

it was naturally an expensive line running as it did through sandstone country. If the Treasurer were to hold an inquiry into that work it would be amply demonstrated that it had been done more cheaply than would have been the case had it been carried out by contract labour. Then there had been the raising of the Fremantle wharves, a work which it had been estimated would cost £17,000 by contract. Mr. Rason had almost moved a vote of censure upon the Government in consequence of their decision to carry out the work departmentally; yet by so carrying out the work some £7,000 had been saved. And while the work was in progress the contractors' association had posted men to watch the departmental officers with a view to, if possible, securing evidence that would prove the Minister to have been in the wrong in doing the work departmentally. Again, there was the asylum at Claremont. That had been carried out departmentally.

Mr. Bath: Only the first part of it.

Mr. JOHNSON: As a matter of fact the first part of it had been carried out by contract, but the second part of it was executed departmentally. If inquiry was courted as to the relative merits of contract and departmental work on the lunatic asylum, the workmen would say that when the work was done departmentally it was the best work done in the State, but now shoddy work was being put in. It was impossible for a clerk of works to properly supervise contract work. There was no incentive to do shoddy work when the work was being done departmentally, and nothing was scamped. Consequently, when we got better work done, and done more cheaply, it was essential to provide some such clause in a Bill of this nature, especially when we had passed the experimental stage in departmental work. In the railway workshops thousands of pounds had been saved through constructing brakevans departmentally, yet Ministers continued to let contracts to a private firm for making corridor cars. That would be right if we had money to squander, but we had not the money to squander now, and the only way to stop

it was to adopt such a clause as he proposed.

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

Ayes	..	..	..	16
Noes	..	..	..	19

Majority against .. 3

AYES.

Mr. Angwin	Mr. Scaddan
Mr. Bath	Mr. Swan
Mr. Bolton	Mr. Taylor
Mr. Collier	Mr. Underwood
Mr. Gill	Mr. Walker
Mr. Gourley	Mr. Ware
Mr. Holman	Mr. Troy
Mr. Hudson	(Teller).
Mr. O'Loghlen	

NOES.

Mr. Butcher	Mr. Layman
Mr. Carson	Mr. Male
Mr. Davies	Mr. Mitchell
Mr. Draper	Mr. S. F. Moore
Mr. Gregory	Mr. Nanson
Mr. Hardwick	Mr. Osborn
Mr. Hayward	Mr. Price
Mr. Hopkins	Mr. F. Wilson
Mr. Jacoby	Mr. Gordon
Mr. Keenan	(Teller).

New clause thus negatived.

Schedule, Title—agreed to.

Bill reported with an amendment.

House adjourned at 11.19 p.m.

Legislative Council, Tuesday, 8th December, 1908.

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

QUESTION—FREMANTLE DOCK.

Hon. J. W. KIRWAN asked the Colonial Secretary,—1, What is the total cost incurred to date on actual construction work in connection with the Fremantle Dock? 2, In view of the following facts, (a) that elections for both Houses of Parliament have been held since the construction of the dock was agreed to; (b) that the deficit by the end of November was over £351,000; (c) that the loan indebtedness of the State is over £69 net per head of the population; (d) that from the end of 1901 the State's revenue from Commonwealth sources is certain to be diminished by reason of the States receiving less than three-fourths of the customs and excise duties; and (e) that neither the British Admiralty nor the Commonwealth may agree to substantially contribute towards the cost of the dock, will the Government await, before letting further contracts or otherwise proceeding with the work of construction, the opinion of the country on the matter as it will be expressed through the medium of the present Parliament when the balance of the authorisation of the loan to provide the necessary money for the project comes up for consideration.

The COLONIAL SECRETARY replied: 1, The total cost incurred in actual construction, subsequent to the passing of the Fremantle Dock Act, has been £5,054. 2, The construction of this dock having been authorised by Parliament after the fullest discussion the Government consider the country is pledged to continue the work of construction, which will be spread over a term of years.

PAPER PRESENTED.

By the Colonial Secretary: Western Australian Government Railways Regulation No. 29, Demurrage on Trucks.

BILL—FREMANTLE DISUSED CEMETERY.

Introduced by Hon. M. L. Moss and read a first time.

BILLS (2)—THIRD READINGS.

Health Act Amendment—(transmitted to the Legislative Assembly). Midland Junction Boundaries, *passed*.

BILL—EARLY CLOSING ACT AMENDMENT.

Second reading.

Debate resumed from 2nd November.

The PRESIDENT: The position with regard to the Bill is this. A motion has been moved that the Bill be now read a second time, and to this an amendment has been proposed by the Hon. R. W. Pennefather that the word "now" be struck out, and that the words "this day six months" be added to the motion.

Hon. R. D. McKENZIE (North-East): In view of the amendments which the Colonial Secretary has given notice to move when in Committee on this Bill, I am very glad that the House will have a further opportunity of discussing this important measure. Important it must be, judging by the amount of discussion it has brought about in the metropolitan district during the last 12 months. The underlying principle of this little amending measure is, as far as I can see, to take away from the shopkeeper the choice he had given to him under the parent Act. If any alteration of the present Act be necessary it is a certainty that the question must be looked at from two points of view, namely, from the point of view of the coastal community and again from that of the goldfields. The conditions of life are so divergent on the coast as compared with the goldfields that what may suit the traders and population on the goldfields may on the other hand not suit the traders and population on the coast. Now to my mind the question is this: is there any necessity for an alteration of the parent Act at all? In looking at the question from this point of view one would ask why was the Early Closing Act enacted in the first place? The reason was the existence of a distinct demand for some such measure. There were certain traders always out for their pound of flesh, "Shylocks" of the commercial world who overworked their em-

ployees and gave them no holiday except the Sunday to which of course they had an inalienable right. To benefit the employees this early closing measure was enacted and it provided that the shop employee should not only not work beyond specified hours during five days, but that on the sixth day he was to have a half-holiday. The shop employee, one would have thought, when he got this concession had everything necessary. The shopkeeper was given the choice of two days in the week; one day on which he was to close at one o'clock and another on which he was permitted to keep open till 10 o'clock at night. The Act recognised the right of the employer to have some choice and it gave him the Wednesday and Saturday for option of closing at one o'clock and at 10 o'clock respectively. The amending Bill alters these days to Friday and Saturday; but it adds a proviso that a poll of the whole of the electors on the Assembly roll may be taken and the days altered to suit a majority of those voting. I ask hon. members, if a poll is to be taken on the electoral rolls, that is, on an adult franchise in certain districts—if a referendum is to be taken on these lines who is going to decide as to which day the shops shall remain open and which day they shall close at one o'clock? I say that the responsible people in those districts are too apathetic to come to the poll and vote on a referendum such as this. The result will be that the shop employees only will vote, probably backed up by a few irresponsible people who do not care a snap of the fingers whether trade suffers or not. The men who give their time, their brains, and the use of their capital to the building up of great commercial industries are not thought to be competent to fix the days on which they shall open their business premises and give that attention to business which is necessary. I think that viewing the whole of the circumstances this House should certainly support the amendment moved by the hon. Mr. Pennefather. That amendment, if carried, will have the result of shelving this Bill for some considerable time. I would like to say that as far as the goldfields are concerned the people up there are most em-

phatic in their expressed desire that the Wednesday shall not be interfered with.

Hon. W. Kingsmill : This will not interfere with it.

Hon. R. D. McKENZIE : If a poll is taken employees and irresponsible people will vote in favour of closing on Saturday.

Hon. W. Kingsmill : What makes you think that ?

Hon. R. D. McKENZIE : One knows from experience that the very people one expects to go to the poll do not go ; the apathy of the people is notorious, and in this case if we vote on the Assembly rolls one will find that the very people who should be interested in the matter, that is, the ratepayers, will not take sufficient interest to go to the poll, and the shop employees will be able to carry a resolution altering the closing day to Saturday. That certainly would interfere with the best interests of the community. So far as the goldfields are concerned the employer and employee are at one in this regard, that they do not want the Wednesday half-holiday interfered with. I had the honour a few days ago to present petitions from the employees at Kalgoorlie. They were signed by some 250 employees, while Mr. Kirwan had petitions, which unfortunately were out of order, from about 150 more employees at Boulder. That is, that 400 employees signed petitions praying this House not to interfere with the Wednesday half-holiday. Many more would have signed the petition, but up to the last moment it was thought that any amendment would only affect the metropolitan districts. Personally, and from a goldfields point of view, I think the amendment moved by Mr. Pennefather had better be carried and the Bill laid on one side. At the same time if there are any metropolitan members who favour the amendments made in the Bill, I am prepared to listen to what they have to say. When the Bill goes into Committee, if it does reach that stage, I shall do my best to protect the interests of the goldfields employers and employees. These people have in no undecided voice given their opinion on the question. As far as the creation of districts is concerned it is

optional for the Government, and would if embodied in this measure be a distinct danger to certain communities. The intention of the Colonial Secretary is that a second schedule should be added to the amending Bill, providing that the electoral districts of Perth, North Perth, and various other metropolitan districts be formed into one for the purposes of this measure. It would be quite open to the Governor in Council at any time to do exactly the same with regard to any other districts. I do not say the present Government would do that to the detriment of the fields or any other locality, but as time goes on we might have a Government who would be in favour of proclaiming say Kalgoorlie, Boulder, and the roads board there, one district. I should be distinctly against that, so I will not support that proposed amendment. There is no necessity for me to use any other arguments in support of throwing out the measure and retaining the present Act. The latter has given satisfaction for a good many years and fulfils all requirements. At the time it came into force it laid down how many hours a day the employees should work and stated that there should be a half-holiday on one week day. What more could the employee want. It is surely sufficient that he should have these privileges without trying not only to encroach on the privileges of the merchants, but also to do something detrimental to his own interests. The success of the business man should also be the success of the employee. It is my intention to support the amendment.

Hon. W. MALEY (South-East): I also have much pleasure in supporting the amendment. It was not the custom, as was suggested by Mr. McKenzie, for "Shylocks" to manage businesses in Perth before the Act came into force. Anyhow, I do not think the hon. member wished to convey the impression that before we had legislation dealing with this subject, all the storekeepers of Perth refused to give their assistants a half-holiday in the week. There were no doubt certain cases in which "Shylocks" took advantage of their position and failed to conform with

the practice of giving a half-holiday each week. Reference has been made to the other States, and it is rather alarming to find that we have to turn round and watch the other States and endeavour to bring our legislation into line with the experiments being carried on there. That is a misfortune we are existing under through having so many State Parliaments, all of which are labouring to bring in fresh legislation. The development of certain States and the endeavours to legislate for the benefit of the masses will always have my support, still I must say that in straining to excel others or to go one better we often lead ourselves and our people into trouble. Our statute books are without end, and it is impossible for a layman, on entering business, to keep away from the treacherous measures in existence unless he frequently consults a solicitor. It is unfortunate that the strong arm of the law should be brought in to close the business houses, as the old system was the best one, for then the employee felt the half-holiday was a concession given to him by his master and consequently the feeling between master and servant was much better than it is to-day when the business places are closed by law. We are legislating too much and in this amending Bill we have a useless, ill-advised and, I may say, a mean attempt to add another statute to our books. It is lamentable that the Government should have issued a proclamation which the Court held to be illegal. Are our Government so ill-advised, are their advisers so imperfect that they cannot prevent any attempt to interfere with legitimate business, but by the procedure of issuing such a proclamation. We have had all sorts of arguments used in favour of the amending Bill. We have had one hon. member stating that he would vote for the Bill because of the trade in his particular district. When it comes to this, that any town or suburb endeavours to legislate, or, through their representatives in this House, force on some legislation so as to prevent the people living in that town from buying in the cheapest market, it is a great mistake and a wrong the member is doing to his constituents. The hon.

member who made that statement is still I believe of the same opinion.

Hon. M. L. Moss : Who is the hon. member ?

Hon. W. MALEY : I am not referring to Mr. Moss. I am sure he is moving on higher planes than that. We must unquestionably listen to what is going on outside, and I must say that from meetings held here and on the goldfields, with the exception I think of Coolgardie—

Hon. J. T. Glowrey : Coolgardie thinks the same.

Hon. W. MALEY : Then the paragraph in the newspaper is wrong.

Hon. J. T. Glowrey : Yes.

Hon. W. MALEY : The House must be convinced from the meetings that the property class of the metropolis and the goldfields are in favour of the employer having at least a little protection in Western Australia by statute. The present Act has worked thoroughly well. No complaints have been made except that an attempt was made to try another experiment and those who have tried it—that is the Saturday half-holiday—are certainly against it. I was in town on Saturday and it was a grand sight to see the crowd there and the old system of opened shops. So far as the Saturday half-holiday is concerned, as one who is in favour of a weekly holiday I always thought in the past that it was best it should be on the last day of the week. Theoretically, that is the right day to have a holiday ; but when it came to practical experience it has been proved it is not the best day. I am not alone in this Chamber when I say I am convinced by observation that the opinion I held in favour of the Saturday half-holiday was not correct. Of course, there are certain trades which it suits, such as the ironmongery, who now have the holiday on Saturday, but as far as the other places of business are concerned, the closing on Saturday means a restriction of trade. Anything we do to restrict trade is against the interests of the town and of the State. Mention has been made of the working man getting his glass of beer, but as far as that is concerned, I feel sure he will get it at

any time, whether the closing day is Wednesday or Saturday.

Hon. M. L. Moss : How does the Saturday holiday restrict trade ?

Hon. W. MALEY : If the hon. member were a selector and had to battle for his living with his muscles as well as with his brain, he would soon learn where the restriction of trade comes in. If he went to select land say at Wagin and arrived there at one o'clock on Saturday and was desirous of buying stores for his trip, and then found the shops closed and that he was unable to obtain food for his horse or himself—unless he went into some boarding-house—he would be considerably inconvenienced. He would not be able to look at his land on Sunday and perhaps it would be Monday or Tuesday before he could complete his work. He would find at once that there was restriction of trade. Although this may not have struck him before and perhaps, he may not be convinced now, still the fact remains that it is so. I hope some other members will be able to see the matter in the same light as I do.

Hon. G. RANDELL (Metropolitan) : The subject now engaging the attention of the House is one of the most difficult, I think that has come up for discussion for a considerable time. I certainly have felt considerably perplexed in coming to a decision on the question. We have heard statements made on both sides, apparently in good faith, and I do not know of anything that has been written or said in the House that can controvert any of the arguments that have been used. I suppose most of us have formed our opinions. I have only formed mine after a very considerable amount of thought on the subject. Personally, I may say I am in favour of the Saturday half-holiday as being probably the most convenient and best for the employees of the stores of the City at any rate. We have read statements, but I may say that I am not inclined to believe the whole of the statements made on one side of the question, and I think we can arrive at the conclusion that these statements, though exaggerated, would not have been made if it were not felt that an alteration

should be made in our Early Closing Act. I would be inclined to support the Saturday half-holiday if it would have the effect which it has been stated it has had on the drinking habits of the people, although I am not a rabid teetotaler. I am not an outrageous man I think on any question. I like to take a moderate view of questions, and I think that on the whole that is the best position to take up. We find trade has suffered to a very considerable extent in the city of Perth, and we have to take that into consideration, I think. Then we find a certain change of opinion going on amongst those who had been eager to secure the Saturday half-holiday; they are changing their minds I think. I have a statement before me showing that at least 50 per cent. of the people who, until recently, were in favour of the Saturday half-holiday, are perfectly content to take the Wednesday. A further statement has been made that a number of the employees in the stores are really desirous of retaining the Wednesday half-holiday in preference to Saturday. Personally, my views on the subject are just these: I admit Parliament has a great power in many directions, but there are many directions in which it would be impolitic and inadvisable to exercise our power, and this is one of the matters. This is a very strong instance in which the Government should be careful, or rather Parliament should be very careful, because the Government, to a certain extent, have been neutral, although certain steps have been taken that must be retraced. But so long as we secure the hours of labour to the employees, and secure to them one half-holiday in the week, I say it is not the business of Parliament to say the half-holiday shall be on any particular day, it should be left to agreement by the storekeepers of the country. That is the opinion I hold, and whether they adopt Saturday or Wednesday, it should be an act of their own. Like Mr. McKenzie, I believe we have no right to interfere with the persons who are endeavouring to develop the business interests of the country. I believe I have the assent of a large number of my fellow members when I express my feelings on the matter in that direc-

tion. It should be left to the employer, in consultation with the employee, as to what day in the week he shall fix for late closing and what day he shall fix for early closing. I think that would work out more satisfactorily than the present Bill. Feeling that, and knowing, of course, that it would require an amendment of the Act to alter that state of things, I am utterly opposed to the alteration of the present Early Closing Act. It was passed after a good deal of consideration and argument; it was passed in the best interests of the employees in the different trades and shops of the City and elsewhere, and I believe the statement made by Mr. McKenzie and others, that it has been fairly satisfactory. I do not suppose we could expect it to be perfectly satisfactory where so many interests are involved, and where so many people have to express an opinion on the subject. The referendum which is proposed in the amending Bill, is, to my mind, exceedingly inadvisable in a case of this kind. I believe it would be a most unsatisfactory way of attempting to settle the question. I do not believe that we could arrive at a certain opinion of the majority of the people in that way. I believe what Mr. McKenzie stated would take place, that the people on the one side would be indifferent and careless in regard to voting. People who do not care to go shopping at night—and I confess I am one of that number, as I do not think anyone is wise to go shopping at night unless under stress of necessity—would not record their votes, therefore, really a settlement in this direction would seem to be unsatisfactory. As a member for the city of Perth, I am not willing to consent to have the districts enumerated in the amending Bill included in one electorate, that would work out unsatisfactorily. The referendum in the case perhaps of Federation was right and proper; that was a subject perhaps coming under the province of a referendum of the people of the State, and although it worked out unsatisfactorily and very injuriously to the State in which I have lived so many years, yet, I admit, the principle in that case was right; but, I am opposed on sound commonsense and the equities of

the case to a referendum as to the early closing of shops. It is not right. It may be said that the buyer has as much right and interest in the question as the seller. I do not think he has. He can exercise his option; it is perfectly within his control when he shops, whether it be on Saturday, or on Wednesday, or at any time. He is at perfect liberty to refrain from shopping at night at any time, but the shopkeeper must keep open in the interests of his business, having invested a large sum of money in the erection of large buildings, thus giving great employment to labour; and having invested a large amount of capital in the importation of goods and in other directions, and I think the shopkeepers have everything in their favour for Parliament to consider their interests. I again repeat that it is the duty of Parliament to see that the hours of labour are limited, and that the employees shall have one half-holiday in the week; further than that I think Parliament ought not to go. And as I said before, as we have an Act which has worked fairly satisfactorily we should be content to abide by it. If the amendments are pressed to a division, in the interests of all concerned, and in the interests of good feeling between employers and employees, and in the interests of the community, I shall certainly go into the lobby against them. We find that these amendments have been suddenly sprung in another place without apparently any consideration, and they have been opposed by practically the whole of the members of the Ministry, and we find that they were passed not in a full House but were carried by only a small majority. Under these circumstances, I think it becomes us to be careful unless we do an injury to a particular interest in the country. I certainly shall consider that point in giving my vote.

Hon. J. W. Langsford: Improve the Bill in Committee.

Hon. G. RANDELL: I do not think we can with satisfaction to all concerned. We have a satisfactory Act, and when I say satisfactory, I use it with a certain amount of reservation, but we have a very good Act at the present moment, passed in 1902. There was a previous

Act members will remember passed in 1898, and there was one particular thing which caught my attention when looking it up, and that was that the old Act was never expressly repealed.

The Colonial Secretary: The Act of 1898 was only in force for three years, it expired in November, 1901.

Hon. G. RANDELL: One would have thought that it would have been expressly repealed. There is a considerable advance members will observe between the first Early Closing Act which was passed and the second, and I believe every care was taken to see that early closing was the main object of the Bill; all the rest was of a machinery nature. The principle of the Bill was to secure a half-holiday to the employees in the shops of the City; that was all it was intended to do. If we go further than that we may be doing some injustice. I trust the majority of members will see it in the light that I see it. So unsatisfactory do I think the passing of the Bill in another place, and the results that will accrue from it if it is passed here and becomes law, that there is no other course open than to vote for the rejection of the Bill, rather than attempt, as some have stated, to improve it. If we attempt to improve it we may strike out features of the Bill that may cause friction between this and another place. If we do not pass the Bill now time will be given to consider the question, and if it is found after closer consideration it would be an advantage to the country to pass the measure, that can be done. I think, if we allow the present Act to remain in force, it will work out justly to all parties.

Hon. S. STUBBS (Metropolitan Suburban): Some three years ago a public meeting was held in the Perth Town Hall, at which I was invited to be present on the platform. The meeting was attended by between 800 and 1,000 persons, and the object of the meeting was to see if it could not be possible to gain a universal half-holiday for the metropolitan area. A resolution was carried at that meeting, unanimously deciding that Saturday should be proclaimed a half-holiday if the majority of the shopkeepers were in accord with it. His

Lordship the Bishop of Perth, and myself and other gentlemen were asked to use our influence with the majority of the shopkeepers to try and have the Saturday proclaimed a half-holiday, and in only two exceptions in the city of Perth were we told the shopkeepers would not agree to it. The next and most unfortunate part of this business is now before the House, and that is that a petition was got up and signed by a majority of the business people trading between Fremantle and Midland Junction; and then His Lordship the Bishop and myself as mayor of the City were asked to present the petition to the Premier, asking that Wednesday be altered and made an ordinary working day, and that the Saturday holiday should be substituted. I am saying this in fairness to the Leader of the House and in fairness to the Government. The Premier on looking down the petition said that he could see no other alternative for the Government but to comply with the request contained in the petition, inasmuch as there was in the Early Closing Act a section which said that the majority of shopkeepers should decide the day on which the shops were to close. Shortly afterwards a proclamation was issued by the Governor in Council, naming a certain date after which Saturday was to be the half-holiday. That is the part I took, and I desire to put it plainly to show that I did not take up one position then and another to-day. That was the part I took in obtaining a universal half-holiday, and I finished at that; but I was shortly afterwards twitted by some people that I had been the means of ruining a number of the smaller shopkeepers. They said that the change was playing into the hands of the larger shopkeepers by keeping open on Wednesday and closing on Saturday. I believe that those shopkeepers who complained were honourable and reputable men, and they said that a number of their clients who used to come to Perth from Chidlow's Well and other stations beyond Midland Junction and from the Armadale district were prevented from coming to town on Saturdays because the shops

were closed, and were now sending down their orders by post. I cannot say whether that is true or not; but I do know that the Bill before the House does not commend itself to me, because I fail to see why every person whose name is on the Legislative Assembly rolls should vote as to how any member of this House or any person in the community shall conduct his business. I maintain that if the shopkeepers or the ratepayers cannot manage their own businesses and decide among themselves as to the day on which the shops shall close, it would not be fair by Act of Parliament to compel them to close on a day on which they do not wish to close. Therefore, the Bill in its present form does not commend itself to me, and I hope that it will not receive the assent of this House; but if Mr. Pennefather will withdraw the amendment, I feel that in Committee the right course for this House to pursue would be to amend the Bill and give the ratepayers the privilege of deciding on which day of the week they should close their shops, and not leave it to those who are on the Assembly roll. I am inclined to think the Bill in its present form should be rejected, but I would like to see an expression of opinion from this House as to whether we are in favour of allowing a referendum to be taken among the ratepayers in a district to which the Bill would apply. I feel very much like Mr. Randell who said he preferred to see a universal half-holiday, but I feel that we have too many useless measures on the statute book already, and I am not going to vote for another one of the same kind. I do not wish to detain the House any longer, but I felt it my duty to explain the position I have taken in this matter. Criticisms have been cast on the Colonial Secretary and the Premier in connection with this question, but I do not think they are to blame. The shopkeepers were not unanimous in the matter, and it was on their petition that any alteration was brought about, so that the criticisms are hardly warranted. In my opinion the majority of the shopkeepers should decide how to manage their own businesses and not this House.

Hon. C. SOMMERS (Metropolitan): If I thought any good would be done by allowing the Bill to go into Committee, I would vote against the amendment, but there is such an amount of feeling worked up over this question at present that I do not think it would be wise to reject the amendment. The best course would be to vote for the amendment, and later on, say in six months time, if it is thought fit to bring in another Bill, by then the ideas of the public may have matured, and good may result. But I am not satisfied that the employees as a whole are satisfied with the Saturday half-holiday. I have interviewed a great many of them. I made it my duty as a member representing the Metropolitan Province to ascertain the feeling on the matter, and I am not satisfied the shop employees are by any means unanimous on the point. There are many ladies who have not so much to say as male employees, and they may have opinions of their own, but they do not voice them in the same manner as the male employees do. Saturday closing is only an experiment. Mr. Stubbs has told us how it came about, and I think it was very generous on the part of the employers to give it a trial. It was intended to be for six months; they have had their trial for nine months and, so far as the shopkeepers are concerned, it has proved a complete failure. Many shops are closed altogether and the owners of many of those that remain open cannot meet their engagements through the falling off in trade. Many shopkeepers have taken long leases, and their landlords are not prepared to give them any relief. When asked to do so, they tell the shopkeepers: "It is your own fault; you agreed to Saturday closing; get out of the difficulty the best way you can." I think we should throw the Bill out and get back to a measure that has given a great deal of satisfaction. We must remember that the employer has his all at stake in the large stocks he has to maintain, and in the many liabilities he has to incur. Probably he has the whole of his capital sunk in his business. But all the employees have at stake are their persons. They get the half-holiday, and

I think the employers are very generous. There are too many holidays now, but all the employees suffer from is a small inconvenience. One man wants to play football, and because he cannot play on Wednesday, has a grievance. I do not think the employer should be penalised on that account. Trade has suffered, and I think from the feeling over this matter the best thing the House can do is to support Mr. Pennefather's amendment that the Bill be read this day six months.

Hon. J. W. KIRWAN (South): I sincerely trust that Mr. Pennefather will not withdraw his amendment as suggested by Mr. Stubbs. I would like to say a few words in addition to what has already been said by Mr. McKenzie concerning the attitude of the goldfields on this important question. He and I and other members representing the goldfields have received a large number of petitions, letters and telegrams from shop assistants and from shopkeepers, protesting against any alteration in the existing arrangement. Furthermore, this morning I returned from the goldfields, and yesterday I went to Boulder to see representatives of the shop assistants and shopkeepers. Now, as the result of the communications I have received, and of my investigations on the spot, I am perfectly satisfied that the goldfields shop assistants and the shopkeepers and also the general public want no alteration whatsoever in the present arrangement, which provides for a half-holiday on Wednesday. One shop assistant to whom I spoke yesterday said that he prefers the Wednesday half-holiday, because it is a break in the week, but he and other shop assistants on the goldfields say that they do not wish in any way to interfere with any arrangements that may be made on the coast. His reason for preferring Wednesday is that it is a break in the week. If he had a long day on Wednesday there would be no chance of recovering on the Thursday and Friday. I understand that some of the shop assistants on the coast prefer the half-holiday on Saturday because at the week end there is an opportunity for them to get away and enjoy a long spell from their work. There are no oppor-

tunities of that kind on the goldfields, and the shop assistants there prefer to have Wednesday as the half-holiday. As far as the shopkeepers are concerned, they also prefer Wednesday as the half-holiday, because they consider Saturday night a very good night for business; and the general public also, so far as I can ascertain, are strongly in favour of Saturday as the night for keeping open. Any member who has been on the goldfields will know that the principal streets of Boulder and Kalgoorlie are crowded with miners and their wives and their children every Saturday night. They make it a regular promenade concert on Saturday nights. It is a sort of a festival in Hannan-street. I think there are frequently three bands playing in the street, and there are various entertainments of other kinds. The people promenade about and meet their friends, and any one who has seen any of the principal streets in Kalgoorlie or Boulder on a Saturday night, will have noticed them crowded with a prosperous and well-dressed and well-behaved crowd, which must give satisfaction to all who wish well to their fellows. Under the Bill as it now stands the chance of having Wednesday as the half-holiday on the goldfields is unquestionably imperilled because the choice lies only between Friday and Saturday. If the choice were between Wednesday and Saturday, I do not think there would be any fear on the goldfields on the part of the traders or on the part of anybody that the referendum of the people would choose Saturday as the half-holiday, because the people to a certain extent would be influenced by what the shop assistants desire, and that they desire Wednesday, I am perfectly satisfied. A referendum of the goldfields would probably be in favour of Wednesday as the half-holiday. Under the Bill as it now stands, the choice is only between Friday and Saturday, and that is the peculiar position in which I am placed. If I vote against Mr. Pennefather the amendment proposed by the Colonial Secretary, substituting Wednesday for Friday, may or may not be carried in this House; and though it may be carried in this House, there is no guarantee that another place, the place that

originally changed the day from Wednesday to Friday, will not replace Friday in the Bill when it goes back to them. In the circumstances, rather than imperil the Wednesday half-holiday on the goldfields, I prefer to vote with Mr. Pennefather, and I think the best course that could be adopted in connection with this Bill would be for the Government to withdraw it, and draft a Bill that would retain the existing conditions on the goldfields, and then let the question as to what should be done upon the coast be thrashed out in the ordinary way.

Hon. B. C. O'BRIEN (Central): Speaking with regard to the amendment moved by Mr. Pennefather, I desire to say that I am approaching this question with an open mind. I am anxious, as far as my ability can serve me, to treat it in a fair, impartial, and tolerant manner. Speaking of my constituents, the people whom I have the honour to represent in this House, they are not at the present time, nor as far as I can see likely at any rate for a considerable time, to be affected in any way by any decision that may be arrived at here with regard to this Bill. I am under no pledge whatever to my constituents on this subject, and I am desirous as a legislator to do my little best to bring about, with regard to this matter, a condition of affairs which, it is hoped, will be suitable for all parties immediately concerned. As a business man of this town and a property owner, and a man who is, at present, actively engaged in business here, I am pleased to say that up to the present time, I have not been affected in any noticeable way by the change from the Wednesday to the Saturday half-holiday; consequently again there I have no axe to grind. But I am anxious, as I said before, to meet this matter in a fair manner, and endeavour to do my utmost to meet the wishes of all parties concerned. We are face to face with this fact; there is commercial and industrial unrest throughout the whole of the metropolitan area, extending from Fremantle to Midland Junction. That has been going on for some months, and although this condition of affairs has been really, directly in

fact, brought about by the people themselves, yet we find now that Parliament in this branch of the Legislature at the present moment is saddled with the responsibility of bringing about peace again. It is our duty as legislators to treat this matter in a tolerant way. We must be tolerant and meet the desires and dictates of what I maintain is the larger section of the community affected. I do not think we should support the amendment moved by Mr. Pennefather and give short shrift to this Bill without giving it fair and reasonable consideration in this House. I believe it would be better to allow the Bill to go into Committee. I am prepared to support the Bill with slight amendments, and I think that after it leaves the Committee stage we will be able to present to the people a measure which I feel quite sure would be acceptable to all. With regard to the merits of this well-worn subject, we find that the whole of the community of this metropolitan area is more or less affected, but we have three sections of the people to this dispute, if I may term it such. We have in the first place the traders, the Retail Traders' Association, as they call themselves; we have the shop assistants, and we have those who, in my opinion, are most important of all, the third party, made up of the trading public, whose views have not been heard. This party have no organised association or leaders, but, in my opinion, they are the people we should give consideration to as well. I maintain in fact that it is the general trading public who keep the shop assistants in their employment, and I think every consideration should be extended to them. We are told in the first place by the traders of the City that the change from Wednesday to Saturday has been the means of paralysing trade, but we have had up to the present time no absolute proof of that. We have been told that trade has fallen off, and that there are empty shops in Hay-street and other streets of the City, but we cannot bring that directly home to the fault of the half-holiday having been observed on Saturday. It is a well-known fact that there has been a general depression in trade during the whole of this year, not

only in Perth but on the goldfields, and all the commercial centres of the State, and I do not think we have had any proof up to now that the Saturday half-holiday has been the means of paralysing trade in the City. If we can bring about a better condition of affairs for the shop assistants—there is a great army of them—I think it is our duty to do so, especially if we can maintain the standard of trade that previously prevailed. It has been said in this House that the assistants are not unanimous, that they are inclined to change their minds in regard to this matter. It is a well-known fact that the traders are not unanimous either; there are a large number who are anxious to continue the Saturday half-holiday, and among them two or three of the largest firms in the City. I maintain again that we have the third party to give our attention to, and the only way, in my opinion, in which this matter can be fairly and properly dealt with is to allow it to go to the people constituting that large party. We have been saddled with the responsibility of trying to bring in a measure which will give satisfaction to all; but in the absence of any proof that the Saturday half-holiday is ruining trade, or that it is against the interests of any one section or the other, I am prepared to say that we should not hastily decide, but allow the people to decide, and that can only be done by an amalgamation of the districts, and a referendum being taken, not of the ratepayers but of the whole of the electors. It has been said that a lot of people who have no interests in the City would record their votes. I maintain, however, that all individuals are traders, they want food and clothing and luxuries, when they can get them, and consequently are more or less traders, and should have a voice in a matter such as this. There are hundreds, or perhaps thousands of people who are not ratepayers, and they should not be ignored. I believe this will be a most effective way of determining the question. I hope the amendment will not be carried, and that the Bill will go into Committee when we will be able to submit some slight amendments which will be ac-

ceptable to this House and the people generally.

Hon. E. McLARTY (South-West) : I am not prepared to go as far as Mr. Stubbs and leave the matter to the rate-payers. I think this is a matter that should be left entirely to the people, to the individuals who have invested their money in City properties, and built up businesses in the various towns of the State. I fail to see why any third party referred to by Mr. O'Brien should have any voice in the matter. I would use my own discretion whether I made my purchases in the morning or the afternoon, or on what day of the week. My opinion is that the closing of shops on the Saturday has certainly had a detrimental effect on many of the business people, and another reason why I think Saturday is the better day for having the shops open is that we have certain railway lines which cater for metropolitan traffic on the Saturday; special accommodation is provided for the people who wish to visit the market towns, and I know that a great number of these people take advantage of these additional railway facilities, and to shop on any other day would be most inconvenient for them. They make up their minds to go to Perth on Saturday morning, and if they came to the City and found the shops closed great disappointment and inconvenience would follow. I understand that in the town which forms part of the province of which I am one of the representatives, that the present arrangement suits the people; they are asking for no alteration, and for that reason I shall support the amendment moved by Mr. Pennefather. I certainly think that the question should be left for the determination of those people who are most interested, the people who have invested their money, and who have been affected by the change. I think hon. members will agree that a half-holiday in the week is necessary for the employees, and whether that half-holiday is given on the Wednesday or the Saturday is immaterial. As long as they get their half-holiday they get their rest, and I am inclined to think that a great number of the employees themselves prefer the Wednesday half-

holiday. If the matter were one to be fixed by statute I should certainly be in favour of declaring the Wednesday afternoon to be the general half-holiday in the State. Without labouring the question any further I desire to say that, in my opinion, it should be left entirely to the business people to determine. To take a referendum, as proposed in the Bill, would be unfair inasmuch as a great number of people, who have no interests at stake do not care whether the half-holiday is declared on the Saturday or the Wednesday. I think we interfere too much with the people's business as it is. If I had money invested in Perth I should claim to have the right to say whether I would close on Wednesday or Saturday. I am altogether opposed to any interference with the business of the people and I intend to vote for the amendment.

Hon. S. J. HAYNES (South-East) : I have come to the conclusion that it will be detrimental to the employers and employees to put this Bill on the statute book. If I may be permitted to say it, the Early Closing Act is very reasonable, if not a very liberal measure, and in these circumstances it is my intention to support the amendment moved by Mr. Pennefather, and in this way leave the latter as it stands. As far as the Early Closing Act is concerned, I suppose that was brought into being with a view of giving employees one half-holiday during the week, and also seeing that the hours of labour were not too long. The hours of labour the shop assistants work at the present time are not unreasonable, and I think it is a very liberal matter indeed to give them one half-holiday a week. Now the old Bill provided that it should be optional for the shopkeeper to make his half-holiday on the Wednesday or on the Saturday, and I am in favour of leaving the law as it stands at the present time. So far as the country is concerned I am satisfied that for many shops the most convenient holiday is that in the middle of the week. So far as the metropolis is concerned Wednesday is suitable for some and Saturday peculiarly suitable for the others. I therefore think the shopkeeper himself is the person to decide the ques-

tion. I am certainly against the referendum as proposed in the Bill, and also that suggested referendum of ratepayers. Surely the person who has invested his capital is the person to decide the question. I think it is in the interests also of the employees, for surely the shopkeeper would consider which is the best day for him to open, having regard to his business. Now what does that mean? It means that after careful thought as to which day will best suit his business he selects that day. That means the employment of extra assistants and the payment of those assistants at better wages, because the shopkeeper has chosen a day which best suits his business. It has been pointed out by one of the previous speakers that a rest in the middle of the week is certainly good for the women employed in some of these shops. I think the same. It must be so. A break in the middle of the week is good; and then there is the second break on the Sunday as well. That gives two breaks. I am satisfied—and I have listened very carefully to the discussion on this question since I have been in the City—I am perfectly satisfied that the Saturday closing has been detrimental to trade; and if the law is kept on the statute book as it stands at the present time, giving the option, I think the best interests of the public will be conserved. In the circumstances I shall support the amendment, moved by the hon. Mr. Pennefather.

Hon. R. LAURIE (West): One rises with a considerable amount of diffidence after hearing the expressions from different parts of this House. I intend to oppose the amendment moved by the hon. Mr. Pennefather. I do that in the interests of the West Province. In that particular it has been suggested by Mr. Maley that I am selfish. But I may point out that in this respect I am not at all singular. There is not one hon. member who has risen this afternoon who has not spoken from selfish motives—selfish, that is to say, in respect to their respective districts. Mr. Randell said that as a member for the district he represents he would have to

support the closing on Saturday afternoon.

Hon. G. Randell: I did not say anything of the kind. I merely opposed the referendum. That was what I said.

Hon. R. LAURIE: There has been so much said that it is difficult to follow it all. Hon. members have said that they are totally opposed to any Bill or to any legislation on the subject. Hon. members all around the House have said they are totally opposed to any legislation that lays down any holiday.

Hon. G. Randell: I rise to a point of order. I certainly have not expressed those opinions myself. I distinctly stated that I am satisfied with the present Act, which provides a half-holiday for the employees; and I said also that that was the primary object of the introduction of the Act.

Hon. R. LAURIE: I accept the statement of the hon. member as far as the hon. member is concerned, but I think the last hon. member who spoke (Mr. Haynes) said he believed the matter should be left entirely to the employer. However, Mr. Kirwan and Mr. McKenzie have stated that this measure would not suit Kalgoorlie; and Mr. Kirwan, rather than let it go into Committee, said he would prefer to vote for the amendment proposed by Mr. Pennefather.

Hon. J. W. Kirwan: I did not want to run any risk of losing the Wednesday.

Hon. R. LAURIE: Precisely so. He would rather see the trade down here, and which does not affect his part of the State, diverted into wrong channels than run any risk of seeing the Wednesday half-holiday changed. I may point out that it was at the express wish of the shopkeepers of Perth that a change was made to Saturday. As has been said, with the exception of perhaps a couple of shopkeepers, the shopkeepers of Perth were absolutely in favour of the change from Wednesday to Saturday. Now, coming to the selfish view of it again, why is this change required? Why this desire to get back to Wednesday? For the simple reason that trade is going into its proper channel. There is absolutely no other reason. I am as-

sured that in my district since the change from Wednesday to Saturday was made the receipts of the shopkeepers have gone up considerably.

Hon. W. Maley: That is the proper channel.

Hon. R. LAURIE: I will come to that in a moment. If you expect the different parts of this State to go ahead the trade of each district must be kept within its boundaries, in a fair way. Capital of course will always get a fair proportion of the business of the State. What I say is that if I represent a district and do not do my duty to that district I cannot expect to get the support of the people of that district. I am assured by one of the largest shopkeepers in Fremantle—a man who was absolutely opposed to Saturday closing—I am assured by him that this Saturday closing has resulted in a very great increase in business. Now that being the case I do not think I am singular in this selfish policy. Other hon. members have said they are looking after their own interests. Mr. McKenzie has stated that the apathy of the people would keep them from going to the poll, and it has been said that if a vote were taken it should be taken on the basis of the ratepayers' roll. If a man be interested in the city of Perth is it not only a fair thing to himself that he should go along to the poll and protect his interests?

Hon. S. Stubbs: He would be outvoted.

Hon. R. LAURIE: I wish to ask any reasoning man if a person who is in possession of four votes is going to be outnumbered? Would it not be a wonderful result? It is contrary to all the experience we have had in the past when, for instance, my hon. friend was standing for the mayoralty. We know whether it was the single votes or the plural votes that put him in.

Member: There will be only single votes at this referendum.

Hon. R. LAURIE: I am dealing with the ratepayers' vote. I have said nothing yet of any other vote. Now we come to the question of whether it should be on the electoral roll. Let me point this out: persons who are doing the

business with the shopkeepers are the persons who will be on the roll. The loss of trade of which we have heard so much is not due to the loss of business in the city of Perth; because the resident of Perth does not go to Fremantle or to Midland Junction. The loss is due to the fact that the men do not come from Armadale or Midland Junction on a Saturday night, because the shops are closed. There are no opportunities for them to come down and they do not come. But we know that if the opportunity is given to them to come down on Saturday night they get a pleasant evening's amusement walking up and down the street; and if the shops were open on Wednesday night and Friday night and Saturday night we would have the people streaming down the street each night. It will ever be thus. Give the people the opportunity of walking into town and doing a certain amount of shopping and you will find the people there. I think a great deal too much selfishness has been imported into this altogether. The shopkeepers made their application in a proper way to be permitted to close on Saturday. Having found it does not pay them to keep open on a Wednesday they do not care a single jot about the little fellow in the suburbs who has been making the best use of his opportunity while the big shops were closed. The result is that the big shops all want to get back and open on Saturday. It is perfectly right from a selfish point of view, and self preservation we know is the first law of nature. But as a representative of the West Province I certainly think this Bill ought to be allowed to go into Committee where we can put the measure into such form that it will preserve to the goldfields the right to have the Wednesday afternoon and to open on Saturday night. But to take the measure and deal with it as proposed in this amendment is to act altogether too summarily. There has been so much trouble over this measure for the last six or nine months; the newspapers have been flooded with correspondence, there have been petitions and counter petitions to the Colonial Secretary, and we have had no end of trouble. If we throw out this

measure this will not be the end of our trouble. It may be a measure ill-drafted and ill-conceived but it is capable of being dealt with.

Hon. J. W. Kirwan: It is not for this Chamber to draft a Bill.

Hon. R. LAURIE: I know that thoroughly well. At the same time many measures come here in such form that they have to be remodelled before leaving. Why not then remodel this one?

Hon. G. THROSSELL (East): Just a few brief words from me. I credit the Government with the very best intention in having introduced this measure, but at the same time they have succeeded in pleasing no one. My observation and experience go to show that in the past the Wednesday half-holiday has answered admirably. And we have had the experience of business men. They tell us that the Saturday half-holiday has disorganised their business. If we reject the Bill we shall not be doing any harm whatever; on the contrary it will be studying their best interests. After all, when we deal with this question, we have to ask ourselves who is entitled to the greatest consideration, the men who provide the means of employment for young folk, or the young people themselves. After very long experience of the Wednesday half-holiday throughout the country I have come to the conclusion that it has been a success. It is a break in the middle of the week, and is the best day for the holiday that could be fixed. I, like other members, have been deluged with literature on the question, and have been obliged to give it very careful consideration. After doing so I have come to the conclusion that we have to decide who shall receive our consideration, and in my opinion it should not be the servant but the man who provides the capital. After all, if we reject the Bill we shall be taking nothing from the employee, for he still retains his fifty-two half-holidays in the year, and his special holidays. Those of us who have had years of experience and can look back upon the past, realise the superior position of the employee to-day to what it was in days long gone by, when the only holiday the unfortunate employee had

was the half-day on good Queen Victoria's birthday. Compare the present with that state of affairs. All my sympathies are on the side of the wage earner, but I can see that if we reject this Bill we study his interests and the interests of the people at large. There is an agitation in the other States for a universal half-holiday on Saturday, and if the people on both sides come to a decision on that point, well and good. The advantage of having the half-holiday on Wednesdays or Saturdays has been tried in the country. In Northam, with a population of 5,000, everything has run smoothly with the Wednesday half-holiday. In York a trial was made of the Saturday half-holiday, but it was found not to succeed, and a change was made. I believe that members will be studying the best interests of the men who provide the sinews of war if they reject this measure and allow the traders to settle the matter. We are said to be living in times of complication, and if that is so, I take it we should be very guarded about assisting to disorganise trade any further. If the amendment to reject the Bill comes to a division, I shall vote for it.

Hon. T. F. O. BRIMAGE (North-East): I do not want to give a silent vote on this measure, and will say at once I intend to support the amendment. I know that an innovation to have the holiday on any other day but Wednesday would be greatly resented, especially on the fields. I have never been in favour of the Saturday half-holiday, and I am sure that its adoption has been the means of stopping a lot of business. I know several business men in Perth, and they have told me that their takings on Friday night were not within 25 per cent. of the takings on Saturday night. Again, as has been said, the trains are all timed to reach, and depart from, Perth on Saturday to bring buyers from the country and to take them home again. The Saturday night is the harvest the merchant always looks for. I hope the Wednesday half-holiday will again be observed in Perth. I feel sure that the State has gone back in consequence of the Saturday half-holiday. Many merchants have told me that. When

first starting business in the City many men signed their leases at high rates with the idea that the Saturday trade would be theirs, but now that an alteration has been made in the holiday, they are losing much business, and many of them are going through a very trying time.

Hon. V. HAMERSLEY (East): I only wish to make a few remarks on this question. I intend to support the amendment. It has been rightly said by Mr. O'Brien that there are three parties concerned in this matter; the trader, the employee, and the purchaser. I suppose each has his own axe to grind, but possibly a little more consideration should be given to the trader than to anyone else. He has his capital at stake, and in addition to that argument to be used in support of the contention that he should decide what day his shop should be closed, there is the fact that the rights of the individual must be observed. If an employee is not satisfied with the condition of his labour with regard to the half-holiday, then he has the redress of going elsewhere to take service. I do not see why he should be able to turn round and dictate to the person who offers him the means of livelihood. Also with regard to the purchaser. Without him neither the trader nor the employee can exist. One phase of the question which has been lost sight of by most members is that the Saturday half-holiday affects the purchaser considerably, for under the present regulations adopted by the Federal Parliament, whenever there is a public holiday falling at the end of the week, it is to be observed on the following Monday. Thus we have the position, that on the Saturday afternoon, the Sunday, and the Monday no trade can be done with the business houses. That causes very great inconvenience to many people in the country districts. I know personally how inconvenient even the Saturday half-holiday has been to me when I have desired to get material from some of the wholesale hardware firms.

The Colonial Secretary: This Bill does not affect the wholesale houses.

Hon. V. HAMERSLEY: I only wish to say that if the closing of the wholesale

houses on Saturday afternoon affects me, then the holiday will equally affect those people desiring to do business with the retail houses. Here is a case where great inconvenience is caused. An order for goods comes down from the country on Saturday and arrives at its destination after the clerks of the business place have gone home to take their Saturday half-holiday. For that reason alone the order cannot be executed until Monday, and then, supposing that Monday happens to be a holiday—and the country person sending the order in all likelihood would not know that the Monday was a holiday—it would mean that the order would not be executed until the following Tuesday. Therefore, the people in the country suffer great hardship from the Saturday half-holiday. It has been contended that it is better for the shops to be open on Friday night than on Saturday night, but I know that with this custom a great many people are deterred from doing their shopping in the manner they would like, and to which they had become accustomed when the shops were open on Saturday. I am satisfied that the ordinary employer of the man who comes to the City to make his purchases objects to this being done on Friday night, as it means that he will be up late on that evening, and will not be fit to do his work on the Saturday morning. On the other hand, with the holiday on Saturday, a man can do his shopping that night and has all Sunday to rest and recuperate. The employees have been encouraged in their movement for the Saturday holiday by a certain amount of agitation and interest evinced on the part of racecourse proprietors and hotel-keepers, for it is playing right into their hands that so many employees should draw their wages at the end of the week, and with their cash in their pockets repair to the racecourse on Saturday afternoons. I believe that on almost every Saturday during the year there is a race meeting at a course convenient to the City. For many years this question has been decided by those employing labour, and it will be wise in the interests of the State to retain that system. I am sure members will admit from the arguments

I have adduced that I am fully justified in supporting the amendment of Mr. Pennefather.

(Sitting suspended from 6.15 to 7.30 p.m.)

Hon. W. KINGSMILL (Metropolitan-Suburban): There seems to be a consensus of opinion on the part of members of this Chamber that the Bill at present before the House should not become law. It is a matter of extreme regret I feel as a supporter of the Bill that it should be so, and it has been interesting to me to note during the debate the various reasons that have been given by members for the opinions they hold. Some members are believers in the Saturday closing, but for the sake of their constituencies they have to curb their likings with a firm hand and do their best to prevent the disasters which they claim will come in the train of such a step. To these members I give every credit.

Hon. W. Maley: They have all gone.

Hon. W. KINGSMILL: The hon. member says they have all gone, but I can see two or three sitting in front of me now. I was not going to touch on the reasons the hon. member gave, and I do not propose to, because those reasons carry with them their own condemnation. Again, other members, such as Mr. Kirwan, are suffering, I think, from an excess of fear and they generally set by a series of hypothesis of what may or may not happen. The whole end of the hypothesis was the awful conviction that possibly will come about if the fields should lose their Wednesday half-holiday. If this Bill did become law with the amendments which are proposed to be inserted and which, I take it, if the second reading is passed, this Chamber will willingly insert, such a state of affairs would not come about at all. For my part, I am glad both my personal inclination, and what I consider is my duty to the constituents whom I represent, lead the same way. I am a believer in the Saturday half-holiday, and it is a strange thing that all those who are opposed to the Bill, in which there is no mention of Saturday, are also opponents of the Sat-

urday half-holiday. I believe in a Saturday half-holiday, and I believe it will be in the best interests of the Metropolitan-Suburban Province, which I have the honour to represent, if that Saturday half-holiday should come into existence. I am pleased to support the Bill too, because although I am not a believer as a general rule in the shirking of the responsibilities of Parliament by taking a referendum on any subject, still it is impossible in dealing as this Bill does with the state of affairs which exist, it is impossible that any statutory declaration should be made in such a Bill that would be applicable to the whole State. There is no denying the fact, and it has not been denied, that the circumstances of the metropolis and the district surrounding it, and the goldfields and all the country districts are widely varied indeed; and no person would be so extremely foolish as to endeavour to bring under one category all electoral districts where the whole circumstances are so varied. That being so, I do not see any more satisfactory way out of the difficulty that could be devised than by taking the opinion of those people who are qualified to pass that opinion in the various districts into which the State would be divided under this Bill. Then of course the question arises as to the matter of franchise. Who are the people to whom this question should be referred? Some hon. members will say, in fact some hon. members have said, that restricted legislation, such as this Early Closing Bill, is an interference with the liberty of the subject. That is so, all restricted legislation is an interference with the liberty of the subject, and of course must be, and it is right that this should be so. It is that restricted legislation that restricts the individual for the benefit of the whole community, and this legislation should exist. That being so that argument may be passed on one side. This Act is now in existence, this infringement of the subject has taken place, and it is admitted, as I think members do admit, that this Act was first devised for the protection of the employee, subject to the convenience of the public, and these words "subject to the conveni-

ence of the public" have a great deal to do with the question at issue. For there are three parties to this scheme: First of all the seller, secondly the buyer, and thirdly the employee. If we are to consider the buyer, the public, they greatly outnumber the other two parties, and the most satisfactory way of dealing with this question is by a referendum to the Assembly electors of the various districts in which a decision is to be arrived at. Members say "No." I beg to point out that the ratepayer in this connection is not acting as a ratepayer, but as a member of the buying public; that being so his status as ratepayer does not entitle him to more consideration in this connection than that of any other buyer. If stores or shops sold only to ratepayers, then I could understand this franchise which it is proposed to confer on the people being given only to the ratepayers; but while we deal with the general public we have to admit a proper franchise to decide this question, as a buyer is a member of the public only. What is proposed to achieve under the Bill insofar as the day for the holiday in each district is concerned is that each district shall be the arbiter of its own affairs; it should be the judge for itself. The second point which has to be faced and laid down in the Bill is this: under the Bill a district is proclaimed in what may be called the metropolitan area, that is the districts between Fremantle and Midland Junction, and various members seem to think that an injustice will be done to the city of Perth if this is allowed to remain in the Bill, if the Bill is passed. I do not think that is so for this reason: members will recollect that some little time ago when the proclamation, that is the second proclamation which has been issued by the Government, was issued whereby the prayer of the petitioners, that the affairs should revert to the old order of things, was granted, that of the closing day being made optional, immediately that petition was sent in, if I remember rightly, from the shopkeepers of Perth, with slow and unwilling steps the districts of Subiaco, and Fremantle forwarded petitions of a

like nature to the Colonial Secretary saying, I believe that they did so under protest, not because they wished for this half-holiday to be observed as it was in Perth, but because the circumstances of trade compelled them to do so. I do not know why the city of Perth should drag at its heels and bind portions of the metropolitan area. That is the reason why I feel inclined to support the district as laid down in the Bill.

Hon. R. F. Sholl: How does it drag it under its heels?

Hon. W. KINGSMILL: I thought I had given sufficient evidence to show that was the case, but I will repeat that when the second proclamation was issued by the shopkeepers, praying that they should revert to the previous order of things, a similar petition was sent in from Fremantle and Subiaco, and I believe one or two other districts, stating that they wished to observe the same state of affairs; that they did not wish to observe them but they were forced to observe them by the action which had been taken in the city of Perth. That is not a good state of affairs, and is calculated to induce, what might almost be called, a vexatious state of affairs in Perth at the expense of neighbouring districts.

Hon. R. F. Sholl: Why not have Wednesday?

Hon. W. KINGSMILL: The aim of any Government in fixing holidays should be to make them as uniform as possible, to avoid making any particular class apart from their fellows, but that is what this legislation proposes to achieve. You put the shop assistants—members have said all round the House, that they are worthy of little consideration; why, I do not know—apart from other people.

Hon. G. Randell: Who said that?

Hon. W. KINGSMILL: Perhaps I have put it in plainer language than members did. I have inferred that when I said that members stated they were not worthy of consideration, for members did not put it in as plain language as that. Why members have arrived at this conclusion is beyond my conception. These assistants must be regarded as a very worthy and perhaps unfortunate class.

The work they are engaged in is arduous; they work very long hours, and I think members will say they are very far from overpaid. As a matter of fact evidence was taken before a select committee which showed that they were, if anything, very much underpaid. Members will admit that the class of occupation in which they are engaged is one in which they are called upon to spend a good deal of their wages in keeping up an appearance, and they must live sober lives; that being so I think, as a class they are suffering from these disabilities in having these duties imposed on them. Every consideration is due to them. This is the class that we propose, by not passing the Bill, by not adopting what I consider is the healthiest and best method, of granting a half-holiday, to segregate and set apart from their fellow men. The hon. gentleman says how does the Bill alter the present Act in this respect? That is a remark I have waited for some-one to make. Some members have said they are perfectly convinced of this, did the matter go to the poll they would get a majority in favour of Wednesday or Friday as the half-holiday. But these gentlemen are taking every precaution to see that that chance of exercising the choice is not given.

Hon. R. F. Sholl: Who was the Minister who introduced the present Act?

Hon. W. KINGSMILL: The Minister who introduced the present Act was Dr. Jamieson.

Hon. R. F. Sholl: What Ministry introduced it?

Hon. W. KINGSMILL: One of which I was a member, and I am more than flattered at the many expressions of opinion from members opposing the Bill at the satisfactory nature of the Early Closing Act. This praise has exceeded my utmost expectations. As a matter of fact, as one of the Ministry introducing that measure, I feel proud of it, but still nothing is so good that it cannot be improved.

Hon. W. Maley: Still you want a change.

Hon. W. KINGSMILL: I certainly want a change. So far as this House is concerned it must be a matter of regret

for some of us at all events to find it taking up an attitude which I for one, having been a member of this House for some little time, am not accustomed to, that is, an attitude of endeavouring to thwart the wishes of the people.

Member: What people?

Hon. W. KINGSMILL: The people of the metropolitan district of Western Australia.

Hon. R. D. McKenzie: The elections do not take place for the next 12 months.

Hon. W. KINGSMILL: I do not see the object of some of the hon. member's interjections. Like the flowers of Spring they have nothing to do with the case. It is a matter for regret for me to find that when an obvious way out of the difficulty is proposed the House is not prepared to take it, and furthermore let me say I am perfectly convinced that unless such a method as this is adopted there will be no peace. I suppose the next thing we will have will be, in order to placate, or to meet the wishes of, members who represent goldfields and country constituencies, we will have a Bill introduced to amend the Early Closing Act not to interfere with those districts but to confine it to the district the Bill deals with and to adopt for this district a half-holiday.

Hon. G. Randell: For the whole State?

Hon. W. KINGSMILL: No, only for the metropolitan and metropolitan-suburban district. I feel that will be the next step, because while the Act is in force those who are dissatisfied will not rest content. I have much pleasure in supporting the Bill as it stands.

Hon. W. PATRICK (Central): Had this Bill been any improvement on the present Act I would have voted for it. After all, the only difference between the Bill before us and the existing law is the change from Wednesday to Friday; and so far as my experience is concerned, after being for a number of years in business on the Murchison Goldfields. I think it would be a big mistake if the Bill is passed, because this applies to the whole State and at any time a proclamation may make it applicable to the Cen-

tral Province just as much as to the Metropolitan-Suburban Province.

Hon. B. C. O'Brien: Not without the desire of the people.

Hon. W. PATRICK: I am referring to the Bill as it stands, and the desire of the people can only apply to Friday or Saturday. I object to the abolition of the choice of Wednesday. Mr. Kingsmill referred to segregating the present employees from the rest of their fellow men. It has always struck me that the Act needs a great deal of amendment, but this Bill makes no change whatever. I have never been able to understand why it was a crime on the part of a storekeeper who sells groceries or drapery to sell the necessities of life or clothing while he was entitled to sell Cockle's pills or sugar or something of that sort. Why should not a man be prohibited from drinking a glass of beer as well as eating a tin of sardines? There is no logic in the present Bill; but so far as I am concerned, rather than make any alteration in it I am going to vote for the amendment. There are one or two aspects of this question that should be mentioned. There has been a unison in this respect among all those who have spoken. They are all doing what I intend to do, that is to represent my own constituency. While I was in business on the Murchison Goldfields practically half of the whole of the business of the week was done on the Saturday night from six o'clock till closing time, and had it not been for the extra business on the Saturday night we could have done with far less assistants. I suppose that applies to a larger extent to the Eastern Goldfields. If this Bill be passed it will mean the discharge of a great number of employees, because if the business is extended over the week many less hands will be capable of doing it. The reason why the business is done on the Saturday night and why it cannot be done on any other night, is very plain. With the Sunday in front of them the majority of men are at liberty to tidy themselves and appear in the streets with their wives and children. It is a kind of holiday or gathering of them, as Mr. Kirwan has already pointed out. In refer-

ence to the goldfields, and to a certain extent I am inclined to think the same will apply to the metropolitan area, fewer hands would be employed if the business be spread over the week. The only logical change from the present Act would be to abolish night shopping altogether. If there had been some proposal of that kind I believe I would have voted for it, but in any case the choice should be left to the men carrying on business. The shopkeepers have the choice at present of closing on the Saturday or on one other afternoon in the week, but if this Bill is passed that choice will be withdrawn. So I intend to vote for the amendment.

Hon. F. CONNOR (North): I do not wish to give a silent vote, but so far as the merits of the Bill are concerned I think the tendency at present in this country is too much legislation. We are legislating ourselves into being a community for no other use than the legislation, and I cannot see that is of much use as far as our existing legislation would indicate. Within the last few hours I have been told that there are 175 idle shops in Perth. I do not give these figures as authentic, but they are the figures of a man who should know. He had no reason for deceiving me. That means that there are 70 shops idle to-day in Perth, more than there were last July, and this is attributed entirely I believe to the fact of the change in the closing day of the shops, and the consequent difference in the trading of the city of Perth. I was also told by the same authority that there are 400 extra hands employed in the large distributing firms of the city of Perth. Now, that is not a position that will do much good to the country. I think it would be far better if we had what was known in England a long time ago, or in Ireland, or Scotland, or call it Britain, a community of shopkeepers. It is better to have a community of shopkeepers as against a community of shop assistants. I cannot see why the shop assistants are advocating the abolition of the Saturday afternoon or evening trading, because it means that eventually the whole of the trade must go into what are known as the trusts. I am not talking about the beef

business now but I am talking of the trade done in Perth, and not only in Perth but in the whole of the State. If we tie ourselves down to saying that a man, who is in business and is working hard so that he may bring up his family properly, must shut down on a certain day, it is a vile system, and tends to do away with an ambition in the rising generation of this or of any other country. I hold that the shop assistants—the people who are to-day advocating this change are those who will suffer most in the end in connection therewith. There should be ambition and an opportunity for a man to improve himself. He should not for all time be a draper's or a grocer's assistant. But what will this Bill do? It is simply tending to make it impossible for a man to say, "I am a master." I think the liberty of the subject is interfered with to too great an extent. However, I do not intend to debate this subject, but I hold that the people advocating this Bill, the so-called assistants—and they should not be assistants because there are very bright people among them—should be the very people to oppose a Bill like this when introduced. I have not a shilling's worth of property in Perth or its environments, and I am not addressing my constituents in this case, because they do not care a twopenny benediction whether it is passed or not." So I am giving a free vote, and I give it with the very best pleasure in throwing out this Bill and any other fancy Bill that tends to do the harm this Bill will do or to interfere with the liberty of the subject.

Hon. E. M. CLARKE (South-West): Like other members I do not want to record a silent vote on this question. I have listened carefully to the debate and I wish it to be distinctly understood that so far as I am personally concerned, I rejoice in saying that before any Act was enforced, I as an employer realised that the assistants should be given one half-holiday a week. I venture to say too that all the tradespeople in the district I represent are with me in realising that the employees should get this half-holiday. It was to a certain extent carried out in principle, long before there was a com-

pulsory Act, before this Early Closing Act came into force. All that the Act did was to bring the minority into line with the others who had adopted the first principle of early closing. I fail to see now what this measure is going to do, except to allow the ordinary man in the street to go away with a swelled head, that he, having his name on the electoral roll, will have the right to dictate to anyone how he shall conduct his business. In practice the half-holiday has always been carried out by the shopkeepers whether they be Williams, Jones, or the Bon Marché. They will always study the interests of their various customers, and it is obvious that the customers are the people whose interests have to be studied. We may ask what has brought us to the conclusion that Wednesday should be the day on which the shops should close at one o'clock. Nothing more nor less than the will of the people. We find that the people from the surrounding districts make Saturday their marketing day, and that the shopkeepers are all along catering for the wishes of these purchasers. At the same time I want to point out I fail to see where one single injustice has been done to the employees. We have conceded them the half-holiday during the week, and we have said that they deserve it. It is certainly for the community to say what day should be the half-holiday. The only thing we want to be assured about is that the employees shall have their half-holiday during the week. I shall support the amendment moved by Mr. Pennefather. I felt that a silent vote should not be given on this question, and I shall vote for the Bill to be thrown out. It is simply what some members have suggested; the piling up on the statute book of a lot of useless legislation.

Hon. J. T. GLOWREY (South): I feel somewhat like my friend Mr. Connor; I do not care to give a silent vote on this question which has received so much attention from hon. members in this House. At the same time I have no desire to waste the time of hon. members, because I feel certain in discussing this matter, we are only wasting the time of the House, and I feel it is a measure which should never

have come before us. Hon. members have heard a good deal about this Bill during the last few months, and they have had ample opportunities of considering the pros and cons. We have had the Government on the Bill one day; we have had the retail traders on the Bill the next day, and then the shop employees on the following day. One would imagine that previous wrong had been done to somebody from the complaints we have heard from time to time from the shop employees, but really in giving the matter mature and careful consideration one cannot possibly come to any other conclusion than that they have been fairly dealt with. We are asked now to consider the measure here, a measure which in my opinion will require complete redrafting. In the first place we have the second clause which makes Friday or Saturday the late closing day. I do not think there can be any question about it, that that clause will have to be remodelled. We have then Clause 3 which will meet with the support of but a small section of the House. In fact you might say the whole Bill requires to be redrafted, and I for one am not prepared to support that, because I feel sure that if we adopted that principle at present, we would have a repetition of the Bill that is in force at the present time. I am also in receipt of various telegrams and letters from my constituents who ask in each case that I should as far as possible voice their opinions. Mr. O'Brien said this Bill did not affect him. I was always under the impression that Mr. O'Brien included Geraldton in his province.

Hon. B. C. O'Brien: That is so.

Hon. J. T. GLOWREY: If I remember rightly this Act has been availed of by the Geraldton people for a considerable time, and if the Bill now before the House is passed Mr. O'Brien might find that the Geraldton shopkeepers will have to close up on Saturday night. I have no hesitation in stating that I intend to support the amendment moved by Mr. Pennefather, and I hope it will be carried. There was really no necessity for the Bill. If we come to look for the reason for its introduction, we cannot find it. There is no reason why the Bill should have

come before this Chamber, and I hope it will be rejected by a large majority.

The COLONIAL SECRETARY (on amendment): I would like to say in regard to the amendment moved by Mr. Pennefather, that I regret hon. members have made up their minds that they will reject this Bill on the second reading. I hope even at this eleventh hour they will change their opinions, and at least face the second reading, so that we may get into Committee and give the matter further consideration. I am prepared if hon. members will permit the Bill to pass the second reading to refer the measure to a select committee. That will be better perhaps than redrafting the Bill or putting it into shape. In respect to the Bill let me remind hon. members that after all it is a small Bill, a small amending Bill. I want to emphasise that, because it introduces no new principle. It has been spoken of as adding fresh legislation to the statute book, but such is not the case at all. As I mentioned in introducing the Bill it simply proposes to amend our existing legislation. I am not here, as I said when moving the second reading, to altogether champion the Bill as it came down from the Legislative Assembly. Hon. members will admit that I am somewhat handicapped as sponsor in having to take the Bill in its present form, because if it became law as it is, it would make confusion worse confounded. Whether hon. members reject this Bill or not, they do not do away with the principle of early closing; it will still remain on the statute book. It has frequently been said by members who have spoken, that there is no necessity for this amending Bill at all. Whether there was a necessity for it when the Bill was introduced first in another place, the necessity has arisen now on account of the decision given in the Supreme Court which puts a different meaning on the present Act and on what was generally supposed to be the intention of the legislature when it passed the measure. Section 5 of the Act deals with a district and provides that a majority of shopkeepers can settle

it between themselves as to which day they shall observe the half-holiday, Wednesday or Saturday. Now we find by the decision of the Supreme Court that that section has not that meaning. Would it not be advisable therefore to pass the second reading of the measure now before us in order to make the position clear and make it appear what we believed it was, before the decision of the Supreme Court was given? The Act provides that there shall be a half-holiday on Wednesday or Saturday, and it puts the people who elect to close on Saturday in an unfair position because it does not give them the right to keep open on Friday night. The decision of the Supreme Court was that the shopkeepers who elect to close on Saturday will not have the right to keep open on Friday night. Therefore, I think it would be only fair to those people who desire to close on Saturday, to pass the second reading of this measure, so that the necessary amendment may be inserted in Committee. I am prepared to accept any reasonable amendment to make the measure a workable one. If the House thinks it would be better to leave the choice to the ratepayers instead of to the electors; that will be a simple amendment to make. Then if they want to put it on the same footing as the present Act, to leave it to the choice of the shopkeepers in a given district, it will be easy to make that alteration also.

Hon. G. Randell: That is already in the Act.

THE COLONIAL SECRETARY: It is not. Section 4 in the present Act leaves it to the choice of the shopkeeper whether he closes on Wednesday or Saturday. A further provision was thought to exist in that Act where a majority of shopkeepers in the district wished to make the Saturday the half-holiday, the choice rested with themselves if they signed a majority memorial. Supposing to-morrow, if this amendment is not passed, out of 612 shops in Perth if 550 of those wish to close on Saturday afternoon, they cannot do so, because the other 62 would say that they would keep open, and force the

others to do the same. Now, if we say we will leave the choice to the shopkeepers, why not leave it to them, and leave it to a majority to decide. If we do not pass this amending Bill we will do away with that choice altogether, and one or two in any district will be able to force all the others in their selection of the holiday. Then let me repeat: the shopkeeper who elects to close on Saturday does not have the same opportunities as the man who is closing on the Wednesday; because he has not the opportunity of keeping open late on the Friday night. If we pass the second reading and agree to these two amendments we will have the legislation exactly in the same position as we supposed it was in the beginning of 1902. Goldfields members have spoken, and I also represent that part of the country. I contend that I am not doing anything averse to the wishes of the electors of the province I represent in voting for the second reading of this Bill; because if these amendments I mention are agreed to it will leave the law exactly as it has been during the last nine years. This is a telegram I have received among others to-day. It is addressed to me as member for the district, and not as Minister. It reads as follows:—

“Menzies business men passed unanimous resolution emphatically protesting against any alteration in the present Early Closing Act, and request your best endeavours to prevent such alteration.”

Let me say I am quite consistent in voting for this Bill. I maintain that I am carrying out the wishes expressed in that telegram: because if this Bill be not passed the law is not preserved as it has been since 1902.

Hon. M. L. Moss: Supposing the Bill be not amended in Committee, how will you stand?

THE COLONIAL SECRETARY: It is in the hands of the House. I have only one vote, the same as any other member. You have the same opportunity of amending this Bill as you have of amending any other in Committee. What was the Committee stage instituted for?

There would be no Bills passed if it were not that they have subsequently to go through the Committee stage; because it would be impossible to introduce a Bill which would be acceptable as printed to the majority of the members of the House. Many hon. members have expressed the opinion that this Bill should be amended. Is not that an assurance that the Bill will be amended in the direction I have indicated? Hon. members say it may not be amended in another place. That contingency would not put us in any worse position. The Bill will be sent back to us and we will reply, as we have replied dozens of times that we refuse to back down from the amendments made. Now let me say again that I am willing to agree to any reasonable amendment in Committee. But if hon. members think it is not possible to amend the Bill on the Committee stage, why not refer it to a select committee and leave the committee to go into the matter and to draw up a report. Then we can either accept or reject that report, and if the Bill cannot be amended to suit the majority of members in Committee it can be passed out on the third reading. I would strongly recommend that hon. members further consider it, and for this purpose pass the second reading. I do not agree with the Bill as it stands; I believe it could be in a better form. The expedient of leaving the choice to the electors is too cumbersome. It should I think be left to a referendum of the ratepayers. Now let me say this also in answer to some arguments used by country members: it has been said that the Saturday would never do for the half-holiday because the men receive their pay on the Friday night or on the Saturday afternoon. That state of things could easily be altered and has been altered here in the metropolitan area where most pays are made in the early part of the week. Let me ask hon. members again to agree to this second reading if it is only for the purpose of passing the two amendments I have mentioned. First, to place those people who elect to close on the Saturday afternoon in the same position as those who close on the Wednesday—that is, to

make a small amendment allowing them to keep open on the Friday night. Secondly, to restore Clause 5 in the Bill to what we always thought it was—that is, that a majority of the shopkeepers in any district may decide for themselves. Although hon. members have expressed themselves in the way they have I do hope that they will reconsider it and let the Bill go into Committee. They have still got it in their own hands and can reject the Bill on the third reading if they cannot put it in the form they desire. It would save a great deal of trouble in the future if they would put right these matters I have mentioned.

Hon. T. H. WILDING (East): I wish to state that I am opposed to the Bill before the House. I know that in the Eastern districts it would not be suitable to have the Saturday for the half-holiday; Saturday being the day on which the settlers come in from the surrounding districts to do their shopping. I do not think this Bill should ever have been introduced. I feel that the people who have their money laid out in the State lose confidence in a Government that introduces this class of legislation. Therefore I am opposed to it. I feel that it is doing harm by keeping capital out of the State. I do not suppose there is any hon. member who, if he had £20,000 to invest, would come into Perth to invest it—to a place where the man in the street is empowered to tell him what he is to do. I was surprised to hear Mr. Moss suggest that this question should go to a vote to be taken on the Assembly roll. The man in the street who has no interest in the State is given as much right as the man who has laid his money out and is using his energy and brains in developing our towns. Now to give such a man only the same opportunity of voting as the man in the street would be manifestly unfair. I am opposed to this advanced legislation. I do not think we should encourage it.

Amendment (six months) put and a division taken with the following result:—

Ayes	..	..	..	18
Noes	..	..	..	10

Majority for .. 8

AYES.

Hon. T. F. O. Brimage	Hon. E. McLarty
Hon. E. M. Clarke	Hon. W. Oats
Hon. F. Connor	Hon. W. Patrick
Hon. J. T. Glowrey	Hon. R. W. Pennefather
Hon. V. Hamersley	Hon. G. Randell
Hon. S. J. Haynes	Hon. R. F. Sholl
Hon. J. W. Kirwan	Hon. G. Throssell
Hon. W. Maley	Hon. T. H. Wilding
Hon. R. D. McKenzie	Hon. C. Sommers

(Teller).

NOES.

Hon. J. L. Connolly	Hon. R. Laurie
Hon. J. M. Drew	Hon. M. L. Moss
Hon. J. W. Hackett	Hon. D. C. O'Brien
Hon. W. Kingsmill	Hon. S. Stubbs
Hon. J. W. Langford	Hon. A. G. Jenkins

(Teller).

Amendment thus passed; Bill defeated.

BILL—BUNBURY HARBOUR BOARD.

First Reading.

Received from the Legislative Assembly.

The COLONIAL SECRETARY moved—

That the Bill be now read a first time.

Hon. G. RANDELL (Metropolitan): I hope the Minister will fix some later date than to-morrow for the second reading. In the meantime the Bill can be distributed among members, and we will be given an opportunity of considering it before the second reading debate comes on.

The COLONIAL SECRETARY (in reply): The Bill will be presented to members immediately, for such has always been done with measures received from the Legislative Assembly. If I give notice for the second reading to be fixed to-morrow it does not necessarily follow that we shall then discuss the second reading, for the debate can be adjourned after I have introduced it.

Question put and passed.

Bill read a first time.

BILL—EMPLOYMENT BROKERS.

In Committee.

Resumed from the 2nd December.

Clau 2 to 8—agreed to.

Clause 9—Objection to licence and notice thereof:

The COLONIAL SECRETARY moved an amendment—

That after the word "police," in line 11, the following be inserted: any inspector of factories and any other person acting with the authority of the Colonial Secretary.

At the time the existing Act came into force there was no Factories Act, but since the latter was introduced the administration of the Act had been carried out by the Colonial Secretary's Department and more particularly by the factory inspectors. While the clause provided that certain people should make objections to the granting of licences it did not provide that those persons should include the factory inspectors who really administered the measure and knew better than anyone else whether the employment brokers were carrying out the provisions of the Act or not. Therefore it was desired to include factory inspectors and anyone else who had the authority of the Colonial Secretary to do so. The other person referred to by the proposed amendment were officers of the Central Board of Health who at times acted as factory inspectors.

Hon. J. W. Hackett: Why was it provided that the Colonial Secretary should administer the Act?

The COLONIAL SECRETARY: If an alteration were made to provide that it should be the Minister administering the Act who should have the authority, it would be necessary to insert a definition clause. After all it made no difference and the clause would do as it stood.

Hon. G. Randell: Provision should be made whereby those persons who received authority from the Minister to act should be armed with written authority from the Minister in order to show they were justified in taking action.

Hon. J. W. Hackett: It would do if instead of the words, "Colonial Secretary" the words, "Minister administering the Act" were inserted.

The COLONIAL SECRETARY: The suggestions would probably improve the measure so he would accept them, conse-

quently he would ask permission to withdraw the amendment.

Amendment by leave withdrawn.

The COLONIAL SECRETARY moved an amendment—

That after the word "police," in line 11, the following be inserted:—any inspector of factories and any other person acting with the authority in writing of the Minister administering the Act.

Amendment passed; the clause as amended agreed to.

Clauses 10 to 13—agreed to.

Clause 14—Register book to be kept:

Hon. G. RANDELL: The clause was a reprint of Clause 13 of the present Act. He did not propose to make an amendment to it but simply desired to draw attention to the fact that he intended to move amendments in regard to Clauses 15, 16, and 17.

Clause put and passed.

Clause 15—List of charges to be posted:

Hon. G. RANDELL: There was no objection to the first portion of the clause for it was the practice of all employment brokers to put up a list in a conspicuous place in their registered offices so that it might be easily read by persons using it. The second portion of the clause read as follows:—

"Such payment or remuneration shall not exceed the scale of payment or remuneration prescribed by regulations made under this Act, and in force for the time being."

He had taken exception to the framing of regulations imposing penalties or anything of that kind upon persons who were engaged in business. It was a principle recognised by this House as not desirable unless absolutely necessary. In the case in question the persons interested were filling a position of great usefulness in the State. If he were right, he was responsible for the establishment of the Government Labour Bureau, and he was satisfied with the action he took in that respect, for the institution had supplied a great want. The business done by the Government institution was of a different character from that done by the private ones. Why were these three clauses inserted?

They provided for the Government fixing the fees to be paid. It was his intention to ask that the consideration of the clauses be postponed until after the consideration of Clause 27. Then we would see the opinion of the Committee on the important question embodied in Clauses 26 and 27. Some employment brokers had carried on business for years; no complaints had been made against them, and it was undesirable that we should interfere with recognised responsible business men whom employers dealt with, for such employers would not go to the Government Labour Bureau for employees. How was it possible to fix a scale in the case of a gentleman desirous of placing his son on a farm to learn the business, no remuneration being fixed; a lady in return for services receiving a passage to England; contracts for fencing, ringbarking, etcetera.

The COLONIAL SECRETARY: It was true that a good many registered brokers and labour offices carried on a legitimate business, and nothing was said against them. During the last two or three years, he had received enormous complaints of people being victimised by these brokers, both in Perth and on the goldfields. People were subjected to hardships by being charged very heavily. Persons paid half their wages for securing an appointment; the position did not suit, and the remuneration received did not cover the amount paid in fees. He was willing that the clause and the following one should be postponed, so that both could be recast. The first part of the clause was not unreasonable, but the latter part might be remodelled.

Hon. W. MALEY: Was it intended to charge the employer a fee as well as the employee, for it struck him that the arrangement was one-sided, and by the employee only paying a fee, the employer was sometimes victimised, in so far that it was suggested that a higher rate of wages should be asked for?

The Colonial Secretary: Clause 27 provides for that.

Hon. J. W. KIRWAN: It was impossible to frame a scale that would include all the contingencies that would arise in connection with an employment brokers

business. Some allowance ought to be made for special cases such as referred to by Mr. Randell. In a subsequent portion of the Bill it was provided that contract for fees other than those in the scale was to be avoided. In the cases quoted by Mr. Randell, the contract would be avoided, and the employment broker would not be entitled to receive remuneration. Some provision should be made in the clause to provide for special cases.

Clause postponed.

Clause 16—Penalty for charging fees other than those in accordance with the scale:

Hon. G. RANDELL: The words, "or other," in line 5, were ambiguous. He moved that the clause be postponed.

Motion put; clause postponed.

Clause 17—postponed.

Clause 18—Application book to be kept.

Hon. G. RANDELL: Many applications were made to employment brokers which were not accepted. Was it intended that these should be entered in the book?

The COLONIAL SECRETARY: If an application was made to a broker and not accepted, it need not be entered in the book.

Clause passed.

Clauses 19 to 25—agreed to.

Clause 26—Fees:

Hon. G. RANDELL: Were the fees in the Eastern States lower?

The Colonial Secretary: Yes.

Hon. G. RANDELL: Employment brokers here were severely treated. It was to be hoped the Government did not intend to put unnecessary restrictions on them.

Hon. C. SOMMERS: The fee for giving notice of application was only 10s. in Victoria; also the annual license was only £2. He moved an amendment—

That the figure "5" be struck out, and "2" inserted in lieu.

This was to reduce the annual license fee from £5 to £2. In Victoria there was no competition from a Government labour bureau such as there was here.

Hon. W. Patrick: Have we power to reduce taxation?

The CHAIRMAN: I think the hon. member is in order; at any rate I rule that the amendment is in order.

The COLONIAL SECRETARY: The licensing fee was £5 under the old Act, and had been the same since 1897. It was not objected to by the employment brokers. In fact they rather welcomed it, because it was a certain guarantee of their stability and respectability. A reduction would only tend to encourage persons not altogether desirable. The £5 fee was both a deterrent and a source of revenue we could not afford to throw away at the present time.

Hon. G. RANDELL: The fee would tend to keep a more respectable class of employment brokers. As it was in the present Act he would support the retention of the fee.

Amendment negatived; clause put and passed.

Progress reported.

BILL—VERMIN BOARDS.

Received from the Legislative Assembly and read a first time.

House adjourned at 9.9 p.m.

Legislative Assembly,

Tuesday, 8th December, 1908.

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

PAPERS PRESENTED.

By the Minister for Mines: Regulations re demurrage on trucks on Government Railways.