

they might not go short of bread, and he paid this back as soon as possible out of his next cheque. We have not in the community many men so great as he was. When we do meet them we should not fail to appreciate them. I deeply regret this sad occasion, and support with all my heart the many glowing references that have been made to our friend.

The DEPUTY SPEAKER: On behalf of the Speaker, and speaking for myself, I would sum up the eloquent tribute that has been paid by members in support of the motion, in these few words—Peter O'Loughlen was a man amongst men. I now submit the motion.

Question put and passed, members standing.

ADJOURNMENT—SPECIAL.

The PREMIER (Hon. Sir James Mitchell—Northam) [5.1]: Hon. members who desire to attend the funeral, which will take place at Minnievale, can do so by taking the 7.10 a.m. train from Perth to-morrow. The return train will reach Perth at 11.28 p.m. I move—

That the House at its rising adjourn until Thursday, 15th inst.

Question put and passed.

House adjourned at 5.2 p.m.

Legislative Council,

Thursday, 15th November, 1923.

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

QUESTIONS (2)—COAL.

Railway Supplies North of Buntine.

Hon. J. MILLS asked the Minister for Education: 1, What quantity of coal was used by the Railway Department in all its branches north of Buntine for the year ended the 30th June last? 2, What was the cost of haulage of this coal to all the stations from which it was distributed?

The MINISTER FOR EDUCATION replied: 1, (a) Collicie, 13,662 tons; (b) Newcastle, 1,361 tons. 2, It is not possible to arrive at the cost of haulage of departmental coal.

Seams at Irwin and Eradu.

Hon. J. MILLS asked the Minister for Education: Will the Government make provision on this year's Estimates for a sum of money to further test the coal seams at Irwin and Eradu?

The MINISTER FOR EDUCATION replied: Such is not intended. Assistance to interested parties is given upon a pound for pound basis, and an application by interested parties is at present under consideration.

LEAVE OF ABSENCE.

On motion by Hon. J. Duffell, leave of absence for six consecutive sittings granted to Hon. H. Boan on the ground of urgent private business.

RESOLUTION — ESPERANCE NORTHWARDS RAILWAY EXTENSION.

Assembly's Message.

Order read for the resumption of the debate from the 8th November.

The PRESIDENT [4.39]: The contents of the Assembly's Message No. 11 being to a large extent similar to the terms of a resolution which this House recently passed at the instance of Mr. Kirwan, and having regard to Standing Order 120, I am of opinion that we cannot discuss the question any further. It is a matter for hon. members to consider how the House shall treat the Assembly's Message as regards sending a reply.

The MINISTER FOR EDUCATION (Hon. J. Ewing—South-West) [4.40]: In view of your ruling, Mr. President, I move—

That the following Message be sent to the Assembly:—"The Legislative Council acquaints the Legislative Assembly, in reply to its Message No. 11, that the Council has already passed a resolution which is of like substance to that set out in the Assembly's Message, the only difference between the two resolutions being that in the Assembly's resolution the words 'as early as possible' are substituted for 'this session' in the Council's resolution. In these circumstances, except for the difficulty which arises from the provisions of the Council's Standing Order No. 120, the Council is necessarily prepared to concur in the Assembly's resolution subject to the alteration above referred to."

I suggest that this Message be sent as a matter of courtesy.

Hon. J. W. KIRWAN (South) [441]: I second the motion.

Question put and passed.

BILLS (2)—THIRD READING.

- 1, Change of Names Regulation.
- 2, Friendly Societies Act Amendment.

Transmitted to the Assembly.

BILL—THE WEST AUSTRALIAN TRUSTEE, EXECUTOR, AND AGENCY COMPANY, LIMITED, ACT AMENDMENT (PRIVATE).

Report of Committee adopted.

BILL—INSPECTION OF SCAFFOLDING.

In Committee—Bill defeated.

Resumed from the 7th November; Hon. J. W. Kirwan in the Chair, the Minister for Education in charge of the Bill.

Clause 11—Inspector may give directions as to scaffolding, etc.:

Hon. A. LOVEKIN: I move an amendment—

That in Subclause 3, lines 6 and 7 the words "who shall hear and determine the dispute in manner prescribed" be struck out.

As we have been unable to do with the Bill what I think ought to be done with it—get rid of it—I have devoted some little time to trying to make decent before it is sent back to the Assembly.

Hon. T. Moore: You tried to stop it from going back at all.

Hon. A. LOVEKIN: That is the proper thing to do, but one cannot always have one's way. Therefore I shall try to make the Bill as decent a measure as I can. Any member who goes through the Bill will see that it is a most childish piece of drafting. The amendment which I have moved draws attention to one instance of this. Subclause 3 reads—

The person to whom such notice or order has been given, or the owner, within seven days after the receipt of such notice or order, may serve on the inspector a written requisition to refer the matter to the decision of the nearest police or resident magistrate, and thereupon the matter shall be referred to such police or resident magistrate, who shall hear and determine the dispute in manner prescribed, and his decision shall be final.

"Determine" has a well-known legal meaning. It means that a judge shall decide the issue. Under this clause a regulation is to prescribe the manner in which the magistrate who is hearing the appeal shall determine the matter. Surely we cannot have such matters determined by regulation. That would strike at the root of all justice. We cannot have a judge or a magistrate hampered by regulation

as to how he shall hear or determine a matter which is to decide a dispute. Therefore I have moved the amendment.

The MINISTER FOR EDUCATION: I hope the Committee will not agree to the amendment. The hon. member's reflections on the drafting of the Bill are quite uncalled for. The words "in the manner prescribed" refer to the regulations. It is only reasonable that the regulations should lay down some manner in which the magistrate's decision is to be arrived at. The regulations will give him a lead as to the manner in which the costs are to be defrayed and recovered.

Hon. A. LOVEKIN: Costs! You are now referring to another clause altogether.

Hon. J. J. HOLMES: Does the Minister mean that it shall be necessary for the magistrate to know the wishes of the Government before he proceeds with the case?

The Minister for Education: No, I did not say that.

Hon. J. J. HOLMES: It is the only inference to be drawn from the Minister's remarks. If a dispute arises in the North Province, the nearest magistrate may be 500 miles away. What is then to happen? There will be a holiday in the building trade. This is only penalising industry.

Hon. J. NICHOLSON: I suggest to Mr. Lovekin that he limits the words proposed to be struck out to "in the manner prescribed," for exception might reasonably be taken to those words. It is unusual to direct a magistrate as to the manner in which he shall hear and determine a case. All such cases should be determined, not by any prescribed method, but according to justice. If Mr. Lovekin will modify his amendment to the striking out of the words "in the manner prescribed," I will support it.

Hon. A. LOVEKIN: I will agree to that. Still, I do not think any of these words are necessary, because it is already provided that the dispute shall be referred to a magistrate and that his decision shall be final. I do not want the magistrate to have to determine the case according to the wishes of the Government, as the Minister implied.

The Minister for Education: I did not imply anything of the sort.

Hon. A. LOVEKIN: I will withdraw my amendment.

Amendment by leave withdrawn.

Hon. A. LOVEKIN: I move an amendment—

That in line 7 "in the manner prescribed" be struck out.

The MINISTER FOR EDUCATION: It amounts to the same thing, for the whole meaning lies in those four words. Clause 25 provides that the Governor may make regulations concerning the proceedings upon references to magistrates.

Hon. A. LOVEKIN: I am going to move to strike that out, too, when we come to it.

The MINISTER FOR EDUCATION: The hon. member's argument is entirely wrong.

No instructions will be given by the Government to the magistrate. It is not intended to influence the magistrate in any way.

Hon. A. LOVEKIN: I am sorry the Minister and I do not read English in the same way. Only the other day he told us that "from time to time" in one clause meant "permanent," and that in another clause the same phrase meant "temporary." The magistrate must be free to determine any case on its merits.

Amendment put and passed.

Hon. A. LOVEKIN: I move an amendment—

That in line 12 "£50" be struck out and "£20" inserted in lieu.

This is only to keep the penalties in the Bill uniform. We have £50 provided for non-compliance with the notice, but only £20 for unsafe scaffolding.

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

Clause 12—Not keeping scaffolding in conformity with Act:

Hon. A. LOVEKIN: I move an amendment—

That in line 5 "if no other penalty is provided" be struck out.

This is another instance of the extraordinary drafting of the Bill. The clause provides that if any scaffolding be not kept in conformity with the Act, the owner shall, if no other penalty be provided, be liable to a penalty not exceeding £20. It can only mean that, although the Bill contains but 26 clauses, the draftsman has not time to see whether any other penalty is provided, and so gets over the difficulty by saying that if no other penalty be provided, the penalty shall be £20.

The MINISTER FOR EDUCATION: Presently the hon. member will be moving to have the Bill redrafted.

Hon. A. Lovekin: It needs it.

The MINISTER FOR EDUCATION: There is no bad drafting in the Bill. The words proposed to be struck out constitute a safeguard. I do not think they are material, but it would be wiser to leave them in.

Hon. J. E. DODD: If I were to look at the Bill from the point of view of the owner I would certainly not strike out these words, for it is possible that a lesser penalty than one of £20 may be prescribed elsewhere.

Hon. A. LOVEKIN: I cannot follow either the Minister for Education or Mr. Dodd.

The Minister for Education: Apparently you cannot follow anyone.

Hon. A. LOVEKIN: The penalty it is sought to provide affects this clause only. I am not acting in the interests of the owners or employers, but am trying to make this a passable Bill. Under this clause the penalty may be a farthing, but we should say what we mean.

Hon. A. J. H. SAW: There can be no harm in these words. Mr. Lovekin's contention seems not to be worthy of our consideration.

Hon. J. J. HOLMES: If these words are left in, we shall not know what the penalty is to be. I agree with Mr. Lovekin that it is our business to decide this point.

The MINISTER FOR EDUCATION: The magistrate may inflict some other penalty than a fine. If these words are struck out, we shall restrict him in his decision.

Hon. J. J. Holmes: We do not restrict the magistrate, except that he cannot impose a fine of a greater amount than £20.

Hon. A. Lovekin: How can the magistrate impose a penalty under some other Act?

The MINISTER FOR EDUCATION: The magistrate may order some other form of punishment than a fine.

Hon. J. J. Holmes: There is no law at present dealing with scaffolding.

The MINISTER FOR EDUCATION: If the order of the court is not obeyed, the matter may be dealt with under some other legislation.

Hon. F. E. S. WILLMOTT: The subclause sets out in what way the court can deal with an offender, so that the words it is proposed to strike out are contradictory. The £20 fine has to do with a first breach of the Act, and the penalties provided in the subclause are for repetitions of the same offence. I cannot see how any other legislation can govern this particular point.

Hon. J. NICHOLSON: The victim under this clause will find himself in a serious position, for the Bill contemplates inflicting many penalties upon him. We should stop short at the £20 penalty, even if the words under discussion are left in, but we should certainly strike out the subclause.

The Minister for Education: Under Subclause 2 it is contemplated that there may be some other penalty, or no penalty.

Hon. J. NICHOLSON: That is not fair. This provision for a continuing offence and a daily penalty is too severe, and a burden which we should not seek to impose upon anyone.

Hon. J. DUFFELL: Clause 12 is the most vexatious in the Bill. If an inspector bears ill-will towards a contractor he may make the latter's position awkward. I hope the amendment will be agreed to and that the second paragraph will be deleted.

Hon. A. LOVEKIN: As the House refused to lay the Bill aside, I am endeavouring to make it as satisfactory as possible. I do not wish to see the Bill passed with such phraseology included as that covered by the amendment. Whatever penalty is provided, it must be within the four corners of the Bill and the inclusion of the words sought to be deleted would suggest that we were too indolent and careless to ascertain if a penalty had been provided.

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

Ayes	..	..	..	11
Noes	..	..	..	7

Majority for .. 4

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

In Committee.

Hon. J. W. Kirwan in the Chair; Hon. T. Moore in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 15:

Hon. A. LOVEKIN: Mr. Stewart has an amendment appearing on the Notice Paper and as I am in sympathy with it, and he is absent, I will take the liberty of placing it before the Committee. The Bill at present prescribes that no person under 21 years of age shall be employed in the control of a passenger lift. It does not refer to automatic lifts. When the Bill was placed before members in another place it was stated that the object was to help the maimed and limbless soldiers who are known as "wingies" and "stumpies." It was also pointed out that if persons now engaged on these lifts were replaced by "wingies" and "stumpies," there would be positions for all of the latter. As the Bill stands it will not help them at all, because it refers to age only. The present law is that no person under 18 shall work a passenger lift. The Bill seeks to extend the age to 21. The author of the Bill had in mind that the person in charge of a lift should receive an adult wage, but in all awards there is provision for the incompetent worker, permitting a reduced rate to be paid to a person not wholly incapacitated. To-day one sees youths and young women in attendance on lifts. We should try to legislate against such posts being occupied by young men and women, who sit there for long intervals with nothing to do, reading literature of a very doubtful character.

Hon. A. J. H. Saw: Then it can hardly be termed literature.

Hon. A. LOVEKIN: We should endeavour to draft the able-bodied youth, male and female, into more useful occupations. The amendment provides that the returned soldier shall be eligible for such employment without question; secondly a person over the age of 21 years but physically incapable of undertaking more exacting or laborious work, and, thirdly, an old man may be employed. Under each of these qualifications it would be possible to pay a wage lower than the ordinary adult wage. It is undesirable that men who fought for us and have returned maimed should be taken advantage of in that way. They should receive not less than the prescribed rate. Therefore I suggest a proviso to meet that contingency, and owners of lifts will then have no excuse for employing other than returned soldiers. I move an amendment—

That after "lift" in line 5, the following words be inserted:—"Unless he (a) has served the Empire in any war; or (b) is over the age of 21 years and is physically incapable of undertaking more exacting or more laborious work; or (c) is over the age of 50 years. Provided that no person

AYES.

Hon. A. Burvill	Hon. J. M. Macfarlane
Hon. W. Carroll	Hon. G. Potter
Hon. J. Duffell	Hon. E. Rose
Hon. J. J. Holmes	Hon. F. E. S. Willmott
Hon. A. Lovekin	Hon. J. A. Greig
Hon. R. J. Lynn	(Teller.)

NOES.

Hon. J. E. Dodd	Hon. J. Nicholson
Hon. J. Ewing	Hon. A. J. H. Saw
Hon. E. H. Harris	Hon. E. H. Gray
Hon. T. Moore	(Teller.)

Amendment thus passed.

Hon. J. NICHOLSON: I move an amendment—

That the second paragraph be struck out.

The inclusion of a continuing penalty is wrong in every possible sense. If an offence be committed, let there be penalties provided to deal with the breach of the law. We should not legislate to continue penalties, because there may be circumstances that would prevent the rectifying of offences immediately.

Hon. F. E. S. WILLMOTT: The more I hear this matter discussed, the more I dislike it. I move—

That the Chairman do now leave the Chair.

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

Ayes	..	..	..	9
Noes	..	..	..	7

Majority for .. 2

AYES.

Hon. J. Duffell	Hon. J. Nicholson
Hon. J. A. Greig	Hon. E. Rose
Hon. J. J. Holmes	Hon. F. E. S. Willmott
Hon. A. Lovekin	Hon. A. Burvill
Hon. R. J. Lynn	(Teller.)

NOES.

Hon. W. Carroll	Hon. G. Potter
Hon. J. E. Dodd	Hon. A. J. H. Saw
Hon. J. Ewing	Hon. E. H. Gray
Hon. E. H. Harris	(Teller.)

Motion thus passed; Bill defeated.

so employed shall be paid less than the minimum wage prescribed in any award applying to adult workers."

Hon. T. MOORE: On the assurance of the president and secretary of the "wingies" and "stumpies" that they are satisfied, I have no hesitation in accepting the amendment.

Hon. A. J. H. SAW: Mr. Lovekin would be wise to have the whole clause redrafted because in its present form it is nonsensical. It already prescribed that no person under 21 shall be employed in the control of a passenger lift.

Hon. A. LOVEKIN: Dr. Saw is right; the earlier reference to age should be struck out.

The CHAIRMAN: The hon. member had better withdraw his amendment.

Amendment by leave withdrawn.

Hon. A. LOVEKIN: I move an amendment—

That the words "under twenty-one years of age" be struck out.

Hon. A. J. H. SAW: That amendment will hardly meet the case, because anyone that has served the Empire in a war and is under 21 years of age will be debarred from working a lift. It would be tantamount to saying that a man was capable of fighting but not of working a lift.

Hon. A. LOVEKIN: Under the amendment I outlined, any person who has served in a war will be permitted to work a lift.

Hon. J. E. DODD: I am inclined to agree with Dr. Saw. Would it not be as well to retain Clause 2 as printed, and insert the previous amendment as a proviso? Apparently the provisos in the Bill will have to be struck out.

Hon. A. LOVEKIN: We should specify the persons who may operate lifts. The provisos in the Bill should be retained, because they preserve to those now employed a continuance of their employment. The "wingies" and "stumpies" inform me that if the youths and young girls now operating lifts were not so employed, there would be employment for all the "wingies" and "stumpies."

Hon. J. J. HOLMES: There is no necessity to pass the Bill immediately, and I suggest that progress be reported to permit of the amendment being properly drafted.

Hon. T. MOORE: There is no puzzle here that cannot be unravelled. I suggest that we allow Clause 4 to stand as it is. In paragraph (b) we might, perhaps, strike out "is over the age of 21 years" and then let it read "is physically incapable of undertaking more exacting or more laborious work."

Hon. A. J. H. SAW: Mr. Moore will be well advised to report progress. If we adopt his suggestion, we shall legalise appointments under the age of 21 of person who are physically incapable of doing more laborious work.

Hon. A. LOVEKIN: I ask Mr. Moore not to press his amendment because, as it stands, the clause seems to be correctly drafted. I

have no desire to keep anyone under the age of 21 employed in lifts.

Progress reported.

INNACY ACT AMENDMENT BILL.

Second Reading.

Debate resumed from 16th October.

Hon. E. H. HARRIS (North-East) [5.50]: When introducing the Bill Mr. Moore used these words "without an amending Bill it is not possible for a person confined in an institution to secure his release." I have looked up the Act of 1903 and find that under Section 81 any person can secure his release. I understand that the Bill was introduced for the purpose of providing for the release of individuals who have been detained during the Governor's pleasure. Section 81 reads—

When any person is ordered to be kept in custody during the Governor's pleasure, any order made by the Governor in relation to the custody of such person may be renewed and varied from time to time.

I cannot agree that a person confined in a hospital for the insane cannot secure his release without the assistance of the Bill we are now discussing.

Hon. T. Moore: He cannot appeal to a judge in order to secure his release.

Hon. E. H. HARRIS: If the Act be amended in the direction suggested, we shall confine the release of inmates of the institution to those who have friends and money; at any rate they will be in a different position from those who are without either. A judge of the Supreme Court, on an appeal being made to him, must take the evidence of medical men, and then report to the Governor, who is the only person that can order the release of a patient. So far as I can see, the bill will mean that from time to time the authorities will be bombarded with requests from patients for their release. The Bill will not enable us to get very much further, other than to permit a judge to make a recommendation to the Governor. He has power to do this at the present time. Unless stronger arguments are advanced in support of the Bill, I do not feel inclined to support it.

Hon. T. MOORE (Central)—in reply [5.55]: I have listened to what has been said by members who have spoken on the second reading, and noted the remarks of those who raised objections to the passage of the measure, which, of course, they had every right to do.

Hon. J. J. Holmes: Has anything been said in favour of the Bill?

Hon. T. MOORE: Yes, quite a lot has been said in favour of it. Mr. Nicholson, who is familiar with the law on the subject, spoke in favour of the Bill, and other members have given it their support. There seems to be a fear in the minds of some members that something may happen if the Bill be passed, and that there will be a certain amount of danger resulting from the release

of someone. If we pass the Bill, it will not mean that anyone will be immediately released from the Hospital for the Insane. The Bill proposes to set up by process of law how persons, detained in the Hospital for the Insane, may obtain their freedom. It has been suggested by one member, in an off-hand way, that it might be possible, with the aid of this Bill, to go behind the back of a Supreme Court judge. That is poor argument seeing that the essence of the Bill is that an applicant for release must appear before a judge. The Bill may be the means of creating a good deal of work for the authorities at the institution, but what will really happen will be this: at least two medical men must certify to the condition of the applicant for release.

Hon. J. J. Holmes: Is it not always a matter for medical men and not the judge?

Hon. T. MOORE: In this particular case six medical men certified. After all, doctors are careful men, and they want to be pretty sure of their ground before they will recommend that certain action be taken. With regard to the point raised by Mr. Harris as to what the Governor has the power to do, the Governor must first have a recommendation from the superintendent. The whole responsibility is placed on the superintendent. That is the wrong thing to do, though the superintendent may know all that there is to know about the patients under his care. If he disagrees with the other doctors his decision stands and that of the six medical men goes by the board. In his position the superintendent is not prepared to take a risk once he gets a man inside. That is likely to be so, because a medical man will be unwilling to risk making a mistake by releasing a man who has once been placed in the asylum. In older countries formerly a man once placed in an asylum could never be got out. Under our law as it stands it rests with one man, the superintendent, and that one man alone to say whether a patient is of sound mind. Under this Bill there will be first of all the evidence of two doctors who have to be satisfied that the patient is of sound mind. Their opinions will go to the judge. Then the judge will have the right to call all the evidence he thinks necessary on the other side; and he will do so, because judges are careful men. Even after hearing the whole of the evidence and seeing the man, the judge will not have power to release him, but will merely furnish a report to the Governor-in-Council. The effect of this procedure will be to take responsibility off the superintendent, who may be an extra careful man.

Hon. W. Carroll: It will take the patient out of his hands, too.

Hon. T. MOORE: The superintendent will have the right to put up his case against the case put up by the other medical men. Thereupon the judge, having had the map before him as well as the whole of the evidence, will be in a position to form an opinion. I do not know that under the Bill

a judge will recommend anyone's discharge. But under this measure the judge will report to the Governor-in-Council what he thinks of the case as presented before him. In the first place, it is a judge who takes the responsibility of sending a man to the asylum. If the judge has authority to do that, should he not also have authority to recommend release?

Hon. E. H. Harris: Do you suggest the same judge?

Hon. T. MOORE: It may not be the same judge. It was thought, until the present case arose, that every patient had the right of appeal to a judge under Section 107 of the existing Act. That section reads—

If a judge receives information upon oath, or has reason to suspect that any person of sound mind is confined in any hospital for the insane or licensed house, the judge may order the superintendent of such hospital or licensed house to bring the confined person before him for examination at a time to be specified in the order.

It has now been found that that section does not apply to every patient. Under this Bill, first of all a man must get medical certificates that he is of sound mind, and then he has to present his case to a judge. The judge will then hear the other side, who say that the man is not of sound mind. The judge will thereupon be in a position to recommend whether the man should be kept in confinement. This measure will take responsibility off the superintendent and the Governor-in-Council. The supporters of this Bill do not want any haphazard procedure, but want the case heard properly.

Hon. J. J. Holmes: Is not the position now that the Inspector General reports to the Governor-in-Council?

Hon. T. MOORE: Yes, he being the man in charge.

Hon. J. J. Holmes: Now you want the judge to take the Inspector General's place, and yet you claim that your Bill does not undermine the Inspector General's position.

Hon. T. MOORE: In reply to that argument I might say that the Inspector General's position is undermined already by Section 107. However, I do not consider there is any undermining. Surely it should be just as easy to get out of a hospital for insane as to get into it.

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

Ayes	11
Noes	8

Majority for	..	3
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AYES.

Hon. A. Burvill	Hon. T. Moore
Hon. J. E. Dodd	Hon. G. Potter
Hon. J. Ewing	Hon. A. J. H. Saw
Hon. E. H. Gray	Hon. F. E. S. Willmott
Hon. J. W. Hickey	Hon. J. A. Greig
Hon. J. W. Kirwan	(Teller.)

NOES.

Hon. R. G. Ardagh	Hon. J. M. Macfarlane
Hon. W. Carroll	Hon. H. Seddon
Hon. E. H. Harris	Hon. E. Rose
Hon. J. J. Holmes	(Teller.)
Hon. R. J. Lynn	

Question thus passed.

Bill read a second time.

House adjourned at 6.11 p.m.

Legislative Assembly.

Thursday, 15th November, 1923.

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

ELECTORAL—FORREST.

Vacancy declared.

The Deputy Speaker announced the receipt of a letter, signed by two members of the Legislative Assembly, certifying that the member for Forrest had died on the 13th of November.

On motion by the Premier ordered: That owing to the death of Mr. Peter O'Loughlen, late member for Forrest, the Forrest seat be declared vacant, and the Deputy Speaker be authorised to issue a writ for the election of a new member.

QUESTION—STATE HOTELS, PAPERS.

Hon. W. C. ANGWIN (without notice) asked the Colonial Secretary: When will he place on the Table the papers regarding State Hotels, as ordered last week?

The COLONIAL SECRETARY: I have the papers, and I will place them on the Table of the House immediately.

URGENCY MOTION—MINING INDUSTRY.

Arbitration Court award.

Mr. DEPUTY SPEAKER: I have received from the member for Hannans (Mr. Munsie) the following letter under to-day's date:—

When the House meets to-day it is my intention, as a matter of urgency, to move, "That the House do now adjourn," in order to draw attention to the minutes just issued by the Arbitration Court reducing by nine shillings per week the wages of all workers engaged in the mining industry in the Yilgarn, Coolgardie, Broad Arrow, Dundas, East Coolgardie, North Coolgardie, North-East Coolgardie, Mt. Margaret, and East Murchison Goldfields, and to urgently draw attention to the necessity of the House being made aware of the industrial unrest and the menace of State-wide dimensions involved in the said minutes.

It will be necessary for seven members to rise in their places and indicate their approval in order that the request may be granted.

Seven members having risen in their places,

Mr. MUNSIE (Hannans) [4.40]: I move—

That the House do now adjourn.

I regret the necessity that has arisen for the moving of such a motion. I emphasise the fact that for years past the policy adopted in this State has been to settle all industrial disputes by means of arbitration. If we are to continue to adopt that method of settlement in the future, some notice will have to be taken of the award, the minutes of which have just been issued by the Arbitration Court. I will briefly traverse the history of the mining industry of Western Australia, as it has been affected from the wages standpoint since 1917. In that year, after a delay of some ten months, the mining section of the Australian Workers' Union—it was then known as the Federated Miners' Union—succeeded in having their case heard by the Federal Arbitration Court. When the Federal Court issued its award, the wages of many men were reduced by from 9d. to 6d. per day, while increases were granted in some instances. Miners working underground had their wages increased by the magnificent sum of 1d. per day, bringing the minimum for the underground worker from 11s. 2d. to 11s. 3d. The award also increased the minimum wage for the surface workers from 10s. 9d. to 11s. 3d. per day, or an increase of 6d. per day. The duration of that award was for three months subsequent to peace being declared. While the wages of every other section of the community throughout Western Australia and the Commonwealth, and almost throughout the whole civilised world, were increased, the unfortunate workers at Kalgoorlie had to abide by the 1917 award. Immediately peace was declared, the organisation approached the court for a variation of the award, but were told that the court could not deal with the matter until the Allies had signed peace