR. WILSON: It was hardly fair that a workman should be entitled to claim wages further back than the last regular pay-day. The workman should leave his employment in such case, and sue for his wages. That was only right as between employer and employed.

MR. GEORGE: And the other creditors.

MR. WILSON: Certainly. The workman should be forced to claim his wages when due.

MR. JAMES: What about the piece-worker?

MR. WILSON: He was a sub-contractor.

MR. JAMES: Not necessarily.

MR. WILSON: Of course he was.

MR. JAMES thanked the hon. member for his instruction in law. A workman doing piece-work was not necessarily a sub-contractor; and the Bill supported that view, for it provided that the remuneration was to be according to time, or by piecework, or by fixed price, or in any other way. It would be far better to fix the maximum amount that could be claimed. If a man were simply given a lien over the amount due from the last pay-day, then, unless that man at once took steps to protect himself, he would lose the benefit of the Bill, and, if he took such steps, he would lose his billet. That would be a hardship on the small contractor, whose workmen would at once sue him if he did not pay wages promptly. There should therefore be a limit of £25, or he would even say £20.

THE ATTORNEY GENERAL: If the hon. member would limit it to £10, the suggestion would probably be carried unanimously.

MR. JAMES: £10 was too small.

MR. GEORGE: Yes; £10 was too small. It would mean about three weeks' wages, or a little more. Workmen were generally paid weekly, and, even when paid fortnightly, an advance was given at the end of the first week in each fortnight. Other creditors of the contractor deserved sympathy as well as the labouring man. If 50 men working on a building allowed their wages to be in arrear for a month, an amount of about £1,000 would be involved; and the tradesmen who supplied the material, without which those men would have been unable to work, might suddenly find the claim for wages come in and eat up the assets, leaving them out in the cold. Wages-men must take proper steps to protect themselves.

MR. JAMES: Some men were paid by the month.

A MEMBER: Very few.

MR. JAMES: A man who did not get his salary on pay-day could hardly be expected to sue his employer promptly. That would be cutting things very fine.

THE PREMIER: But he must look after his wages.

MR. JAMES: We could not ask a man to treat his employer as a thief. There were a great number of cases where the employer was perfectly *bona fide*, though he could not pay immediately. Allow a reasonable time for the employee to see whether the employer was *bona fide* or not.

MR. GEORGE: The £10 limit meant three weeks' wages.

MR. JAMES: Take a case where the payment was monthly. He would be prepared to consent to a reduction of the limit to £20, but it should go no lower.

THE ATTORNEY GENERAL: If the hon. member pressed his amendment, he feared the whole proviso would be lost; whereas, if the amount were reduced to £10, it would meet with the approbation of nearly every member. If a workman, when £10 was due to him, would not take the trouble to get his wages from his employer, nine out of every ten men would say it served him right if he lost the amount.

MR. MORGANS supported the Attorney General's proposal. £10 was a good limit, and meant, on the average, three weeks' wages. If a man were paid fortnightly, and found that his employer did not pay him at the end of the fortnight, he had ample time before the £10 was due to sue his employer and make him pay.

MR. JAMES said he would not divide the House on the question, but he could not consent to such an alteration.

THE ATTORNEY GENERAL moved as an amendment on the amendment, that the words "Twenty-five" in the amendment be struck out and the word "ten" inserted in lieu thereof.

Amendment upon amendment put and passed.

Amendment, as amended, agreed to.

MR. VOSPER referring again to his proposal for abolishing the truck system, said that after careful perusal of the English statute, he had concluded that no mere amendment of this Bill would be sufficient to strike at the root of the evil. He had no wish to introduce a clause that would be as unworkable as the existing Act. The English Parliament had thought it necessary to pass a series of five or six Acts dealing with this matter, and had amended, reamended, and codified them; clearly showing that the subject was more complex than he had originally imagined. Therefore he would not move the amendment he had indicated previously, but would, at some future time, bring in a Bill dealing with the truck system for the consideration of hon. members.

Clause, as amended, put and passed.

Clause 5—Assignment of money due or received under contract to have no effect until wages paid to workmen;

MR. WILSON: To make this equitable, the limit of £10 must presumably be inserted here.

THE ATTORNEY GENERAL: The proviso in clause 4 would apply to this clause.

MR. WILSON: It should be distinctly inserted.

MR. GEORGE: With regard to the words "moneys due or to become due," suppose a contractor gave a bill of sale to secure a creditor, how would that affect a man employed in piece-work, supposing the goods he had been producing by his labour were seized under the bill of sale?

MR. WILSON: Such a man would be protected up to £10.

MR. GEORGE: That appeared unfair. A man might have a tremendous lot of material prepared, for which he could not put in a claim.

THE ATTORNEY GENERAL moved, as an amendment, that after the word "wages," in line 3, the words "not exceeding the sum mentioned in the last preceding section" be inserted. It was only desired to protect the workman to the extent of £10.

Amendment put and passed.

THE ATTORNEY GENERAL moved, as a further amendment, that in line 6 the word "all" be struck out and the word "such" inserted in lieu thereof.

MR. JAMES: Why?

THE ATTORNEY GENERAL: To refer it to the amount of wages in the same clause.

MR. JAMES: But the amount was limited there.

THE ATTORNEY GENERAL: Yes; it was desired to limit the amount.

Put and passed, and the clause as amended agreed to.

Clause 6—Moneys received by contractor not to be attached, and to be applied in payment of wages due:

MR. WILSON: What was the meaning of the clause?

THE ATTORNEY GENERAL: The object was to prevent any money in the hands of a contractor from being attached by a third party. The workman

who had spent his labour on a job ought to be the first to have a claim.

Put and passed.

Clause 7—Contractor to keep accounts and produce same to workmen:

THE ATTORNEY GENERAL: When introducing the Bill, he intimated that he should not ask the House to endorse this clause. He thought it too inquisitorial, and with the object of saving the remaining portion of the Bill he would ask the permission of the Committee to withdraw it. He moved that it be struck out.

Put and passed, and the clause struck out.

Clause 8—Employer not to pay contractor in advance:

MR. MORGANS: It might be necessary to pay in advance in some cases. This condition might be embarrassing, and he asked the Committee to hesitate before passing the clause.

MR. WILSON: The clause would, he hoped, be struck out altogether, for he did not consider it was required. It stood to reason that a contractor might often be paid in advance. Moreover, an employer might be paying a contractor and not know it, when dealing with a third party.

THE ATTORNEY GENERAL: There was much force in the observations of the two members who had spoken, and he thought this clause should share the fate of the preceding one. He therefore moved that it be struck out.

MR. JAMES: If the clause were struck out, the whole Bill would be nullified. If we left the loophole which would exist if this clause were abolished, a man would always be paid in advance.

SEVERAL MEMBERS: No.

MR. JAMES: There was a chorus of "noes" from opponents of the Bill. It was very strange. In the majority of cases a contractor was not paid in advance by the owner of a building, but he went to private persons. When a man got into trouble, or trouble was imminent, he might say, "You had better pay me in advance except £100, and keep £100 in hand." If we allowed employers to voluntarily pay contractors in advance at any time and excuse themselves under this clause, half the value of the Bill would be gone.

MR. GEORGE: The member for East Perth (Mr. James) had said it was seldom a contractor received payments in advance; but that was not his (Mr. George's) experience, and was probably not the experience of many other members. If this clause were passed it would simply throw the whole of the contracting trade into the hands of men who either had capital or friends to back them. If a man who stood head-and-shoulders above his fellows as a workman had an opportunity of starting in business for himself, and someone said, "Here, Bill, I want you to put up a house, and I will advance the money," that man ought to be supported. He trusted the clause would be struck out, in the interests of working men.

MR. WILSON: It was a matter for regret that the member for East Perth always jumped to the conclusion that employers and contractors were dishonest. There were many instances in which a contractor must receive an advance from the employer, and there were cases in which a contractor got an advance and the employer did not know it. Many times in the case of a Government contract in which schedule rates were being paid, stuff was put in at high rates, so that the contractor might get sufficient money to cover his plant.

MR. JAMES: Cases in which employers were willing to advance money to contractors to buy material were very rare, and they could be easily dealt with. Why could not the owner of the building himself buy the material? The material would be on his own property, so it would be perfectly good security, and he would run no risk. We should legislate to check the tricks of dishonest men, and, although it came as a dreadful shock to the member for the Canning to hear it said, there were actually dishonest contractors. If the member for the Canning were in favour of the principle underlying this Bill, he would support the retention of clause 8.

MR. MORGANS: Supposing a banker were applied to for a sum of money, would it be reasonable to expect him to go and buy thousands of bricks or a quantity of other material? Legislation was based upon the principle of doing justice to all men. He objected to an assumption that a contractor must be a man who tried to swindle his workmen.

MR. JAMES: The assertion made by him was that there were dishonest men.

MR. MORGANS: Why should we legislate against employers any more than workers?

MR. JAMES: Quite right.

MR. MORGANS: This particular clause referred to the employer and the contractor, and it did not say anything about the obligation of the worker. No obligation should be placed on either party.

MR. JAMES: Then the hon. member would repeal the whole Act?

MR. MORGANS: No. Justice should be done to one as well as the other. What reason was there to suppose that any of these difficulties would arise as between the men and the employers?

MR. GEORGE: How many wages cases were there?

MR. MORGANS: They were very rare indeed. This clause would hamper the operations of the contractor and the employer, and it was absolutely unnecessary.

MR. A. FORREST: The further we went with this clause the worse we found it. The Bill was not required, and when we came to the 27th Clause he would move that the whole lot be struck out, if he was in a position to do so. It was known to be a common practice that an employer accommodated a contractor by advancing him a certain amount of money wherewith to buy the material. If we wanted the whole of our trade to be thrown into the hands of the big contractors this clause should be kept in, but if we wished the small tradesman to have a chance of building a cottage it should be struck out. Hardly any contractor in an ordinary way could carry on for more than a month without some advance being made to him, and if this system were interfered with in the way proposed in the Bill, the effect would be to throw contracting work into the hands of a ring of large contractors.

MR. OLDHAM: The clause was absolutely unnecessary, according to his experience in contracting work, because the general rule was not to pay in advance for any work, and the contractor had to provide at least 75 per cent. of the value for carrying on. If no em-

ployer would pay in advance, the clause was unnecessary.

MR. JAMES: The main point in the argument of the member for West Kimberley (Mr. A. Forrest) was that an employer generally paid in advance to the contractor, whereas the member for North Perth (Mr. Oldham), speaking as a contractor, said the practice was that employers did not pay in advance, but the contractor provided the money. The explanation appeared to be that the member for West Kimberley advanced money to buy the material, but it should be remembered that the material was useless without labour, and the hon. member said he would not pay for the labour though he got the benefit of it.

MR. MORGANS: That was arguing from false premises, for the employer and the workman stood practically in the same position.

MR. KENNY: This clause gave to the workmen a lien for their wages and consequently the contractor could not get credit because other claims swallowed up what he had, and he was therefore not able to trade off the benefit of their work to improve his own position. It was a pity that some members could not get away from their personal interests, when they ought to remember that they were sent here not to advocate their personal interests, but the interests of the country. The principle of the Bill was to benefit the majority, who were the working class.

MR. WILSON: They did not want it.

MR. KENNY: Members could not desire to have stronger grounds than those put forward by the Attorney General in favour of the Bill. In advocating the greatest good to the greatest number we were benefiting the masses against the few men who made a handsome living by lending money.

Motion—that the clause be struck out—put and negatived, and the clause passed.

Clause 9—Workmen whose wages are in arrear may attach the moneys of the employer:

MR. WILSON moved that the clause be struck out. The effect of it was that, if workmen's wages were 24 hours in arrear, and had been demanded, those workmen could attach the moneys be-

only be upset by a majority of the Full Court, including the very judge from whose decision the appellant was appealing. Was it likely that such decision would be upset? No; it was not human nature. The clause did not commend itself to the Government, and he moved that the Council's amendment be not agreed to.

MR. LEAKE supported the Attorney General's argument. It was almost impossible, under the law as laid down by the cases, to obtain a new trial on the ground that the verdict was against the weight of evidence. Before such could be granted the judges had practically to find that the jury had acted with absolute perversity—that they had gone, in fact, almost to the verge of corruption. As to excessive damages, where there was a motion for a new trial on the ground that the damages were excessive, the Full Court had power, under the Supreme Court Act, to forthwith reduce the damages. There was no necessity for the new clause.

Motion put and passed, and the Council's amendment disagreed to.

Resolutions reported, and report adopted.

A Committee, consisting of Mr. Leake, Mr. Morgans, and Mr. Pennefather, drew up the following reasons for disagreeing with certain of the amendments:—

Reasons.—1. Civil servants ought not to be allowed to serve on juries; particularly where the interests of the Crown are involved. 3. In the event of several prisoners being jointly indicted and defended, their right to challenge if unrestricted, might exhaust the jury panel. 5. It would be practically impossible to obtain a new trial on the grounds set forth.

Committee's reasons adopted, and a message transmitted accordingly to the Legislative Council.

ADJOURNMENT.

The House adjourned at twelve minutes past 11 o'clock p.m.

Legislative Council,

Wednesday, 21st September. 1893.

Official Receiver, Committee of Inquiry; change of a Member—Question: Mill Point Jetty, Perth—Motion: Kingsley-Hall Reward Gold-Mining Company, Limited; to Refuse Exemption, Division (negated)—Health Bill, first reading—Reappropriation of Loan Moneys Bill, in Committee, progress reported—Companies Act Amendment Bill, second reading—Crown Suits Bill, Assembly's Amendments, in Committee—Shipping Casualties Inquiry Bill, Select Committee's Report—Adjournment.

THE PRESIDENT took the chair at 4.30 o'clock, p.m.

PRAYERS.

OFFICIAL RECEIVER: COMMITTEE OF INQUIRY.

CHANGE OF A MEMBER.

HON. A. G. JENKINS: At the previous sitting a Select Committee was appointed to inquire into the administration of the official receiver in bankruptcy, and of that Committee he (Mr. Jenkins) was appointed a member. For private reasons, it was not his desire to act as a member of the Committee, and he asked leave to have his name withdrawn.

THE PRESIDENT: A motion to discharge the hon. member from the Committee would have to be submitted.

HON. H. G. PARSONS moved, that Mr. Jenkins be discharged from the Committee appointed to inquire into the administration of the Official Receiver in Bankruptcy.

Put and passed.

A ballot having been taken, the Hon. R. S. Haynes was elected to fill the vacancy.

QUESTION: MILL POINT JETTY, PERTH.

HON. R. S. HAYNES asked—1, whether any, and if so what, provision is made for the landing of passengers at Mill Point jetty. 2, If any supervision is exercised that passenger vessels are not interfered with in landing passengers. 3, If it is the intention of the Government to prevent annoyance to passengers landing, from carters bringing their carts on to the jetty.