The point is that the late Premier gave three promises on three different propositions to serve the same area and, to get out of the difficulty thus created he called for a departmental engineer to go over the land and make another recommendation. This was done, and on the 7th June, 1911, Mr. Stoddart submitted another report, which was adopted, and this is the line we are proposing, but which is meeting with the opposition of those who were then on the Ministerial benches. The report clearly demonstrates that they are responsible for the survey of the line, yet now they themselves condemn it, a clear indication that they had three or four propositions and made so many promises at the election that now, in order to give colour to the contention that they were sincere in their promises to Mr. Moran, they are opposing the proposition to-night. I contend that the Government have adopted the right route. It is practically surveyed now and the line will be constructed along that route.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

PAPERS PRESENTED.

By the Premier: Annual report of Zoological Gardens and Acclimatisation Committee.

By the Minister for Lands: Regulations and by-laws under Land Act, 1898.

House adjourned at 11.23 p.m.

Legislative Council,

Tuesday, 19th December, 1911.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Annual report Fremantle Harbour Trust; 2, Annual report Governors of High School; 3, Instructions issued by Government to Railway Advisory Board; 4, By-laws of the North Coolgardie and Jarrahdale Roads Boards; 5, Regulations and by-laws under Land Act, 1898.

BILL—DIVORCE AMENDMENT.

Select Committee's Report.

Hon. J. D. CONNOLLY (North-East) brought up the report of the select committee appointed to inquire into this Bill.

Report read.

Hon. J. D. CONNOLLY moved—

That the report, together with the evidence, be printed and taken into consideration at the next sitting of the House.

Hon. M. L. MOSS (West): I wish to remind the leader of the House of the promise which he made to me that this would be the first order of the day to-morrow.

The COLONIAL SECRETARY (Hon. J. M. Drew): I will make provision for that.

Hon. J. F. CULLEN (South-East): I should like the mover of the motion to tell us whether this is a report of the whole committee as appointed by the House, or only a part of the committee.

Hon. J. D. CONNOLLY: It is provided by the Standing Orders that where a committee disagree there shall be a minority report. This is a unanimous report.

Hon. J. F. Cullen: Of the whole committee?

Hon. J. D. CONNOLLY: Mr. R. D. McKenzie was not present at the last meeting, but I understand he concurs.

Question put and passed.

BILLS (5)—FIRST READING.

1. Public Works Act Amendment.
2. Goldfields Water Supply Act Amendment.
3. Land and Income Tax.
4. Upper Darling Range Railway Extension.
5. Public Service Act Amendment.

Received from the Legislative Assembly.

BILL—HEALTH ACT AMENDMENT.

The COLONIAL SECRETARY (Hon. J. M. Drew) moved—

That the Bill be now read a third time.

As to Recommittal.

Hon. A. G. JENKINS (Metropolitan) moved an amendment—

That the Bill be recommitted for the purpose of striking out Clause 6.

The reason for taking that course was that he was still of opinion that the House would be lowering the standard of general nursing if they adhered to the clause as it was. When the matter was last before the House there was not such a full attendance of members as on that afternoon. There was no desire on his part to repeat the arguments which he had used against that clause. It provided that a candidate should be the holder of a general nursing certificate covering at least three years' training in an approved institution or institutions. What was an approved institution, and by whom would it be approved? It might be the Minister or anyone. The clause was highly dangerous as it was. In order to show that he was not alone in that opinion he had a letter before him which had been signed by no fewer than 46 of the leading medical practitioners of Perth in which they said—"We the undersigned members of the medical profession consider Clause 6 in the proposed amendment of the Health Act is one highly dangerous to the public. The provision that allows a general nursing certificate being granted on three years' training 'in an approved institution or institutions' is one that is bound to lower the present standard of nursing. We consider the words 'approved institution or institutions' too vague and would respectfully suggest 'approved hospital or hospitals with a specified daily average of occupied beds' be inserted in lieu thereof." The letter contained the signatures of Drs. Webster, Byuille, Sawers, Ramsay, Martin, Cuthbert, McClelland, Couch, Officer, Gill, Clement, Ambrose, Gillespie, Lotz, Birmingham, Badock, Leschen, Woods, Teague, Newton, Macauly, Blanchard, Gordon, Cave, Rigby, Thompson, Merryweather, Kelsall, Harvey, Deakin, Tymms, Andrew, McWhae, Paget, Taaffe, Wardell-Johnson, Kenny, Montgomery, Finn, Gibson, Brennan, Dermer, Humphry, Seed, Tratman, and Stewart. With hardly any exception all the medical practitioners of Perth had signed the letter. That would show that the members of the medical profession in Perth considered the clause to be highly dangerous. What better evidence could members have that the clause was dangerous and that it would lower the standard of general nursing, than the letter he had read.

The PRESIDENT: Would it not be better to give the reasons when in Committee?

Hon. A. G. JENKINS: The desire was to give reasons at that stage so that members might understand that there was sufficient justification in asking that the Bill be recommitted. To show how the proposed amendment about which he was complaining had got round the country it was only necessary to read an advertisement which appeared in the *West Australian* during the past few days.

"Broad Arrow Hospital. Wanted a General. Comfortable position for the right girl. Good chance to learn nursing. Salary £32 per annum and quarters. Apply to Secretary." The Broad Arrow hospital no doubt would be one of the approved institutions and there was a good chance for a general servant to go into the hospital, stay there and do a bit of cooking and nursing, and finally get a certificate. That was the kind of thing that was feared by the profession and the clause should be altered to prevent such a thing happening.

Hon. W. KINGSMILL: As he would not have the opportunity of speaking on this clause if the recommittal came about, and the House should do sufficient justice to such a deserving clause by seeing that it came about, he hoped he would be pardoned for referring to the matter at that stage. The exact purport of the clause might be explained for the benefit of those hon. members who perhaps had not taken as keen an interest in the clause as other members had done. It was undoubtedly in the mind of the Medical Department that an ordinary woman who wished to get a midwifery certificate should have to serve twelve months in an approved institution to obtain that certificate. If that woman were a general nurse she would be allowed to forego six months of that training. The next thing that was in their minds was how they should define a general nurse, and they proposed to do it in the words which occurred in this objectionable clause, namely, the holder of a general nursing certificate. Particular attention might be drawn to these words. The holder of a general nursing certificate was looked upon as a general nurse and the definition of general nurse was one who had had three years training in an approved institution or institutions. This Government were following in the footsteps of the former Government and intended to introduce this session a Bill for the registration of general nurses.

Hon. Sir J. W. Hackett: That will settle the whole thing.

Hon. W. KINGSMILL objected to the settlement of the matter beforehand by a prejudicial definition such as the one in the Bill being accepted in an amendment of the Health Act. The House should insist that the standard of the general nurses of the State should be kept as high as it was at present. That standard should be epitomised and placed in the clause which was being objected to, or else the clause should be struck out of the Bill. For that purpose it was necessary to adopt the standard which existed throughout Australia, namely, three years in a public hospital of 40 beds or over, or four years in a public hospital of 20 beds or over. The House would be doing a great injustice to those nurses who were already in existence, and they would be doing a still greater injustice to the public who had to submit themselves to the nursing in future of nurses who would not be as well qualified to carry out their duties, if they did not vote in the first place for the recommittal of the Bill, and in the second place for the deletion of the recommitted clause. He had very much pleasure, for the reasons he had stated, in supporting the motion.

Hon. J. F. CULLEN (South-East) moved an amendment on the amendment—

That the following words be added to the amendment:—"and Clause 7."

When speaking on this Bill he had urged that these two clauses should be held back for a general nursing Bill to be introduced by the Government later on. He did not think the Minister in charge of the measure would seriously object to the amendment, and therefore he would not delay the House with any argument. Portion of Clause 7 had already been struck out, and if the Committee omitted Clause 6 it would be absurd to pass Clause 7. It would be better not to touch midwifery at all in this Bill, which had as its special object the righting of the mistake which had been made in the Health Act.

Amendment on amendment put and passed.

Amendment as amended put and passed.

Recommittal.

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

Clause 6: Amendment of Section 256 (2):

Hon. A. G. JENKINS: This clause should be struck out.

The CHAIRMAN: The hon. member could vote against the clause.

The COLONIAL SECRETARY: This clause had received more consideration than any other portion of the Bill, and, after the matter had been determined, it was now recommitted in order that it might be again interfered with. Last week a division had been taken on the clause, and, by 11 votes to 9, it had been decided that the clause should stand. Of course there was a larger attendance of members to-day, and he was prepared to submit to the decision of the House. At the same time, he could not see why these restrictions should be placed on the practice of midwifery in this State, when it was remembered that in no other part of Australia was there any such restriction.

Hon. A. G. Jenkins: There is no restriction on midwifery.

The COLONIAL SECRETARY: It was a restriction. He would oppose any attempt to alter the clause, and he hoped the matter would be decided at once and for ever.

Hon. T. F. O. BRIMAGE: So far as could be understood, the clause would mean a lowering of the standard of nursing in this State. We should be careful to take no step in that direction, and he would support the amendment.

Hon. C. SOMMERS: There was not the slightest doubt that if Clause 6 was retained the standard of general nursing would be lowered, and the committee did not want any further evidence than the letter, signed by 46 medical practitioners, which had been quoted by Mr. Jenkins. The clause ought not to be in this Bill, but should be struck out, and dealt with in a general nursing Bill, to be introduced next session.

Hon. J. D. CONNOLLY: The parent Act did not deal with general nursing at all, and, as this clause was amending the parent Act it could have no reference to general nursing.

Hon. T. F. O. Brimage: Is that clear?

Hon. J. D. CONNOLLY: It was perfectly clear. Part XI. of the Act dealt with midwifery nursing, pure and simple. The standard submitted for general nursing, viz., 4 years' training in a hospital with 20 occupied beds, and 3 years' training with 40 occupied beds was the recognised one, and should be maintained, but this clause was not lowering the standard of nursing. The medical gentlemen who had been quoted had evidently misread the clause; it did not deal with general nurses except by inference, and mere inference did not warrant the Committee in taking the serious step of rejecting the clause. Under Section 256 a midwifery certificate might be obtained by a woman after she had served twelve months in an approved institution, and attended a prescribed number of cases, but she had to submit herself to a qualified and responsible board, who had no reason to desire to lower the qualification for the nursing profession. In some of the country districts it was almost impossible to get midwifery nurses. Until 1st January next, any person could take a position of midwifery nurse, whether qualified or not. It was proposed now to make it an offence to practise midwifery without qualification, and yet it was said that the standard of nursing was being lowered. In England, a person need only have six months' training to obtain a midwifery certificate; here, it was provided that she must have twelve months' training, attend a prescribed number of cases, and then satisfy the board. Now it was proposed to extend this a little and say that a general nurse need only have six months' training. He would vote against the amendment because there was nothing in it to lower the standard of nursing, and he would support the clause because it would remove a hardship in the country districts owing to the difficulty of getting the services of midwifery nurses.

Hon. R. LAURIE: The Colonial Secretary, whilst hoping that the matter would be speedily disposed of, should be pleased

to have the testimony of 48 doctors that, in their opinion, this clause would be lowering the standard of the nursing profession. It was provided that a young woman need not be continuously for three years in one institution, which rendered it possible for a woman who was a general servant in an institution for 12 months to get a certificate of general training from some doctor who might be a good fellow; and in two other institutions she might get similar certificates, so that at the end of the period she could present her certificate of three years' service to the registration board, and the board would not inquire beyond what the certificate bore on its face. This was quite possible so long as we allowed the young women getting training to pass from one institution to another.

Hon. R. D. McKENZIE: As for the meaning of the clause one could better rely on the opinions expressed by Mr. Connolly and the Colonial Secretary than on the opinions of medical men, though we could respect their views. On the other hand, Captain Laurie had greatly exaggerated the position of a general hospital servant securing knowledge of nursing. It was not likely, even if one doctor proved to be a good fellow, there would be three doctors who would be good fellows in three different institutions.

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

Ayes	12
Noes	14
Majority against ..	2

AYES.

Hon. J. D. Connolly	Hon. W. Marwick
Hon. F. Davis	Hon. C. McKenzie
Hon. J. E. Dodd	Hon. R. D. McKenzie
Hon. J. A. Doland	Hon. C. A. Piesse
Hon. J. M. Drew	Hon. T. H. Wilding
Hon. Sir J. W. Hackett	(*Teller*).
Hon. J. W. Kirwan	

NOES.

Hon. T. F. O. Brimage	Hon. E. McLarty
Hon. E. M. Clarke	Hon. M. L. Moss
Hon. J. F. Cullen	Hon. W. Patrick
Hon. D. G. Gawler	Hon. R. W. Pennefather
Hon. J. T. Glowrey	Hon. Sir E. H. Wittenoom
Hon. V. Hamersley	Hon. C. Sommers
Hon. A. G. Jenkins	(*Teller*).
Hon. R. Laurie	

Clause thus negatived.

Clause 7—Amendment of Section 261:

Hon. J. F. CULLEN: This clause was closely connected with the clause just struck out, and dealt with a matter entirely extraneous to the rest of the Bill. It should also be struck out.

The COLONIAL SECRETARY: The hon. member scarcely realised the effect of striking out the clause. It would mean that any woman coming to Western Australia, even with the highest qualifications possible to be obtained in nursing, would be obliged to pass an examination which in her case might be totally unnecessary. In fact, the hon. member would injure the very section he desired to assist.

Hon. J. F. CULLEN: The Minister hardly stated the case exactly. There was now power in the Health Act to deal with such cases. Some diplomas were commendably high, but there were parts in the British Dominions where there was practically no sound provision for ensuring proper training. Was it wise on our part to hastily deal with anything that would relax the law in regard to nursing? He was not against giving the board a certain discretion, but in view of the promise of a well considered measure next session there was no need for the Committee rashly to extend powers which it might be difficult to withdraw.

Hon. T. F. O. BRIMAGE: The clause should not be struck out. He understood that the Minister in another place had already arranged for a midwifery school in the Fremantle hospital, and that the board would be able to issue certificates in connection with that institution.

Hon. A. G. JENKINS: On the last occasion he had voted against the clause because he felt that if it were carried the whole of the midwifery clauses might go. On this occasion, however, to vote the clause out might do more harm than good, because there might be a difficulty in allowing nurses, no matter how high their qualifications, to get their certificates.

Clause put and passed.

Bill reported with a further amendment.

BILL—LICENSING ACT AMENDMENT.

In Committee.

Resumed from the 14th December.

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

Clause 4—Amendment of Section 57:

The COLONIAL SECRETARY: Some explanation was necessary in connection with this clause. In the first place it had been framed to meet a special case, but now it was of a more general nature. The clause had been suggested by Mr. Roe, the chairman of the Perth licensing bench, as a desirable provision quite apart from the much discussed case of the Newmarket hotel. In respect to this case, it had been decided that the owner of the property should erect a new hotel. Thereupon the owner had expressed a desire to erect the new building on an adjoining site where it would be more convenient both to the landlord and to the public using the establishment. But it had been found that there was no power under the Act to grant a transfer of license from site to site, notwithstanding that it could be transferred from house to house. Under the amendment such a proposal could be submitted and a provisional certificate obtained, to be followed by the issue of the license on the completion of the approved premises.

Hon. M. L. MOSS: It was to be hoped the new clause would be agreed to. It was simply extending the provisions of the Licensing Act relating to provisional certificates and the removal of licenses from one to another site. It was a very necessary clause. In most of the licensing districts the local option poll had declared against an increase of licenses for the whole district. In Perth there were two licenses in jeopardy as the result of land resumptions—one by the State and the other by the Commonwealth. This clause would give an opportunity to remove a license in respect to premises for which it was held to other premises approved by the bench, or, if the applicant so desired, to remove the license to land on which there was no building at present, but on which it was proposed to erect a building to approved plans.

Hon. J. D. CONNOLLY: The only objection to the clause was the danger that any day a license might be removed from the far side of, say, South Perth to the farthest point in North Perth—assuming, of course, that both places were in the one licensing district—and thus a vote of the people that no new license should be granted in North Perth would be defeated.

Hon. C. A. PIESSE: Something should be done to prevent the sudden transference of licenses. Quite recently, and without warning to the travelling public, an hotel had been removed from Clackline to Hines' Hill. Not the slightest warning had been given, and the travelling public had been considerably inconvenienced by the removal.

Hon. M. L. MOSS: Provison would be found in the Act for objecting to any removal. Under Section 57 an applicant for a transfer had to proceed in the same way as an applicant for an original license, and it was provided that the licensing court should not make an order for removal unless satisfied that no valid objection was forthcoming to such removal. Full power was given for all objectors to go to the court and produce their reasons for opposing the application. Moreover, a license could only be removed from one town to another of the same district. As Mr. Connolly had said, it was true that this removal might furnish what would appear to be a new license in a locality, although not actually increasing the number of licenses in the licensing district.

Hon. J. D. Connolly: The districts are very large.

Hon. M. L. MOSS: One was not disputing for a moment that there were greater obstacles in getting a fresh license than in getting a removal. The licensing court could exercise its discretion in granting or refusing an application.

Hon. J. D. CONNOLLY: It would be well to report progress so that a proviso could be brought in to obviate the danger which he had pointed out. The public should have the same safeguard in this matter as in granting a new license. A

proviso should be inserted giving the people in the immediate neighbourhood the same protection against a transfer as against a new license.

The Colonial Secretary: If progress were reported it would delay the measure.

Hon. J. D. CONNOLLY: If the Minister did not think it necessary he would not press the proposal.

The COLONIAL SECRETARY: It would be very advisable to carry out the suggestion of Mr. Connolly, but at this late hour of the session it would not be wise to delay the measure.

Clause put and passed.

New clause:

Hon. J. F. CULLEN moved—

That the following be added to stand as Clause 3:—"Subsection (1) of Section forty-four of the principal Act is hereby amended by substituting the word 'two' for the word 'twenty-five' in paragraph (a)."

In the Act of 1880 vignerons were allowed to sell without a license the product of their own manufacture on their own premises in quantities of not less than a gallon. In the Act of 1911, by some inadvertence, the limit was raised from one gallon to 25. That brought about this position: that whereas a merchant's license allowed a merchant to sell two gallons of imported wine, the manufacturer of Western Australian wine could only sell 25 gallons, thus bringing in a number of middlemen, and doing a hardship to the manufacturer. There was a provision in the Act by which vignerons could sell a quart bottle on the vineyard for consumption elsewhere. That might serve the small grower, but the large vignerons never thought of selling on the vineyard, their business was done in the town. This new clause had been submitted to the Minister, who had submitted it to the Minister in another place, and it was admitted there was no infringement of the Act passed last year.

New clause put and passed.

New Clause:

Hon. W. PATRICK moved—

That the following be added to stand as Clause 6:—Section 65 of the principal Act is amended by inserting the following proviso: "Provided that nothing in this section shall prevent the licensing court from granting or transferring a license to a married woman living apart from her husband by reason of his being an invalid suffering from an illness or disease which precludes him from living on the licensed premises."

The principal Act provided that no female could have a license transferred or granted to her unless she was a divorced woman, or a woman separated from her husband. If that was so, surely the woman living part from her husband by reason of the illness of the husband should be placed in the same position.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—EARLY CLOSING.

In Committee.

Resumed from the 15th December.

Hon. W. Kingsmill in the Chair; Hon. J. E. Dodd (Honorary Minister) in charge of the Bill.

Clause 5—Substitution of new section for Section 8—Closing of exempted shops carrying on other trades:

Hon. M. L. MOSS: The Minister had a counter proposal to submit to Clause 5.

Hon. J. E. DODD: The first part of Mr. Moss's amendment would be accepted but not the second part.

Hon. M. L. MOSS moved an amendment—

That in lines 12 and 13 the words "during the whole of that day" be struck out and "after the general time of closing of shops" be inserted in lieu.

Amendment put and passed.

Hon. M. L. MOSS moved a further amendment—

That in Paragraph (a) of Subclause 3, between the words "the" and "business" the word "customary" be inserted.

Hon. J. E. DODD: It was to be hoped the member would not press the amendment. It would be better to drop the clause altogether if the amendment was carried.

Hon. M. L. MOSS: The small shopkeepers were up in arms at the proposal to penalise them if they sold anything outside that which strictly formed part of their business. We knew it was customary for news agents to sell side lines and the amendment he had moved would prevent a great injustice being done to the small shopkeepers.

Hon. D. G. GAWLER: If the striking out of the whole clause would effect the object desired, it might be advisable to do that.

Hon. M. L. Moss: I will agree to that too.

Hon. R. LAURIE: Fancy goods shopkeepers generally sold postcards and writing paper and theirs was a very small trade indeed. If the clause were passed it would inflict a great hardship on a number of them if they had to close down that part of their business which dealt with other than the newspaper trade.

Hon. J. E. DODD: The matter would not only affect small shops, but a large number of other shops on the goldfields. They were not small shops at all, they were establishments where every conceivable line in stationery was dealt in. If the word "customary" were inserted the position would be left too vague. It would be preferable to strike out the whole clause rather than to put in that word.

Hon. M. L. MOSS: In paragraph (b) of Clause 5 there was power to publish a proclamation in the *Gazette* authorising that certain shops could sell particular articles. It would not be asking too much for an assurance from the Government in regard to these small newsagents that a proclamation might be published in their case.

Hon. J. E. DODD: Without giving any assurance members could trust to the good sense of the Government to issue a proclamation of that kind.

Hon. M. L. MOSS: The Minister could understand that there was considerable feeling in the House that this Bill should not be carried out in all its severity. If that were done the small men would be penalised.

Hon. R. LAURIE: Mr. Moss had made it perfectly clear that the responsibility with regard to the small shops must be cast on the Government. If the Minister would do what had been suggested the views of members would be met.

Hon. C. SOMMERS: The metropolitan newsagents feared this Bill very much. While on that clause would he be right in asking the Honorary Minister whether a hotelkeeper was exempted in any way from selling cigars or tobacco after 6 o'clock. The whole position appeared to be ridiculous and members should know where it was going to end. His idea was that so long as employees got their half holiday once a week the shopkeepers should be allowed to keep their premises open as long as they liked.

Hon. J. E. DODD: The point with regard to the hotelkeepers selling cigars had not to his knowledge ever been raised.

Hon. J. D. CONNOLLY: There was a provision in the Act which said that it should not clash with the Licensing Act.

Hon. M. L. MOSS: By leave of the Committee he would withdraw his amendment.

Amendment by leave withdrawn.

Clause as previously amended put and passed.

Clauses 6 to 8—agreed to.

New Clauses:

On motions by Hon. J. E. DODD the following new clauses were agreed to:—

"Clause 5:—Section nine of the principal Act is hereby amended by the insertion of the words 'nine or' immediately after the words 'one or.'"

"Clause 6:—Section five of 'The Early Closing Amendment Act, 1904,' is hereby amended by the insertion at the beginning of Subsection (2) of the words:—'Subject to the effect of any resolution carried at a poll of electors.'"

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by Hon. J. D. CONNOLLY, Bill recommitted for the purpose of further considering Clause 3.

Sitting suspended from 6.15 to 7.30 p.m.

Clause 3—Substitution of new sections for Sections 3, 4, and 5:

Hon. J. D. CONNOLLY moved an amendment—

That in line 6 of Subsection (1) of proposed new Section 4 the following words be struck out:—"on one week day, 9 o'clock."

The proposed new subsection 4 provided that prior to the half-holiday there should be a late night, the shops remaining open until 9 o'clock. The object of the amendment was that when the half-holiday occurred on the Saturday there should be no late night; in other words that the shops should close on 5 days at 6 o'clock. When there was a holiday on Wednesday it was in the interest of the public that there should be a late night on Saturday, but when the holiday occurred on the Saturday it was objectionable to have a late night on the Friday, because the shop assistants had to work until 9 o'clock at night and then begin again at 8 o'clock next morning. Besides, the late night on Friday was not of great benefit to the public; because the ordinary workman could not find time to come into the City and do his shopping before 9 o'clock, especially as he wished to be in bed early in order to go early to work next morning. This was rather a sweeping amendment, and if carried it would necessitate the redrafting of the clause in order that particular words might be put in; as, however, no notice of the amendment had been given, if the Minister opposed the proposal it would not be pressed.

Hon. J. E. DODD: The amendment was a good one, but at the same time was very drastic, and as it had not received any consideration by the shop assistants or by the employers it would be well for the mover to withdraw it. The amendment might operate very harshly in country districts and out-back mining districts. There was a very short time to elapse before the close of the session, and the carrying of the amendment would necessitate the redrafting of the clause and the sending back of the Bill to another place. It seemed to him that consolidation of the legislation affecting shops would have to be brought about at an early date, and the object of the amendment should be dealt with in such a consolidating measure. Anything that he could do to bring about the early consolidation of the legislation on this subject would certainly be done.

Amendment by leave withdrawn.

Bill again reported without further amendment.

BILL—AGRICULTURAL BANK ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th December.

Hon. V. HAMERSLEY (East): It is pleasing to recognise that the Agricultural Bank has been such an undoubted success, and I suppose its praises have been sung from one end of the country to the other and by every Government who have come into power in recent years. I think the country is to be congratulated upon the wonderful progress that has been made since that Act was put on the statute-book. There is no doubt a great many people have been enabled to get a satisfactory start in life, who can attribute the whole of their success, in their initial stages, at any rate, to the kindly help they have received from this institution. We recognise that it was a very wise procedure to establish this bank; it enabled practical hard-headed men, who probably never would have had an opportunity of getting fairly well started in life, to take up land for themelves and work it in a manner which they thoroughly understood, exercising the greatest care and thrift, and many of them to-day have developed out of the pioneering stage and have become very successful men. They have found that the original allowance was not sufficient to meet their requirements, and in a great many instances they have to leave the Agricultural Bank and transfer their accounts to private institutions. We recognise that in addition to making available money to enable many of these men to start on their own account, the bank was also an encouragement to the private banking institutions of the State, in so far as it gave better values to the land and forced the private institutions to re-

cognise a value which they had been rather disinclined to allow before. They did not see eye to eye with many of these men who were taking up land on conditional purchase, because the State had control of the title to this land, and it was only by means of the Government loaning money on their own land that these people were able to get the financial assistance that was necessary. Alterations of the Act have been made from time to time, and we know that the chartered banks have been for some time advancing money in fairly large sums, and by arrangement with the department have been able to recognise the good security in these conditional purchase and other lands. It is somewhat surprising to me that the Government have departed from the original idea that this Bank should be essentially one to help the small man. We have had this measure before us on several occasions, and although I come from an agricultural centre and represent a great many men who have been enabled to get a good start through this institution, I am perfectly satisfied that we are risking too much; there is too great a danger when we begin to open the portals of the bank to give the unlimited credit which this Bill enables the trustees to give. The management in the past has had more to do with the success of the Bank than anything else, and I feel confident that the success of that management has been in a great measure due to the fact that there was a limit placed on the amount which could be loaned to different men. Had there been no limit, the management of the bank in years gone by would have found very great danger indeed in declining propositions put before them from various centres. We know how successful some men might be in their arguments with the manager of an institution of this nature, who was handling money that was not his own, and how easy it is for a man to be a little more lenient and a little more easy in lending money such as this under a Government institution when he has no limit, much easier than if he knows he is bound down to a certain limited sum. The captial of the bank has always been of a small amount, and it seems to me the State has not too much money at its disposal at any time to embark in this direction. Undoubtedly, the manager of the bank has been able to make the most of the small amount of money at his disposal by having the limit to each individual placed at a fairly reasonable figure, and he has been able to do work in the best interests of the State. I claim that the amount that can be lent to one man, £750, is a fairly large figure. When one has spent £750 in developing a piece of property, he should have fairly good value in that property, and it should be improved to an extent that should be quite sufficient—and we know it has been quite sufficient—for the chartered banks to recognise better value in it. We know they have been only too eager to take on the liabilities and take them over from the State. This is just what the intention of the original Act is, and it is a good policy to continue as far as possible, and one we should not depart from. As soon as the larger banks or other private institutions will come in and take the place of the State so much the better for the State. We recognise that in the case of the State we have had a fairly good fund to draw upon in the State Savings Bank; but just now, when we are talking of finding a very much larger sum and of increasing the amount of the capital of this State Agricultural Bank up to three million pounds, there is just a possibility that we will find there are inroads upon our chances of obtaining that money from the State Savings Bank. We will probably be faced with the position of having to pay 4 per cent. which we, by the Act, will let out to the men on the land at 5 per cent. It seems rather a risky business to embark upon a principle of this kind, the State practically going along to the chartered banks and guaranteeing to pay them 4 per cent., and take over all their liabilities and difficulties with regard to the men on the land and take over the burdens and do it all on a margin of one per cent. It seems to me it is a dangerous proposition. I do not wish the leader of the House to

infer that I am approaching this altogether in the matter of animosity. I realise the more we can do with this bank to help the smaller propositions the better, but I do not like to see the measure with absolutely no limit to the amount of money that can be lent to one individual. I fear that the capital of the bank will be all swallowed up by the few rather than follow the original intention that whatever capital was available should go to the encouragement of a large number of men who very speedily would get on a better footing and be able to make their own private arrangements with the private institutions. By that means it seems to me these men would be obtaining money themselves direct from the bank instead of the State making itself responsible to the chartered banks for the money. Undoubtedly I think it is in that direction we will have to look for the capital. It seems to me as if the State is taking over the liability of the private banks, and, at the same time, giving them better security than they ever had before. No doubt there are dangers in this direction with regard to the trustees. Having no limit placed on the amount they can give to one man, we are putting on the trustees a burden which is too severe and altogether unfair. No doubt it would be an improvement if we could bring into this Bill a clause similar to that which they have in South Australia preventing interference on the part of any politician.

Hon. M. L. Moss: I am putting a clause on the Notice Paper to that effect.

Hon. V. HAMERSLEY: I am glad to hear it, because it seems to me it is one of those troubles which must occur. It is a grave danger, and to my mind it is grossly unfair to ask the trustees to handle a measure of this nature and control the moneys they have, and at the same time be subjected to the powers which might be brought to bear upon them by any members of Parliament. It is just possible that the way the trustees will have to look upon any measure of this nature, or any suggestions from a politician that particular help should be conveyed to a friend of his or even to himself, would be in the light that if they did not favour the views of that particular politician they would not know but that next week he might be a Minister controlling their duties. And, of course, we know the danger that always exists under conditions of this kind. With regard to the erection of buildings, the bank has always been prevented in the past from advancing money for buildings on these lands; but under this Bill the trustees will be able to make advances for the erection of buildings. It seems to me a limit should be placed upon the amount which can be advanced in this direction. I do not altogether object to money being advanced on certain buildings, as on bona fide well established farms they are recognised as essential; but there should be some limit upon advances on buildings in advance of other improvements. Money should not be lent on proposed buildings until a fair proportion of improvements has been carried out on the area where the buildings are likely to be erected. Then again, I think there is great danger in advancing money on some of these areas if the structures are wooden, and I see nothing in the clause or schedule as to whether there shall be any insurance, though many other items are mentioned. It seems to me necessary that provision for enforcing the mortgagor to take out an insurance on the building should be put in, otherwise he may escape that and get the borrowed money and spend it unwisely. Frequently buildings may be constructed and be of little value. Anyone who has had much to do with land knows how often it is found that one man in taking over property finds there has been a waste of money, sometimes in buildings having been wrongly constructed, or because the same buildings do not suit the same two men. One man perhaps taking on a proposition will see value that another man cannot see, and it is not always that one can recover money spent by way of buildings in improvements on these lands. There is also great danger, and here again again there is no limit, as to the amount that can be advanced on stock, though there is a wise provision in the present Act. I always consider advancing on

stock a very dangerous principle for the Agricultural Bank. It is a very risky proposition indeed. The House were unanimous in deciding that a reasonable amount should be advanced on stock under the present Act to any one individual who had a good proposition in a fairly well-developed property, but now the provision in this Bill gives absolutely no limit, and it is in that direction principally that my fears arise—the dangers that are likely to accrue to this institution from a very large amount being advanced on a proposition of this nature, and the difficulties that will face the trustees. Now, for the first time for many years we have been scared somewhat—I think I am perfectly safe in using the term "scared"—by the dry season. But I think there is more scare than reality. It has not been such an unsuccessful year for the majority of the people on the land, but it has been undoubtedly a difficult year for many of the new men taking up land and in many instances working it on money they have borrowed from the Agricultural Bank. And it seems to me that in a year like the present their stock would particularly suffer, and money which may have been advanced on that stock would be in jeopardy, that in fact money advanced on stock several months back would probably be worth only half its value today. It is in that respect that I look upon this unlimited advance on stock as being very dangerous indeed. The private institutions that have been loaning money and taking over many of the propositions of the Agricultural Bank find in this dry season that the security of the loan is not quite so good as it was, and I believe that if this measure is passed many of these institutions will be glad to hand back to the Agricultural Bank the propositions which they have taken over from it. Then these farmers would come back to the Agricultural Bank to obtain from the State money which they have been obtaining from the private institutions, and if there is to be any risk of loss I think it is just as well to let the private institutions continue to carry the burden. It would be a mistake to have these men come back and find that they can borrow money more easily from the Agricultural Bank than they could from the private banks. The private institutions have been lending them money, and if nothing is done, will be prepared to carry on. Therefore it seems to me absurd for the State to come to the assistance of the private institutions and guarantee interest on the money loaned. I think it would be very much better to leave these private institutions to manipulate their own money, which I dare say in any instance they can do better than the State could do for them. No doubt the associated banks would be glad enough to transfer their burdens. Some at least of them would be happy to get out of some of the risks they have undertaken. These are my feelings in regard to the measure. I do not know that there has been any great demand for it, unless it be for a slight increase in the amount that may be loaned. But to remove all limit from that amount, while having no safeguard against interference on the part of politicians is, to my mind, exceedingly dangerous. However, if modifications can be made in Committee I shall be pleased to support the second reading.

Hon. C. SOMMERS (Metropolitan): While I have every sympathy with the man on the land, and am prepared to do anything reasonable in the way of assisting him by advances through the Agricultural Bank, I view this measure with alarm, inasmuch as no limit is to be imposed on the amount to be loaned. We know that a bank with operations extending all over such a huge State as this can hardly be expected to have that grip of transactions which the ordinary private banking institutions have. There is not that searching inquiry into the way in which the money is expended that might be desired, although, it must be said, we have been very fortunate in the past. That is the first objection I have to the Bill, and I hope that in Committee a limit will be put on the amount to be advanced to any one borrower. In Clause 3, Subclause 1, provision is made for advancing to persons engaged in agricultural indus-

tries. That is all right; but further provision is made for the advancing of money to any industry which the Governor may by proclamation declare to be a rural industry. That is where the danger comes in. There are all sorts of cranks only too anxious to start what might be termed secondary industries in connection with the great agricultural industry. One would be prepared to distil spirit from blackboy, and another to produce scent out of something else, and goodness knows where this will land us. We want to pin ourselves to the true meaning of agricultural industries; then we have a limit to our undertakings and have some chance of seeing that the money invested in these pursuits is properly spent. If we go outside that limit I foresee considerable danger indeed. Then we find further on that in connection with any rural industry money may be advanced for a dwelling house on or adjacent to land occupied. I would have a decided objection to advancing money for buildings to be erected on land adjacent to that on which the principal security rests. That provision certainly requires some explanation. If the rural industry proved to be a failure then this dwelling, on a small piece of land which could not be used for anything else but the building, might become a white elephant on the hands of the Agricultural Bank. Apart from that, I think the trustees should be absolutely free from political influence. It has been said that influence is exercised at times, but whether or not that is so, I say there should not be the slightest danger of it. The trustees should be appointed for a term on a fixed salary, and then they would know exactly where they were. I am in sympathy with the agriculturist in every way, and would give him every reasonable assistance, but bearing in mind the probability of the Savings Bank money being taken over by the Federal authorities, and the possibility of our having to pay more in future than we pay at present, it may happen that we shall find ourselves short of funds; and if, as is suggested by our present experience, we have to borrow at interest up to four per cent., we will never be able to loan it out at five per cent. on those rural industries which may be proclaimed. To my mind the main thing is that the amounts advanced must be limited. We might have one man borrowing ten or fifteen thousand pounds. The Agricultural Bank was meant only to assist men struggling in the early stages of their enterprises. Men were enticed to go on the land with very small incomes, and the system was that once they got a fair start they would be supposed to carry on themselves, or go to those other institutions better able to assist them than the State is. We know that the private institutions are very careful of their management. The whole crux of the success of this Bill is in the appointment of the manager. We have a splendid manager at the present time, but we may not always be so successful, and unless we remove the manager from any influence, and are particularly lucky in the men we get, and unless, further, we limit the amount to be advanced, disaster may easily overcome us.

Hon. J. F. CULLEN (South-East): I would like a little information from the Minister. I would like to know whether the managing trustee of the bank has been consulted on the liberal departures made in the Bill. Naturally, one would assume that Ministers would seek such advice first of all. I did not quite like the note in the Minister's speech about trying to keep all the rural banking business in the hands of the Agricultural Bank. He seemed to think it undesirable that clients of this bank, having grown to a certain degree of strength, should then apply to the ordinary commercial banking institutions. I think that was the original purpose of the Agricultural Bank, namely, to help the new settler in the early stages until he was able to go on a business footing to a commercial institution. I think the Agricultural Bank ought to be glad when any of its clients are able to come and say, "Thank you for past help; now that we are strong enough to fight our own battles on ordinary business lines, we do not need the special benefaction the country has been giving us heretofore." I think we should

be glad, instead of lamenting it as a loss of custom. The object of the Agricultural Bank, as I understand it, is not firstly commercial, but rather for the promotion of the settlement of the country, to carry the new man over the hard stages until he is able to find his own feet. I think it is a grand thing that this bank has served as a stimulator of the commercial institutions of the country and thus invoked their aid in the great work of settling the State. But it is quite possible that in doing this work we may take on more than we can carry. While the tide of immigration flows strongly, and settlement advances, we need not be too anxious about inspecting and strictly guarding our securities. The tide of immigration, the very success of settlement, gives a vim and impetus to the finances of the country which will always cover any little mistakes that may be made. Suppose a borrower goes wrong; while immigration is flowing in there will be a couple of buyers to take his place; but, suppose a time of stringency came and anything stemmed the tide of immigration; what would happen? The first thing would be that the commercial banking institutions would begin to curtail their operations. They would call in a lot of their advances, and not only would numbers of men come to the Agricultural Bank to be assisted, but the feeling of distrust and want of confidence would grow upon the country and blight it, and take the very bottom out of the securities that we are relying on. Have we the means of saying or thinking that any such time of stringency may not be present? What does a 4 per cent. loan mean but the beginning of stringency? I am sure if the Ministry had consulted Mr. Paterson, and the general managers of the banks, they would have given advice to be very careful. There are two or three safeguards against this relaxation of securities in this banking legislation. In this Bill we have no limit as to the amount to be borrowed. We have relaxation generally, and the Bill said that by proclamation almost anything may be taken as security. I am not sure whether it would be wise to limit that by saying, "the Governor, after the advice of the managing trustee." There may be some safeguard in that, but it is the Governor's proclamation now. The Government may be unduly optimistic, and may not be experienced enough to read the commercial signs of the times. They may be rejoicing over they little 4 per loan instead of thinking that by bringing the money from the capitalists of Great Britain we would be doubling the benefit to our country, putting money from abroad into circulation here. Instead of looking at that as a warning, Ministers are actually boasting they have actually had offered to them a few score thousands more than they have asked for, at the very high rate of 4 per cent. I do not count much on the limit of the proclamation. What I count on is the experience and business acumen of men like Mr. Paterson; that is the first line of security. I do not think any Government will attempt to override the judgment of such a man. I have only one further caution to utter. Do not be in any hurry to lend money on houses to new settlers. An Australian settler will tell you first, "I do not know where to build my house until I get some of my land cleared. I am not going to risk it in the fires I am going to have, I would sooner have a tent, or a few sheets of iron until I know where to build, then I can build with security." But it is not so with the new people who come to this country. People from the old country do not understand the risks they run, and they are prepared to put up good houses. But the purchaser by and by will allow nothing for a house; the buyer will say, "What is your land worth? We do not want the house, it is not where we want it, it is not the kind we want, and we put very little value on it." I hope that the Government will let men like Mr. Paterson have a lot of discretion in the administration of the Agricultural Bank Act. If I were consulted I would say make a limit of £1,000 or £1,200, or £1,500, but still make the maximum for the support of your manager, and keep the practical improvement as your main security. Of course, I shall vote for the

second reading. As I say, I am relying on the management.

Hon. W. PATRICK (Central): I am one of those who believes that the Agricultural Bank has been of immense benefit to the settlers of our country. We are only doing what has been done several times, proposing to increase the capital of the bank, which is absolutely necessary under the system that the bank is conducted, because when the money is repaid the bank cannot use it. The money actually advanced at the present time is about one million, while over half a million of money has been repaid which cannot be lent out again. I confess I was a little astonished at the vein of pessimism that ran through the remarks of Mr. Cullen.

Hon. J. F. Cullen: Not pessimism, caution.

Hon. W. PATRICK: The hon. member is afraid that the stream of immigration is going to cease in the near future, and that the money markets are in danger of collapsing. I do not think there is any danger. The stream of immigration has hardly begun. At the present time it is practically impossible to get a berth on board a steamer coming to Australia unless it is engaged months ahead; that shows that the stream is increasing in volume as the days go by. I believe the alteration proposed by the Bill will be a great improvement on the Act at present in force. I have always contended that the bank should have power to lend money, not only on further improvements but on substantially improved properties. Hitherto practically the bank has been confined to lending money on what is to be done in the future. When the settler has improved his land and worked for years without borrowing money at all, I do not see any reason why he should not be able to avail himself of this bank. I may say, to allay the fears of hon. members who have spoken, that in South Australia there is an institution called the State Bank. That institution lends money up to, I think, three-fourths of the value of any property in the same way as any other lending institution, and so it has been conducted on practically safe lines. I hope the managers aand trustees appointed in charge of the bank will take care that the business they do will be sound business conducted on commercial lines. So far the bank has evidently been conducted on very cautious lines indeed, because they have practically lost nothing. So far as the limit is concerned, I do not think that it is at all likely that the amounts advanced will be increased. I am sure at the present moment there is not one borrower in a hundred who will be able to borrow up to the limit. The limit is not the amount that may be included in an Act of Parliament, but the amount that the manager of the bank is willing to advance which, in some cases, may be £250 or £500; but in most cases it is not likely to go beyond the actual value of the property. We may perfectly safely pass the measure, leaving the management in the same capable hands that have hitherto looked after the management of the bank. There is no danger so long as we have a capable manager; there will be nothing wrong as far as the finances of the institution are concerned. If we can improve the measure in any way in Committee so much the better, but I have no fear of any danger to the stability of the State.

Hon. Sir E. H. WITTENOOM (North): I only wish to add one word to the debate that has taken place in regard to the unlimited amount of the advance that can be made. So long as we have a good capable manager, as we have had up to date, it will be perfectly safe to leave the amount in his hands to be unlimited. But there is always this danger. It appears to me whilst we have Government institutions lending money there is always a certain amount of political influence used. It is very difficult for any manager, or anyone in charge of a Government institution to fight sometimes, or rather to put on one side the political influences which could be brought to bear by members of Parliament or others in favour of those borrowing. When there is a limit, established by the State, the manager is in a

strong position, because he can shelter himself behind any influence under the Act. He can say, "I can only lend £500 or £750, and no more. There is no good using influence, there is an Act of Parliament, and I can go no further." That is the only danger that I see arising out of the present position. You may have a manager who perhaps may feel that his position is somewhat dependent on political people. And therefore when political influence is brought to bear he may not always be inclined to resist it, and, when the amount is unlimited, he may be influenced, perhaps, more than his best judgment would allow. I do not say that it will always happen, but there is that tendency, and that danger.

On motion by Hon. E. M. Clarke, debate adjourned.

BILL — INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT.

In Committee.

Hon. W. Kingsmill in the Chair; Hon. J. E. Dodd (Honorary Minister) in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 2:

Hon. Sir E. H. WITTENOOM moved an amendment—

That in line 5 the words "or difference of opinion," be struck out.

The inclusion of those words in the clause would open the way to a great amount of trouble and litigation, and the result would be to do a great deal of harm. The original Act was perfectly plain about this, and there was no reason for the amendment. The definition of "industrial dispute" in the Act was all that was necessary, but the clause went further, and he was prepared to accept it provided the words he had referred to were deleted. Everything might be going on smoothly, but for the existence of a difference of opinion, and there was nothing to stop one side hauling the other before the Arbitration Court and putting them to no end of expense.

Hon. J. E. DODD: In some cases it had been found extremely difficult to take a case to the court, especially during the last five or six years, owing to technicalities which had been raised. It was desired, if possible, to avoid all these technicalities. It had been held that a dispute must be with the individual instead of with the union. In the principal Act there was provision made for costs being given against the union which brought forward any frivolous matter. That was sufficient safeguard. There would be no danger by allowing the words to remain in the clause.

Hon. M. L. MOSS: Mr. Dodd had dealt with generalities only with regard to the amendment. He should have given some specific instances of what had occurred, and how the inclusion of these words were going to obviate what was complained of. On every paltry difference of opinion these people were to be entitled to set the machinery in motion. The definition of "industrial matters" in the Act was quite wide enough, and now we were tacking on to it the words "and includes any disagreement, a difference of opinion between an industrial union formed or existing for the protection of the interests of workers," etc. That would be a very comprehensive definition if the words "difference of opinion" were included. The whole thing would be much more comprehensive, and it did not require a great stretch of the imagination to see what would occur. Whenever a paltry difference of opinion arose as to the meaning of one of the awards, the parties could set the machinery in motion, and get the opinion of the court, and there would be not one but three or four judges required.

Hon. F. DAVIS: It was impossible for unions to go to court while an award existed, so that there was no likelihood of employees rushing a court to obtain an award unless they had previously had an award governing their industry. He failed to see that there would be a rush to the court if the clause was passed. No specific instances had been given where the spirit of the clause had prevented people from going to the court. He had

before him some particulars of the case which was before the Arbitration Court as recently as the 15th December; this referred to the Engineers' Society, who wished to state a case. They were unable to get a decision during the present week and it would mean that their particular case would have to wait until March. They went before the court, and when they appeared they were met with four different technical points, which were submitted by the agent for the employers. The result of these points was that the Engineers' Society had been precluded from getting an award.

Hon. M. L. MOSS: That is quite wrong: the matter is going to be argued on Friday. You are not making a proper statement of the facts.

Hon. F. DAVIS: If the clause were passed as drafted it would be reasonably easy for those who wished to go before the court to do so. At the present time when technical points were raised it was difficult for unions to place their case before the court and obtain an award. There was no reason to suppose that a union would rush into court unreasonably, but if they had good reason to go there they should have every facility to do so.

Hon. M. L. MOSS: Mr. Davis must think that the Committee were a pack of children. How by the inclusion of these words was the object which the hon. member aimed at to be attained? It was in Clause 8 that the technical objections would be brushed aside. Whilst it was desirable to give every facility to a person having a legitimate grievance to get before the court, it was not desirable that workers or masters should be able to bring the other side to the court because of some paltry excuse. Full power was given in the Act and in the clause, even if the amendment were carried, for parties to get before the court and then there was power vested in the judge to say whether there was a dispute or not. Members should strive to provide that once an award was made both parties during the currency of that award should be bound by it and not be going to the court with every fault which they found in it.

Hon. J. E. DODD: It was a matter of one union, one award. If a union approached the court and obtained an award it could not approach the court again except for an interpretation of the award under the original Act. Once the award was given there was no question of the union continually approaching the court as Mr. Moss suggested. In the first instance the union might approach the court in regard to what might be called a difference of opinion, but once the court's decision was given there was no returning to the court.

Hon. M. L. Moss: Was I not right in saying that Clause 8 gives you all the power you want?

Hon. J. E. DODD: Amendments were proposed to Clause 8 and members were not in a position to know what would be done to that provision.

Hon. E. M. CLARKE: Every reasonable facility to approach the court should be offered, but the words which Sir Edward Wittenoom sought to strike out were not only superfluous but were calculated to cause litigation. If there were a trivial difference of opinion between employer and employees one party could rush to the court, and although an award might have been made on one question that would not prevent a party to the award going to the court on half a dozen other questions. The Bill would not be in any way injured by the deletion of those objectionable words.

Amendment put and passed.

Hon. Sir E. H. WITTENOOM moved a further amendment—

That in Paragraph (b) after Sub-paragraph (c) the following words be inserted:—"Provided that nothing in this Act contained shall apply to the agricultural or pastoral industries."

In the original Act "industry" was defined as being "any business, trade, manufacture, undertaking, calling, or employment in which workers are employed." That was a fair, comprehensive, and precise interpretation of the word, but in Sub-paragraph (a) a new definition was given and "industry" included "any business, trade, manufacture, undertaking, or calling of employers on land or water."

It was not possible to extend this definition to the agricultural and pastoral industries without doing them considerable harm. If it could be shown that the Bill would be of advantage to the industries or to the workers he would withdraw the amendment, but after close investigation and long personal experience he knew how it affected both employer and employee. There could be only two reasons for this legislation, one to improve the conditions of the workers, and the second to include them in political unions. As regards the first, the improvement of the workers meant better wages and shorter hours, and he did not think that either industry would stand that. At the present time the average rate of wages of a farm hand was 30s. per week and his keep. The keep of a farm hand was practically worth £1 per week, comprising food, lodging, board, etcetera. A farm that engaged six hands would keep a cook at 7s. per day which would mean 7s. per week each divided amongst them. That left only 12s. or 13s. a week for food and board and lodging and everything except cooking, so £1 a week was a reasonable amount to estimate for their cost, especially as people had to give equal to what £1 a week would obtain in a town. That practically worked out at 8s. a day. The idea was that it should be eight hours a day and 1s. an hour, and the men actually got this at 30s. a week and their keep, though where they were skilful they received more. Certainly eight hours a day could not be worked in the winter, and in the summer it would be impossible to limit the work to eight hours a day during harvest time. The eight-hours system should be followed for workers where the work was continuous, because eight hours was long enough for any man to work on continuous work such as on timber mills or on cargo or at navvy work; but farming work was very different; it was not laborious work. At ploughing the man sat on the plough all the day. The idea was that farmers should make the work as easy as possible with the idea of getting through more work. And the work on pastoral stations was not laborious. The eight-hours principle could not be applied there. Many farmers gave their men a fortnight's holiday on full pay in each year, which made up for a lot. If a farm hand knocked off work at 5 o'clock in the summer evening and sat about it was not to his advantage. If hours were shortened and wages increased farming would not pay, and it would add to the cost of living by reducing the productiveness of farming. The Labour party could not be blamed for advancing this matter for political purposes, but it would not be advantageous to the industry, especially the pastoral industry. It was well known stock could not be handled in the hot hours of the day. Where they could not be moved till evening, perhaps, were the men to be paid overtime because the knock-off hour occurred while the stock were half-way from a paddock to water? The present rates of pay were fair, and it was useless to try to bring employers and employees into conflict. One did not find the type of men who would consent to sleep in a pig-sty as it was claimed by one responsible man they were asked to do. The men were well paid and well cared for.

Hon. J. E. DODD: The majority of members were not anxious to increase the powers of the Federal Arbitration Act, but if the hon. member's amendment were carried, the Federal Court would control these matters. At present there was a citation being served on farmers to appear before the Federal Arbitration Court.

Hon. M. L. Moss: It will be a good thing if there is a Federal award.

Hon. J. E. DODD: It was contrary to the view expressed by many members, which he endorsed, to increase the scope of the Federal Arbitration Court in these matters; but that would come about if the rural and pastoral workers were not included in our Act. Why should not all workers be included in the definition? Where would the danger be if the farm hands were included? If good wages were being paid it was not likely there would be continuous appeals to the court. Then in regard to the pastoral industry, why should we disqualify the shearers?

Hon. M. L. MOSS moved an amendment on the amendment—

That the words "or in the principal Act" be inserted after "Act."

Amendment on amendment put and passed.

Hon. R. LAURIE: We had an Industrial Conciliation and Arbitration Act to deal with all workers in the State. Conciliation or arbitration was either good or bad, and if it would be of any service it should apply to all workers. No doubt the shearers all belonged to a general union, and by omitting them from our Act we would put them under the Federal Act. In the case of shearers, they could affiliate with organisations on the other side of Australia, and the employers would find themselves dragged into the Federal court. He would require to hear very much better reasons for the amendment before he would support it. Was it to be taken that when an arbitration court sat it could only be to raise the wages? If they were going to do that, if it was not to be a court of justice, we had better do away with the Act altogether.

Hon. J. F. Cullen: If the court does not raise the wages its award will not be obeyed.

Hon. R. LAURIE: If the hon. member would draft a provision to compel the worker to obey the award of the court he (Hon. R. Laurie) would support it.

Hon. E. M. CLARKE: There were certain employments in the farming industry which at times kept the hands at work practically day and night. For instance, if a farmer were to send a couple of his men on a journey with a flock of sheep those men would be required to look after the sheep day and night. If they failed to do this what would become of the flock? In such a case these men could not be restricted to working certain hours. He had no objection to certain of the agricultural employees working specified hours where it could be arranged, but he desired to emphasise the fact that the rule could not be applied to all the workers on a farm.

Hon. J. A. DOLAND: There was no reason why the proposal should not be extended to embrace the rural workers. As to Mr. Clarke's illustration, the court would have discretionary powers in fixing the hours these men should work. The locomotive engine-drivers worked a fortnight, and the one period of eight hours did not stand by itself. They had a fortnight in which to complete the prescribed time before overtime was paid; so the men with a flock of sheep could work, not eight hours a day standing by itself, but rather 48 hours a week.

Hon. E. M. CLARKE: There was no parallel between the case of the loco. engine-drivers and that of the two shepherds travelling the sheep. For one thing these two men might be the only men employed by the farmers, whereas the Government had hundreds of loco. engine-drivers in their employ.

Hon. J. E. Dodd: Do you not think a body of sensible men would go into that matter?

Hon. E. M. CLARKE: When in the absence of the owner fences were broken down, or stock escaped, or an animal fell sick, the man or men left in charge of the farm would find it necessary to work right on until the trouble was remedied.

Hon. C. SOMMERS: Probably no court could form rules and regulations to satisfactorily control the farming industry. The rural workers were not of a permanent class. Just now they were being recruited largely from the old country, and many of them were scarcely worth their food for a start. They steadily acquired their experience, largely at the expense of their employers, whereupon they in turn became employers. It would take years to devise regulations which could satisfactorily be applied to the farming industry. In that line of employment everything was worked on a system of give and take. Under existing conditions men during the wet weather had rather a good time, whereas if the industry were regulated by a court the farmer would probably find it to his advantage to discharge his men, or many of them, during the wet season. It was impossible to specify the hours in pastoral or agricultural industries. If a court was composed of expert agriculturists, or pastoralists, such court could not devise a system which

would give satisfaction to themselves or to the employees.

Hon. E. McLARTY: No farmer could carry on his industry if he had men on his place working against time. Very often, during harvest time, there were wet days, and men were unable to go to work probably until midday, and if the men could cut the corn when the weather was fine they stuck to the work as long as they could see. But, if there was a recognised time to knock off, what was to become of the crops? A man might be working a mile away from the homestead repairing a fence, and at 5 o'clock he would have to knock off work, although he had not completed the repairs. There must be some compromise between master and man on farms. He liked to see men taking an interest in their master's business, and masters should take an interest in the men's welfare, but to say that men must only work 8 hours a day was ridiculous in connection with the farming industry. Such industry could not be carried on satisfactorily with such hours; the result would be that farmers would get rid of their men, and would cultivate just what they could do with their family, and the land would go back for grazing sheep or stock. He did not see much objection to the wages being fixed, and although a man employed on a farm might not get as much as a man employed in another industry still there were perquisites on a farm which the men received and which they did not receive in other walks of life. He did not think there was any dissatisfaction amongst farm and station hands. He would like to see a measure framed which would bring about industrial peace, but it was a mistaken idea, in the interests of the employee, to include farm and station hands in the Bill. Mr. Dodd had said there were good and bad employers; that was the same in every industry. A good employer should not be penalised because there were a few bad ones. Good farmers looked after the interests of the men, saw that they had comfortable places to live in, and as good living as the master himself.

Hon. W. PATRICK: Farming was entirely different from other industries. A man working on a mine worked continuously for a number of hours, and the same applied in other mechanical operations, but on the farm a man was dependent on the weather. At the present time the weather was very cold, and men could not go to work harvesting until 9, or 10, or 11 o'clock in the day time. If a farm hand was employed on regular hours, and had to start at a certain hour in the morning, and finish at a certain hour in the evening, for half the day he would be idle. This applied all through farm work. It was impossible to see how rigid rules could be applied to farming. Farming was a new industry, to a large extent, in this State, and we should not forget that farmers, in relation to all other industries, would be handicapped in every way. The farmer was in an entirely different position from employers in other industries, for he was dependent on the weather, which was beyond his control. The bulk of the men engaged in farming to-day were not skilled men. Members would be perfectly justified in excepting the rural industry, because it was on an entirely different basis from other industries. Mr. Dodd might look at the matter from a reasonable point of view. The farming industry was entirely different from every other. The men in it had no control over the price of their produce, but some day they would combine and perhaps do what had been done in connection with the fruit industry at Mildura and Renmark; there they combined and now, at the beginning of each season, they dictated the prices which the public had to pay. That, however, was an entirely local market and was not a difficult matter to carry out. It would be very foolish to apply at the present stage of farming the same kind of cast iron rules which were applied to other industries.

Hon. C. A. PIESSE: With regard to farming, so much depended on the weather that it would be impossible to regulate the manner in which the calling should be conducted. There were any amount of reasons why it was not possible to regulate the industry. It was

regulated by nature and one had to apply his best ability to it and take advantage of experience. It might, however, include shearers, but after looking into the matter one could not but remember that they were very well provided for, and they had no cause for complaint. He took no notice of what had been said about these men living in pigsties, because he knew that that was not correct.

Hon. W. MARWICK: It would be preferable to have a local Arbitration Court than to depend upon the Federal Court. A lot had been said about the conditions which the farmers were subjected to owing to the elements. The matter was very well known to the majority of members in the House, but Mr. Donald and Mr. Davis apparently knew very little about the conditions of the farm labourer. Many established farmers would much prefer to have their men working regular hours and under direct supervision if possible, than to have them working as they were now doing, and to have to pay them all the year round. The average farmers made it a practice to pay their men all the year round wet or dry, and in many cases there were farmers who paid their men even when they were laid up. As had been pointed out, the farmers had experienced great difficulties as regards bad weather during harvest time, and occasionally men had to go two or three days without putting a collar on a horse, and the expenses all the time were very heavy. He knew something about the conditions of farming in Victoria where most of the farms were well established, and there the conditions were made to apply where 10 men were working in a body under the direct supervision of a foreman, who took their time and worked them on the hour system. He (Mr. Marwick) had in his employment men whom he sometimes did not see for two months, and he knew that it was a common thing for the manager not to see those men for three or four days at a time; they trusted to the honesty of these men. As had been pointed out these men had been very well treated in the past, otherwise there would have been an outcry. He was not aware of a case where there had been a body of farm labourers who had made any complaint. Although he was one of the largest employers of farm labour in the State he had not in his employ one man who was a member of a union, nor did he know of one in the York district. That fact showed that there was no call for this drastic legislation to bring every industry and calling under the Arbitration Act. There should be separate legislation for the agricultural, horticultural, and pastoral industries. The farmers were receiving a large percentage of labourers from the old country and not one out of eight understood the conditions in this State; in fact, some young men were willing to pay £50 for a year on a good farm so that they might get a complete insight into the local conditions of the agricultural industry. If the farmer could be allowed to use the raw material at his disposal without being hampered by the court he could provide the State with the agricultural labour that was so much needed. The whole of the big farms had to break in two or three new hands each year, and if the industry were brought within the scope of the Arbitration Act those hands would next year go to the union and claim to be competent men and entitled to full wages. If he could be assured that agriculturists would have fair representation on the court in the person of a man who thoroughly understood the conditions, he might reconsider his decision to vote for the amendment.

Hon. Sir E. H. WITTENOOM: It was not intended to include shearers in the amendment; they had their own organisation, and he would be sorry if they had not. In regard to the farmers, it must be recognised that on account of the nature of the work, the hours must be longer. The great trouble was that once a union was formed there was a great difficulty in getting a man to do anything except his own particular calling. If necessary he would be willing to add to the amendment the words "except shearers."

Hon. J. F. Cullen: I think it will be necessary.

Hon. J. E. DODD: Several speakers had referred to the fact that the Government had a mandate from the people to deal with arbitration matters. If the Bill brought down by the Government was to be amended as proposed, and if also the principal Act was to be mutilated, what sort of mandate was to be carried into effect? Members, in effect, said that they recognised that the Government had a mandate to amend the Act, but they were going to amend it in their own way. In regard to wages and conditions in the farming industry, members seemed to think that the court must necessarily award an eight hours' day, but there were several awards in existence to-day which did not give an eight hours' day. Members must trust a reasonable body of men, such as the court would be, to investigate the conditions of every industry and to weigh the evidence submitted, and they would doubtless have evidence as to whether an eight hours' day would be appliable to the agricultural industry. Having had experience of the industry himself he realised that nothing should be done to curtail its operations. It must be realised that the farm workers were becoming organised, whether members liked it or not, and instead of them going on strike during harvest as they had done in New Zealand, where they had demanded 2s. 6d. per hour, it would be better to have them brought under a union and subject to fixed conditions.

Hon. M. L. Moss: Men would go on strike whether they were under the Act or not.

Hon. J. E. DODD: That was so, but there had not been so many strikes during the last ten years as there would have been had the Arbitration Act not been in existence.

Hon. M. L. Moss: I do not agree with you.

Hon. Sir J. W. Hackett: I agree with the Minister on that point.

Hon. J. E. DODD: Members must recognise that the Arbitration Court would take into consideration every phase of the question. If a judge were appointed president, as seemed to be the desire of members, he would be a reasoning individual and look at the matter from all points of view. As far as the general principle was concerned, what was good for one individual was good for another and the same argument applied to industries.

Hon. Sir E. H. Wittenoom: The only objection is that once a man is a unionist, he is not allowed to do anything except the one class of work.

Hon. V. HAMERSLEY: In regard to the mandate from the people, farmers feared that some legislation of this sort would be introduced, and it was in their behalf that members were seeking to amend the Bill. The agricultural industry was the only direction in which men at the present time could escape from the operations of their unions as many of them often desired to do.

Hon. F. DAVIS: Some members feared that when rural workers were brought under the scope of the Bill it would inevitably mean an increase in wages.

Hon. J. F. CULLEN: Members were not afraid of increased wages, but were afraid of being pestered and worried out of their lives.

Hon. F. DAVIS: The hon. member evidently though the men composing the Arbitration Court had no sense, and would impose ridiculous and impracticable restrictions. The court would give reasonable and sensible decisions and make conditions that would suit the industry consistent with justice to both parties. As for awards not being obeyed, there was at least one notable instance on record where the wages of the engineers at Kalgoorlie were reduced 2s. a day, and the men loyally obeyed the award.

Hon. T. F. O. BRIMAGE: The amendment, if passed, would mean wrecking the Bill. The State recognised unionism, and all branches of labour should be allowed to form unions, and have the privilege of going to the Arbitration Court, and all workers should have the privilege of forwarding complaints through the

secretaries of their unions. The farm labourer was a much ill-used man.

Hon. J. F. Cullen: You say that through knowing nothing about it.

Hon. T. F. O. BRIMAGE: The farm labourer should have an opportunity of going before a tribunal. Unionism was recognised by law, and therefore it was only right and just that the rural workers should be able to join a union. Considering the amount of work they did, and the class of work they did, they did not get very good wages, which he understood were about £6 a month and found. It was on account of the low wages paid that they wanted to form a union and they should not be denied that right.

Hon. J. F. CULLEN: People connected with the rural industry did not want to be plagued by being brought down to Perth every now and again to the Arbitration Court. It might be fun for people in Perth to appear before the Arbitration Court, but the farming industry would not stand it.

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

Ayes	.. .. ..	12
Noes	.. .. ..	11
Majority for	..	1

AYES.

Hon. E. M. Clarke	Hon. M. L. Moss
Hon. J. F. Cullen	Hon. C. A. Piesse
Hon. D. G. Gawler	Hon. T. H. Wilding
Hon. V. Hamersley	Hon. Sir E. H. Wittenoom
Hon. W. Marwick	Hon. C. Sommers
Hon. C. McKenzie	(*Teller*).
Hon. E. McLarty	

NOES.

Hon. T. F. O. Brimage	Hon. A. G. Jenkins
Hon. J. D. Connolly	Hon. J. W. Kirwan
Hon. J. E. Dodd	Hon. R. Laurie
Hon. J. A. Doland	Hon. R. D. McKenzie
Hon. J. M. Drew	Hon. F. Davis
Hon. Sir J. W. Hackett	(*Teller*).

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

Clauses 3 to 6—agreed to.

Clause 7—Amendment of Section 59:

Hon. Sir E. H. WITTENOOM: The clause should be struck out for the reason that the president of the Arbitration Court should be none other than a judge of the Supreme Court. It was provided that the Government could appoint anyone they thought fit, and not be restricted to a choice of the judges. The point had been argued at great length, and it was unnecessary to say anything further.

Hon. J. E. DODD: As the hon. member had said, this matter had been discussed pretty fully, and there was little need for further argument. The Government intended to stand by the clause. The court could be considerably improved by the appointment of a suitable layman. In any case the clause was merely permissive, and under it it would not be necessary for the Government to depart from the practice of appointing Supreme Court judges.

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

Ayes	.. .. ..	6
Noes	.. .. ..	17
Majority against	..	11

AYES.

Hon. T. F. O. Brimage	Hon. J. M. Drew
Hon. F. Davis	Hon. J. W. Kirwan
Hon. J. E. Dodd	(*Teller*).
Hon. J. A. Doland	

NOES.

Hon. E. M. Clarke	Hon. C. McKenzie
Hon. J. D. Connolly	Hon. R. D. McKenzie
Hon. J. F. Cullen	Hon. E. McLarty
Hon. D. G. Gawler	Hon. M. L. Moss
Hon. Sir J. W. Hackett	Hon C. A. Piesse
Hon. V. Hamersley	Hon. C. Sommers
Hon. A. G. Jenkins	Hon. Sir E. H. Wittenoom
Hon. R. Laurie	Hon. T. H. Wilding
Hon. W. Marwick	(*Teller*).

Clause thus negatived.

Progress reported.

ADJOURNMENT — SITTING HOUR.

The COLONIAL SECRETARY (Hon. J. M. Drew) moved—

That the House at its rising do adjourn until 3 o'clock to-morrow.

Question passed.

House adjourned at 10.36 p.m.