Clause put and passed.

Clause 16—agreed to.

Schedules A, B, C and D—agreed to.

Bill again reported with a further amendment, and the reports adopted.

Third Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [3.10]: I move—

That the Bill be now read a third time.

HON. H. SEDDON (North-East) [3.11]: I wish to make a final appeal to the House at this stage. The whole position has been well canvassed, and I think everybody now knows what is involved. Personally, I would not be responsible for the futility of submitting a question like this to the people of Western Australia. Therefore I will oppose the third reading.

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

Ayes	14
Noes	11
Majority for	3

AYES.

Hon. C. F. Baxter	Hon. J. M. Macfarlane
Hon. J. Ewing	Hon. W. J. Mann
Hon. J. T. Franklin	Hon. J. Nicholson
Hon. E. H. H. Hall	Hon. A. Thomson
Hon. V. Hamersley	Hon. Sir E. Wittenoom
Hon. J. J. Holmes	Hon. C. H. Wittenoom
Hon. G. A. Kempton	Hon. H. J. Yelland
	(*Teller.*)

NOES.

Hon. F. W. Allsop	Hon. Sir W. Lathlain
Hon. J. Cornell	Hon. G. W. Miles
Hon. J. M. Drew	Hon. Sir C. Nathan
Hon. G. Fraser	Hon. H. Seddon
Hon. E. H. Harris	Hon. E. H. Gray
Hon. W. H. Kitson	(*Teller.*)

Question thus passed.

Bill read a third time and returned to the Assembly with amendments.

Sitting suspended from 3.20 to 4 a.m.

BILL—ELECTRIC LIGHTING ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

BILLS (2)—RECEIVED FROM THE ASSEMBLY.

1, Financial Emergency Act Amendment.

2, Hospital Fund Act Amendment.

Read a first time.

MINISTERIAL STATEMENT.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [4.3]: I wish to make a short explanation. I had intended to proceed with the two Bills which have just reached us from another place, but have decided that it would be very conflicting to place them before members until they have been put into such a form that the amendments that were made to them are embodied in their right places. We shall be meeting again at 2.30 this afternoon, when both these matters can be proceeded with.

House adjourned at 4.5 a.m. (Friday).

Legislative Assembly,

Thursday, 3rd December, 1931.

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

QUESTIONS (2)—AGRICULTURE, FARMERS' DISABILITIES.

Government Proposals for Help.

Mr. GRIFFITHS asked the Premier: 1. Did he mean in his reply to the member for

Katanning regarding help for farmers that he would make his statement to Parliament before the adjournment? 2, If so, will this statement be open to debate in the House?

The PREMIER replied: 1, With the permission of the House, I propose to make a statement to-day on the report of the Royal Commission on the Farming Industry. 2, The report has already been discussed by the House.

Machinery and Oil Merchants.

Mr. GRIFFITHS asked the Premier: 1, Is he aware that farmers are still being harassed by machinery firms and forced into an impossible position? 2, If so, has any endeavour been made to get machinery and oil merchants to help the wheat industry to meet its difficult position?

The PREMIER replied: 1 and 2, Negotiations have been practically continuous between the Agricultural Bank and the firms concerned, and very satisfactory results have been achieved.

QUESTION—COAL SUPPLIES, IMPORTATIONS.

Mr. WILSON asked the Minister for Railways: 1, Was it Newcastle or South Coast coal that the Railway Department received in their last consignment of imported coal for their use? 2, What Western Australian shipping agents imported the abovementioned coal for the Railway Department?

The MINISTER FOR RAILWAYS replied: 1, Newcastle. 2, Adelaide Steamship Company.

QUESTION—STATE TRADING CONCERNS, PRICE REDUCTIONS.

Mr. McLARTY asked the Minister for Works: In view of the statement made by the Chief Secretary to the effect that a 15 per cent. reduction on the current price list will be made to purchasers of timber from the State Saw Mills, is it his intention to make a similar reduction to purchasers of bricks from the State Brick Works?

The MINISTER FOR WORKS replied: No, for the reason that the price has already been reduced, and is now little above cost of production.

QUESTION—SUSTENANCE WORKERS, RAILWAY TRANSPORT.

Mr. HEGNEY asked the Minister for Works: As many men working on sustenance in various parts of the State will be anxious to be with their families and relatives at Christmas time, will he arrange for free fares on the railways to be made available to them?

The MINISTER FOR WORKS replied: Free fares will be granted to married men who have completed their period of work before Christmas, and who desire to visit their homes.

QUESTION—WOOL TRADE DISPUTE.

Effect on Sale and Shipping.

Mr. PIESSE asked the Premier: 1, Is he aware that the December wool sales, as a result of the continued strike, have been definitely cancelled? 2, Is he also aware that, as a result of this, five ships that have been waiting for wool cargoes at Fremantle are to leave port this afternoon without loading? 3, What action is the Government taking to end this serious state of affairs at Fremantle, and to prevent a recurrence in the future?

The PREMIER replied: 1, Yes. 2, I am told that a number of ships left yesterday. 3, Prosecutions have been commenced under the Industrial Arbitration Act, which provides for all such cases.

QUESTION—PUBLIC SERVICE COMMISSIONER.

Mission to Eastern States.

Hon. A. McCALLUM asked the Premier: 1, Is it correct that the Public Service Commissioner is being sent on Government business to the Eastern States? 2, If so, what is the nature of the business he is to undertake? 3, How long is it expected he will be away? 4, What allowance in addition to the salary of the Public Service Commissioner will he receive whilst absent from this State?

The PREMIER replied: 1, Yes. 2, Finance. 3, It is hoped that the matter will be arranged without delay. 4, No allowance other than travelling.

QUESTION—KING EDWARD MEMORIAL HOSPITAL.

Mr. COVERLEY (without notice) asked the Premier: 1, Is he aware that the accommodation at the King Edward Memorial Hospital for Women is quite inadequate to cope with the increasing number of patients? 2, Is he aware that the number of births at the hospital has increased from 1,101 in 1928 to 1,429 in 1931, without any extra accommodation having been provided? 3, Will the Premier say definitely when money will be made available for providing the necessary extra accommodation?

The PREMIER replied: 1, The Minister concerned has informed me that the accommodation is inadequate. 2, I did not know that there had been such a great increase in the number of births at the hospital, but I am indeed glad to hear of it. 3, Money will be made available as soon as the funds are in hand, but they are not in hand now.

ASSENT TO BILLS.

Message from the Administrator received and read, notifying assent to the undermentioned Bills:—

1, Swanbourne Reserve.
2, Licensing Act Amendment (No. 3).
3, Electoral Act Amendment.
4, Land Agents Act Amendment.
5, Land and Income Tax Assessment Act Amendment (No. 3).
6, Forests Act Amendment.

MOTION—FOREST REGULATIONS.

To Disallow.

Debate resumed from the 1st December, on the following motion by Mr. J. H. Smith (Nelson):—

That the amendments made to the Forests Regulations, 1925, published in the "Government Gazette" of 7th August, 1931, and 2nd October, 1931, and laid upon the Table of the House on 29th September, 1931, and 13th October, 1931, respectively, be disallowed.

THE MINISTER FOR FORESTS (Hon. J. Scaddan—Maylands) [4.42]: I regret I was unable to be present when the member for Nelson (Mr. J. H. Smith) submitted his motion for the disallowance of certain regulations promulgated under the Forests Act Amendment Act of 1925. Perhaps my absence caused the hon. member to be a little more careful than he otherwise might have been. I know he is always fair and would not say in my absence what he would not be prepared to state in my presence, and presumably my absence tended to curb his remarks somewhat.

Mr. J. H. Smith: Then you must have expected something different!

The MINISTER FOR FORESTS: If that was not so, I do not know what else the hon. member could have said to show himself in a worse light. He represents a constituency that is interested in the timber industry, among other activities. The constituency is not interested in timber alone. There are other parts of the State more definitely concerned with the production and marketing of timber even than the Nelson electorate. It struck me as rather remarkable that Opposition members whose constituencies are more definitely interested in this question have apparently taken no exception to the particular regulations that the member for Nelson dealt with. I have been endeavouring to think what could have been the reason that influenced the hon. member in the submission of his motion to disallow the regulations. For some time I could not understand what must have caused him to take such action, but I do know that, during the existence of the present Parliament, nothing done by the Forests Department has pleased him. Apart from that phase, I have not been able to assign any reason for his action. Surely neither I nor hon. members generally are expected to believe that a department that has operated for so many years and has received eulogies, not only from Ministers who have controlled its activities, but from overseas visitors definitely interested and concerned with the timber trade of the world, could so suddenly fall from grace and become useless and even detrimental to the welfare of the State! Judging by the hon. member's attitude, that is what I am expected to believe. I hope that before I have concluded my remarks I shall be able to satisfy at least most members, if not the member for Nelson himself, that as an actual fact the Forests Department, from the Conservator to the inspectors and others under him, are working with a will and purpose to do the best in the interests of the State to-day as well as in the future. The particular regulations that the hon. member has asked the House to dis-

allow are very simple, and for the life of me I cannot understand why he objects to them. They simply provide for increasing the amount of fee that shall be paid for the inspection of timber hewn on private property. The hon. member apparently is most indignant at the differential rates charged for the inspection of timber from Crown lands. Judging from his remarks, which I have read, he does happen to know there is a marked difference between the class of timber taken from private land and that taken from Crown land.

Mr. J. H. Smith interjected.

The MINISTER FOR FORESTS: That is a remarkable interjection because, in reading his remarks, a copy of which I received from "Hansard"—I am not accepting any Press report of his speech—he pointed out that the timber taken from private property is hewn by foreigners "because you could not expect a Britisher to go to work there; the land has been cut over eight or ten times, and you could not ask a British cutter to go there and expect to earn a livelihood under such conditions." When timber is taken from country that has been cut over eight or ten times, it is either overmatured or under-matured. The best timber was naturally taken in the past from private property just as it was taken from Crown land.

Mr. J. H. Smith: Is it not the same with Crown land?

The MINISTER FOR FORESTS: No.

Mr. J. H. Smith: What bosh!

The MINISTER FOR FORESTS: Then what had the hon. member in mind when he told the House that we could not ask a British cutter from Crown lands to cut on private land? Why did he suggest that there might be a difference? Why did he say that a British cutter could not make a living off private property and why does he expect us to maintain British cutters on Crown land, which we have been and still are doing? There must be a difference. That difference is in favour of the timber on Crown lands. This brings me to the point that the Conservator of Forests recommended an amendment of the regulations because the cost of inspecting timber taken from private land is not comparable with the cost of inspecting timber taken from Crown land. Therefore we ask that we should charge against those people who levy a greater cost on the community through the Forests Department the extra amount to relieve the burden cast upon the department. Let me give one or two reasons which prompted the Conservator in submitting the regulations for amendment.

Hon. J. C. Willcock: And reasons for the regard for the foreigner.

The MINISTER FOR FORESTS: I shall come to that; I have not completed my story by a long way. The Conservator states—

> There have been serious complaints from several overseas countries buying our timber, but it is obvious that to publicly emphasise this point is likely to be detrimental to the interests of the timber industry.

It is necessary to emphasise that point. Though we have been goaded to mention those complaints by the action of the hon. member, who takes so much interest in the timber industry, we have been deliberately covering them up and saying nothing about them, but we have been using the departmental officers to ascertain the reason for the complaints with a view to removing the cause. We do not want the good name of jarrah hardwood produced in Western Australia to be defamed in other parts of the world. Consequently we set out to ascertain the cause of the complaints. We ascertained the cause, and the main cause is the cutting of timber on private property, which, according to the hon. member, has been cut over eight or ten times.

Mr. J. H. Smith: You know something about it.

The MINISTER FOR FORESTS: I know more than the hon. member thinks I know, as he will find out presently.

Mr. J. H. Smith: You are really wonderful.

The MINISTER FOR FORESTS: I am sorry I cannot reciprocate that sentiment; there is nothing wonderful about the hon. member. The Conservator continues—

> The hewing of timber on private property is very largely in the hands of foreigners.

Mr. Wilson: Mostly.

The MINISTER FOR FORESTS: There is a member who knows something about it.

Hon. P. Collier: Almost entirely.

The MINISTER FOR FORESTS: The Leader of the Opposition is probably more correct. The Conservator continues—

> As an example of this (hewing of timber is very largely in the hands of foreigners) the attached copy of a recent application by Mr. Marich for shipping certificate covering shipment by him to South Africa last week is interesting.

There is a detailed statement in support of an application for a shipping certificate for sleepers consigned to . . . for shipment on or about . . . day of October, 1931, to the South African Government per s.s. "Erica" under contract held by N. Marich. The statement is accompanied by the following certificate:—

I hereby certify that the particulars contained in the above statement are, to the best of my knowledge, information and belief, true, accurate and complete. (Sgd.) N. Marich, Perth, 3/10/31.

Marich, by the way, happens to be the Consular Agent. Here is a list of the sidings from which sleepers were despatched, together with the names of the sub-contractors:—

Balingup, Anduchich; Yarloop, Antunovich; Beela, Alach; Harvey, Butorax; Wagerup, Bukranich; Balingup, Bilich; Kirup, Bilich; Roelands, Beros; Benger, Boyanich; Collie and Bulading, Colli and Rossi; Boyup Brook, C. R. Doust.

I pause on that name because it is the only one sounding anything like British.

Mr. J. H. Smith: And a better man than you ever knew how to be.

Mr. SPEAKER: Will the Minister resume his seat. I ask the member for Nelson to withdraw that statement.

Mr. J. H. Smith: Which statement?

Mr. SPEAKER: I ask the hon. member to withdraw unreservedly the statement he made, which was loud enough for me to hear.

Mr. J. H. Smith: In regard to C. R. Doust?

Mr. SPEAKER: Did the hon. member withdraw the statement?

Mr. J. H. Smith: What did you ask me to withdraw?

Mr. SPEAKER: The hon. member knows.

Mr. J. H. Smith: No, I do not.

Mr. SPEAKER: The hon. member said a person mentioned by the Minister was a better man than he was. That was an improper observation, and I demand that it be withdrawn immediately.

Mr. J. H. Smith: If you demand it, I withdraw.

The MINISTER FOR FORESTS: It is only a matter of opinion.

Mr. SPEAKER: I am in charge of the House, and when I hear observations of that kind I shall always take action.

The MINISTER FOR FORESTS: I appreciate your protection, Mr. Speaker. I stopped at the name of Doust because it is the only one sounding at all British. The list continues—

Darkan, Evas; Bunbury, Gavranich; Bulading, Ivicevich; Brookhampton, Kostanich; Dardanup, Jiovanoni; Burekup, Marchesi; Greenbushes, Marovich; Waroona, Miranovich; Darkan, Miloth; Harvey, Panjrich; Lowden, Pleeash; Roelands, Pavlinovich; Donnybrook, Rondvich; Cookernup, Radovich; Wilga, Sokal; Nannup, Stanich; Nannup, Seman; Harvey, Stanich; Balingup, Sumich; Bunbury, Sakich; Hester, Tucak; Hester, Tonich; Margaret River, Tucak; Roelands, Undegak; Muja, Zadkovich.

That list relates to one shipment of timber sent to South Africa.

Mr. J. H. Smith: Is that the shipment about which you got an adverse report?

The MINISTER FOR FORESTS: I am not going to say whether that is so or not. It does not alter the facts.

Mr. J. H. Smith: Is that the shipment about which you got an adverse report?

The MINISTER FOR FORESTS: Practically all the hewn timber exported during recent months has been cut from private property by foreign labour, while at the same time the Government have had to find sustenance for genuine British timber workers.

Mr. Wilson: That is right.

Mr. Hegney: And the foreigners are working at less than award rates.

The MINISTER FOR FORESTS: No one knows what they are getting, except their Consul. That is the trouble. I want to be perfectly candid in this matter. Their Consul came to me in my office and asked me as Minister controlling unemployment to provide relief for some of his nationals, and some of those subjects were men cutting timber on private property. Now we are asked not to amend our regulations to protect British cutters, but to allow the foreigners to continue to cut on private property, ruining our own men and ruining the industry. Every act of the Forests Department has been in the interests of trade and in the interests of the British men who have been employed in the industry almost all their lives.

Mr. Hegney: Hear, hear!

The MINISTER FOR FORESTS: The Conservator continues—

Many of the foreign cutters employed on private land are very indifferent cutters who are being required to work for very small re-

muneration. These men have no interest in the reputation of the country or its timbers.

No interest whatever.

The best of the timber has been cut off private property, and cutters are being required to work in paddocks in which only overmature or immature timber remains, with the result that the inspector is required to spend a great deal more time examining sleepers if the interests of the overseas buyers are to be protected. The inspector is not only required to decide on the value of the timber as a sleeper, at the time of inspection, which is usually within a few weeks of cutting, but he has also to consider how the sleeper is likely to stand up to the stresses and strains caused by seasoning.

Every overseas complaint received during recent months refers particularly to the amount of end splitting and checking, which has developed in the sleepers received in recent consignments. Foreign cutters, where timber is scarce, are also endeavouring to obtain too many billets out of each log and are following the wood in an endeavour to cut the sleeper up to size, with the result that sleepers with twist, sap and wane have become far too common. The variation in size also means that the inspector must devote more time to checking the size of individual sleepers, whereas when he is dealing with a parcel of sleepers cut by experienced Australian cutters the size shows little variation and the stack as a whole can be very much more expeditiously dealt with.

The fact that rejected sleepers are included in the total on which the charge for inspection is made does not compensate for the great deal of extra time and care necessary to deal with a stack of badly cut sleepers from second-class timber. There appears no reason why the State should be out of pocket in protecting the good name of jarrah from the damage that can be caused by the foreigners who have swamped the industry, and there is no question that the net result will be an increase of orders for Western Australia and not a decrease, as may be suggested owing to increased costs. In fact, if it were not for the cut-throat competition of contractors employing foreigners on private property, overseas orders for sleepers would have been obtained during the last two or three years at very much better prices, which would have made it possible for a proportion of these sleepers to have been cut in sawmills, and thus kept a very large number of additional men in employment.

Those are the actual facts.

Mr. Withers: It is a wonderful case in support of our opposition to the Southern European a couple of years ago.

The MINISTER FOR FORESTS: I have something more to tell the hon. member. Here is a tabulation showing the comparative volume of hewn timber obtained from Crown lands and private property respectively during the past three years:—

Year.	From Crown lands. Loads.	From private property. Loads.
1928-29 ..	5,950 ..	35,000
1929-30 ..	9,100 ..	42,000
1930-31 ..	12,000 ..	44,000

Practically the whole of the hewn timber from Crown lands, and a small proportion from private property has been supplied to the W.A. Government railways. Furthermore, practically the whole of this has been taken into stock in order to keep registered cutters employed. The Conservator continues—

When this fact is considered in relation to the above figures, it will be seen that there has been little or no falling off in the overseas demand for hewn sleepers during the past three years; and that the hewn sleeper market has been in the hands of contractors who have obtained their requirements from private property. The net result has been that intense competition and the exploitation of foreign labour have brought the overseas price of hewn sleepers down to a ruinously low level and (except in so far as the position has been helped by the purchase of excess stocks for local Government railways by the Government) experienced British cutters have been ousted from the industry by newly arrived foreigners, who have no dependents in the country and are prepared very often to work for a remuneration which would make it absolutely impossible for an Australian to maintain a wife and family in food alone. A further result has been that, with the cutting of the best of the timber on accessible paddocks, camps of cutters have worked back several times over the same paddocks, where they have been allowed to cut by the private property owner without girth restriction, and the class of sleeper being presented for inspection has steadily deteriorated. Timber inspectors have done their utmost to combat the position, and it has been found necessary to reject up to 40 per cent. of many parcels submitted for inspection during the past 12 months. The inspectors are all good judges of timber, and their honesty is above question. Despite their efforts to protect the interests of overseas purchasers very serious complaints have been received from a number of oversea countries, and it is evident that, if the good name of jarrah is to be protected, inspectors must spend a great deal more time examining sleepers, particularly those cut by foreigners on private property. The two worst faults complained of by oversea countries are, (1) Bad splitting during the seasoning process by sleepers cut from immature trees, which may look perfect when presented for inspection within a few weeks of being cut; (2) undersized sleepers showing an excess of sap and wane, due frequently to an attempt on the part of the cutter to obtain an extra billet from each length, in view of the short-

age of timber in paddocks on which he is working. Possibly the individual private property owner does not realise that, in allowing his timber to be cut by foreigners, he is in effect exploiting the hewn sleeper market to the detriment of the timber industry and the State as a whole.

I have evidence that certain timber firms have been trying to use the efforts that we have been making to protect the timber industry to prove that we are doing something detrimental particularly to the storekeepers in the South-West. Actually the owner of private property is himself doing a tremendous injury, particularly to the South-West which depends so largely upon the timber industry. The Conservator continues—

If this large quantity of jarrah timber had not passed into private hands, and the Forests Department had been in a position to regulate the output from the forests of the State on sound lines, the timber industry as a whole would be in a much healthier condition and many sawmills would be working which are closed to-day. Much of this timber has been obtained from countries which, although alienated, is not suitable for agricultural purposes, and is being allowed to revert back to inferior forests following the sale of the timber by the private owners.

This is some of the land people have been asking to be allowed to use for agricultural purposes, so that they may sell the timber upon it and allow it to revert back as wasted country. These are the main reasons which prompted the Conservator to ask for this amendment of the regulations. The member for Nelson (Mr. J. H. Smith) submitted a number of questions. No doubt he thought he was acting in the interests of the industry. I think he was only misguided in the matter.

Mr. J. H. Smith: You know all about it.

The MINISTER FOR FORESTS: I do not know about knowing all about it. I am prompted to make these remarks because I consider that the Conservator is one of the finest foresters in the southern hemisphere. Not only has he been highly trained in the industry, but he has many other valuable characteristics. I doubt if the hon. member knows more about the matter than the Conservator.

Mr. J. H. Smith: I do not profess to.

The MINISTER FOR FORESTS: I am stating what the Conservator has said, and I think he knows his subject. The hon. member asked a series of questions, which were answered. During his speech on the motion he referred to these answers as inane and ridiculous. That was a parrot cry with him; he kept on harping upon it.

Mr. J. H. Smith: The answers were foolish, too.

The MINISTER FOR FORESTS: I have a list of them Here is a copy of a letter which was received by eleven storekeepers in the South-West—

Certain questions were asked in the House yesterday relative to the hewn sleeper industry, and how it affects the South-West generally. Notwithstanding the advantage that sleeper cutting from private lands in the South-West has been to settlers who have been able to sell their timber, to storekeepers and others who have benefited by the large number of men employed in the industry, the Government now, it appears would sooner give this work to sustenance workers.

The sustenance workers referred to happen to be British licensed cutters, whereas the foreigners, with no previous experience, were cutting from private property because they could not be licensed to cut from Crown lands. The letter continues—

We shall be glad if you will arrange to give this matter, especially the question and answers (which you will find in the attached copy of letter) all the publicity you can with your friends in the newspaper business, of course keeping us out of the matter. For your private information, we have sent copies of these questions and answers to ten others.

The letter is signed by a timber firm in Perth. I ask the House to consider whether in raising the inspection fee from 1s. 6d. to 2s. 6d. per load for inspection we were not justified in doing so. This timber was cut by inexperienced foreigners, who worked for almost nothing, while good British and Australian cutters have only just been kept alive in the industry through the Railway Department putting large quantities of sleepers into stock, out of finance supplied by the community through the Treasury. Millions of sleepers which will not be required for many years have been put into stock, while the foreigners have supplied the overseas market at a figure which involves working conditions under which no Britisher could possibly live.

Mr. J. H. Smith: Do you say that these foreigners have no license?

The MINISTER FOR FORESTS: That is so.

Mr. J. H. Smith: What bosh! Anyone who was cutting before 1918 had a license.

The MINISTER FOR FORESTS: No license to cut on Crown lands can be granted to a cutter who is not a British subject. We

were fortunate in obtaining from the Treasury sufficient money to keep the British and Australian cutters employed. The sleepers have gone into stock, which represents a supply sufficient, at our present rate of consumption, to last for 10 or 15 years. If, as we hope, things improve, the stocks may last only ten years. We have been trying to find means to get more sleepers cut in order to keep the men employed. When a certain firm obtained an oversea order, they approached us and offered to take 2,000 loads, out of a total of 3,000 loads, this to be supplied by our sustenance workers. These men we have been keeping alive in the industry. The firm referred to was Millars.

Mr. J. H. Smith: Supplied at a lower price than Marich's.

The MINISTER FOR FORESTS: That is not true. The price at which the sleepers were being supplied through the foreign cutters, from private property, was £2 10s. a load on trucks, including royalty, as well as the cost of inspection and haulage. The member for Collie knows that the British worker could not make a living at that figure. We are charged with doing something detrimental to the timber industry. Not only has Mr. Kessell a wide knowledge of timber, of reforestation, and forest operations generally, but he has also a business turn of mind. He appreciated the difficulties of the men engaged in the industry, and of obtaining a fair price for our timber in the world's markets. He has done wonderful service to the timber workers as well as to the merchants. It is not to the credit of the hon. member that he should move to disallow a regulation which involves a petty increase of 1s. a load for the inspection of timber taken from private property which has been cut over eight or ten times, more especially as the increase was with a view to protecting British workers. I do not imagine that the hon. member took this action from any point of view other than that he thought he was justified in doing so, but his viewpoint is entirely wrong. I prefer to accept the views of the Conservator, who is trained in this class of work and has done wonders for our forests. I hope the House will not agree to the motion.

On motion by the Premier, debate adjourned until a later stage of the sitting.

BILL—BILLS OF SALE ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

MR. ANGELO (Gascoyne) [5.12]: The Bill has been brought down to give farmers an opportunity to obtain assistance in order to put in, take off, and market their crops. The measure will not apply to those who are in good circumstances. I feel sure that the present mortgagees will see the mortgagors through without the necessity of their being obliged to go elsewhere for accommodation. The Bill, therefore, is designed to help those farmers who are not in good circumstances. They may have borrowed all that the present mortgagees can lend, or as much as any mortgagee cares to lend on the security. The Bill seeks to afford the farmers an opportunity to borrow money in order to put in and take off their crops. The question arises, which is the better thing to do. Is it better to permit a man to go to some person who is prepared to lend him the money, and give him a bill of sale which at present has priority, or enable him to make arrangements with quite a number of different people on various bills of sale. It is dangerous that a bill of sale should be registered without notice to that effect being given. That provision was introduced may years ago for the protection of the commercial world, and it has answered very well ever since. But now a measure comes down permitting this man to go to several people, one after the other, and borrow money or purchase machinery from them, and give separate bills of sale, which would all be equal in value when the crop was sold. My own idea is that the farmer is going to have difficulty in obtaining finance in any case, because there are now few people lending money on the security of a crop. I think it will be found that very few people indeed will be prepared to lend money on a crop if they know that other crop liens can be registered later. There is no protection for them. Therefore I doubt very much that this Bill will attain its object. Another thing I notice in the Bill is that if there are several bills of sale registered, the first grantee can call a meeting of grantees, who can then decide how the money obtained from the crop is to be divided, they first and foremost taking the amounts they have lent. But no provision whatever seems

to have been made for certain items which should be allowed to participate in the first draw—rates, taxes, Crown rents, rabbit-proof netting instalments, and, say, one year's interest on the principal sum, which really should go to the mortgagee who has lent against the land. Certainly some protection should be granted to him, so that he can carry on the security and keep it alive. These are legitimate drawings which should rank with the moneys that will be returned to the grantees if the Bill goes through. An amendment to that effect might be moved later. As in practically all instances financial arrangements for the present harvest have already been made, the Bill might lead to a good deal of confusion if proclaimed straightaway. Therefore I suggest to the Government that if the Bill goes through, they should leave the proclamation of it to, say, the 1st February, so that it will operate for next year.

The Premier: That is all it is intended to do.

Mr. ANGELO: I support the second reading, since that interjection answers the last part of my remarks. I hope some other method will be suggested for giving the necessitous farmer, the man we are out to assist, some more practical aid than that proposed in the Bill. I do not like several bills of sale being registered without any notice whatever being given.

MR. BROWN (Pingelly) [5.19]: I would like further information on Clause 6 of the Bill. If a person gives a lien over his crop, and then is empowered to give liens to as many more people as he chooses, what can the end be but confusion? Will not the Bill stop credit? A phosphate company supplying fertiliser to a farmer is not likely to do so if he can give a lien over his crop to whomever he pleases, and if all those holders of liens are to share alike. The phosphate company would be the first to ask for a lien over the farmer's crop. Then the storekeeper would come along and say, "I want a lien over your crop, too." By and by the bag merchant would come along with a similar demand. The crop may be poor and the price low, and all those people with liens may not get more than 2s. in the pound. Will phosphate be supplied under such conditions? I do not believe it. And cornsacks are in the same category. Will the Attorney General accept an amendment making the position clearer? Can the hon. gentleman show that in the past great hardship has occurred through the holder of the first lien taking the whole of his debt? Generally speaking, the farmer gets his requisites on credit. If the Bill prevents the giving of credit, what will be the position of farmers generally? I should like an explanation as to the effect of the measure on credit as a whole.

HON. W. D. JOHNSON (Guildford-Midland) [5.21]: I will not in any circumstances agree to the passing of this Bill. To my mind it is one of the most dangerous measures, from the farmer's point of view, ever introduced here. The attitude of members of the Country Party astounds me. It is abundantly clear that they have not studied the Bill; or, if they have studied it, they do not understand it. Otherwise they could not faithfully represent their constituents while endorsing the measure. I want to warn those hon. members and others concerning a mistake we made in passing the now well-known Section 37a of the Agricultural Bank Act. I want it put on record that I am warning country members of the intention of the present Bill to grant to other mortgagees rights and powers similar to those granted by Parliament to the Agricultural Bank. That institution has the right to claim one year's interest, and is doing it to the maximum extent this year. In fact, the Agricultural Bank actually register liens against the operations of farmers for the purpose of preventing them from doing anything as regards the present crop until one year's interest has been paid. They have done so without giving the farmers notice that the payment of one year's interest is required. Without any indication of what it was about to do, the institution registered liens against crops under the amending legislation of last year. Since the injustice of the proceeding was brought under the notice of the Agricultural Bank, all the clients of that institution have been notified that the bank's powers under Section 37a will be exercised to the full. I am positive that if this Chamber had understood exactly what was intended by Section 37a, the amending Bill would never have been passed. I do not know whether hon. members recollect how it came to be passed. When the measure was introduced, we were informed that its immediate passage was essential. It was rushed through Parliament, and we were told that the rush was necessary because certain se-

curities were required by the Commonwealth Bank before an advance of, I think, £200,000 could be made. While we were all anxious to assist the State to get that money, we had no idea that we were enacting a section which would operate as Section 37a is operating to-day, causing great discontent and dissatisfaction throughout the agricultural districts. I say to members on the Ministerial cross benches that by passing the Bill they will be handing the remainder of the farmers over to a similar fate. Farmers under Section 37a are excluded from this Bill because the Agricultural Bank has full and compete control of the assets of those farmers. The effect of the Bill will cause all farmers whose properties are mortgaged outside the Agricultural Bank to become automatically controlled by other financial institutions. Most of the Associated Banks have registered mortgages against farms. I think there is hardly a farmer in the State who can put in and take off his crop without some financial assistance. Immediately the farmer goes to the bank or other financial institution for assistance, he has to give a mortgage. In some cases a second mortgage is given to an Associated Bank, over and above the first mortgage held by the Agricultural Bank. Having obtained assistance, the farmer automatically becomes mortgaged to some institution or other. Immediately upon the passing of this Bill the mortgagee can advance what he likes for any purpose he likes. I know, of course, that his advances must be limited to the putting-in and taking-off of the crop: but if he agrees to provide money for super., he immediately registers a bill of sale, thus automatically excluding everyone else.

The Minister for Lands: No.

Hon. W. D. JOHNSON: Provided the mortgagee agrees, any number of bills of sale can be registered. It is the mortgagee who holds the money, and he will be the first in. Nobody can get in ahead of the mortgagee, and he has to consent before any bill of sale can be lodged. Thus he can block everybody else until he himself has got in. Immediately the mortgagee does get in, that is the end of the farmer. The farmer then cannot get anything except through the mortgagee, which means the financial institution. A farmer says he wants 30 tons of super. to put in his crop. The mortgagee thereupon can say, "I do not agree to your having 30 tons of super. I think I ought to limit you." The mortgagee can then fix what quantity of super. the farmer shall get. The mortgagee having fixed what the farmer shall get, and having registered the lien, the farmer immediately ceases to be an independent farmer and becomes a controlled farmer. I cannot understand how members representing the farming industry could have allowed this kind of thing to happen. I am not a farmers' representative for I represent a large industrial centre, yet it has remained for me to raise my voice in the protection of the farmer, while those members who come from the farming districts seem to be totally disregarding the special circumstances.

The Minister for Lands: You have not given them a chance to speak.

Hon. W. D. JOHNSON: Some of them spoke last night. To-day the member for Pingelly spoke, but did not oppose the Bill.

Mr. Brown: I was asking for information on it.

Hon. W. D. JOHNSON: The Bill is so clear that the hon. member ought to have been able to understand it. It will take all control from the farmer, who will become a servant of those holding a mortgage over his property. What is going to happen to farmers? To-day they can register a crop lien without notice for super, seed, sacks and twine. But there are a hundred and one other things required. For instance, the member for Gascoyne referred to rates and taxes. Who is going to pay them?

The Minister for Lands: The mortgagee is responsible for those, even without the Bill.

Hon. W. D. JOHNSON: Yes, they will be paid if the mortgagee agrees. Then there is the important question of oil and fuel for the power plant. Who is going to supply those? If the Bill goes through there will be no chance of the farmer getting oil and fuel.

The Minister for Lands: There will be no chance without its going through.

Hon. W. D. JOHNSON: There will be no fuel for the farmer unless the bank agrees to the fuel people registering a bill of sale.

The Minister for Lands: It is exactly the same to-day, and you know it.

Hon. W. D. JOHNSON: No, if it is done to-day, it is done by arrangement, but under the Bill we give a legal right inviting the financial institutions to take control of the agricultural in-

dustry. The oil people must go to the financial institutions and get their consent before they can supply oil and fuel. Under the existing law we can make arrangements, but if the Bill passes that will cease and there will be no free farmers at all. They will all be controlled over and above that control which is now exercised by the Agricultural Bank. Then there is the question of sustenance. The standard of living will be dictated by the first one to register a bill of sale. The banks will be able to say whether a man shall have £5 per month or £20 per month. It will be easy for the financial institutions to dictate the standard of living of the farmers. In regard to wages it will be exactly the same. If the Bill passes, the employment of labour will be as directed by the mortgagee. The wages to be paid will be as directed, for the absolute control both of the standard of living and of the wages to be paid will be given to the financial institution holding a mortgage over the farm. Then there is the question of fire and hail insurances, not mentioned in the Bill. Then there are wool packs and the question of machinery. Who is going to supply machinery, and under what arrangements? The banks will have to agree. One is at a loss to understand how a Government claiming to have any regard for the struggling agriculturists could father a Bill like this. In my time I have opposed a lot of Bills introduced here, but I say honestly I have never known a more dangerous one than that before us. I hope the Government will not persist with it. If they want to help the farmer, there is another way of doing it. Of course the Premier will say that what he wants is to get the next crop in; but why does he not approach the question in the way suggested by the Royal Commission? Why does he come in by a backdoor method such as this and give to the financial institutions the absolute control of the agricultural industry? Then there is the point that this gives to some outside authority the determining whether the farmers shall or shall not continue on the land. The exclusion of the farmers will not now be done by the Agricultural Bank, nor by Parliament; the closing down of individual farmers will be for others to do if they get the authority proposed in the Bill. The member for Gascoyne mentioned that the first grantee, the first to get a bill of sale, will be the mortgagee. The mortgagee will immediately call a meeting and that will give him control over the other creditors, his desire, of course, being to get his requirements. It is true the surplus has to be handed back to the rightful owner. But the rightful owner is not the farmer.

The Premier: It may be the farmer.

Hon. W. D. JOHNSON: Only provided he is not mortgaged.

The Premier: But he is the rightful owner.

Hon. W. D. JOHNSON: Only if he is not mortgaged. But then every farmer is mortgaged, and the rightful owner is the mortgagee. Suppose the National Bank has a second mortgage over a given farm. If the Bill passes and they advance money for the putting in and taking off of the crop, then after the crop is harvested if the proceeds are more than sufficient to satisfy the requirements of the National Bank and, say, another whom the National Bank has permitted to register a bill of sale, the surplus proceeds will go to the Agricultural Bank if the farmer is a client of the Agricultural Bank. So there will be the possibility of arrangements being made between the second and the first mortgagee, and the farmer will get nothing. I think I have said sufficient to demonstrate how wrong it is for Parliament to hand over the agriculturists, body and soul, to the financial institutions. In my opinion the Government are doing this in order to dodge their responsibility. The farmers have been holding meetings at which they have asked Parliament to realise their very parlous condition and the conditions under which they have lived during the last 12 or 18 months. The Government previously side-stepped them by appointing a Royal Commission. As soon as that Commission was appointed, the farmers said, "Now we can wait and see what we are to get from the Royal Commission." They expected there would be some result from the Royal Commission and so they awaited the commission's report. But although the Government appointed that commission they have never declared their intentions regarding the commission's recommendations.

The Premier: You gave your opinion to the commission.

Hon. W. D. JOHNSON: Yes, and I believe it is the only possible way to overcome the difficulties of the farmers. I simply went there as representing this side of the

House and presented what we thought the best way to overcome the difficulties. I admit that the commission ignored my opinion. I am not complaining of that. It simply meant that I did not succeed in convincing the commission. They were influenced by others, and ultimately they presented their report. But what I object to is that the Government should ignore the commission's recommendations.

The Minister for Lands: Are you in favour of a flour tax?

Hon. W. D. JOHNSON: I am in favour of assisting to frame any policy that will give practical relief to the agriculturists.

The Minister for Lands: Even to the imposition of a flour tax?

Hon. W. D. JOHNSON: Anything that will give practical relief, but I am not going to support the proposals contained in the Bill. Under Section 13a of the Farmers' Debts Adjustment Act there is ample protection. All that is wanted is there. The only difficulty is, I take it from the merchants' and financial institutions' point of view, that any registration that is wanted has to be approved by the director. I assume from the Bill that the director has not been agreeable to a lot of the propositions that have been submitted to him. I am opposed to the Bill and I regard its introduction as a reflection on the intelligence of the farmers. No farmer would approve of it if he understood it. No farmer understands what the Government contemplate by the Bill and therefore I appeal to the Chamber to defeat it as one of the most dangerous from the farmers' point of view.

THE PREMIER (Hon. Sir James Mitchell—Northam) [5.52]: The hon. member sees the possibility of danger in the Bill.

Hon. W. D. Johnson: It is dangerous right through.

The PREMIER: As a matter of fact under this Bill farmers will receive more for sustenance. It is the business people who are opposed to the measure. They have been here to-day to offer their opposition. The Bill will not apply to a great many cases because it will depend on the ability of people to make advances. The farmers will be able to give security. The Bill will enable two people to come together, one to borrow and one to lend, and will cover necessities for cropping and nothing beyond them. The member for Guildford-Midland has misinterpreted the Bill.

On motion by the Minister for Lands, debate adjourned.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Second Reading.

Debate resumed from the 1st December.

HON. A. McCALLUM (South Fremantle) [5.55]: The Bill has been brought down by the Attorney General without its being given the fullest consideration. I cannot believe that anybody who has given full and thorough consideration to the possibilities that the Bill creates would attempt to father it. If the Attorney General would submit himself to an open mind, and dismiss altogether the Press propaganda outside and representations that the employers made, and say that he would now consider the Bill on its merits, then in a quarter of an hour I could convince him that it is entirely against the interests of industry, it is repugnant to British fair play and justice, and that no man who stands for equity and justice can support it. It is one of the most atrocious propositions ever submitted to a Parliament, and I cannot believe that the Minister realises just what the Bill means. The position at present is that the Arbitration Court, in dealing with applications under the Financial Emergency Act, treated each on its merits. The court said that each employer had to appear before it and prove that the position of his business warranted special consideration being extended to him, and reductions made in his wages bill. Each employer has to prove his own case. There is no doubt that that was our intention, and that the Act at present stipulates that, is proved by the fact that the Attorney General found it necessary to make such extensive amendments as the Bill proposes, in order to meet the idea that the Full Court held. The Arbitration Court said that the employer had to prove it was necessary for financial relief to be given to him before the cuts provided by the law would operate. An appeal was made to the Full Court against one phase of the Arbitration Court's decision. It was held by a union that the reduction made was limited not only to the employer who made the application, but was limited

to the employees in that man's employment at the time the decision of the court was given. In delivering judgment, the Full Court went further and delivered judgment on a question that was never submitted and not even argued before it. An eminent K.C. was briefed by the unions to state the case and that eminent K.C. declares that the point on which the Full Court gave judgment was never mentioned by either counsel. It was not even discussed or argued. But the Full Court turned itself into a legislative body and laid down the law without being asked, without any appeal being made to it. The Arbitration Court told the Full Court that the Full Court's decision could not be recognised, as the Full Court's function would only come into operation when they were asked to give a decision and an appeal was made to them. So the President of the court lays it down that he entirely disagrees with that view and he is carrying out the practice that each employer must go along and prove his own case. The Government now say, "That is not our idea; we are not asking that each employer must prove his own case, and that we say once a reduction is made in an industry, it is to be made a common rule and it shall apply throughout." The Attorney General has not given one reason in favour of that attitude, nor has he advanced any argument to show why a decision once given should apply to a whole industry, nor yet why each employer should not be called upon to prove his own case. Neither in his introduction of the main Act nor yet in his remarks when presenting the amending Bill now before the House, did he suggest one idea along those lines. The country has been told that the reason for the legislation and for the wages cut was to be found in the financial position in which given employers found themselves. It will be remembered that I made the statement in this House that certain concerns were still declaring substantial dividends and showing large profits. I named one or two firms that were making substantial profits at the time, and the answer given to me at the time was that such firms would have to prove their case before they could secure any reduction. If the Bill be agreed to, we will get away from that position, and we will say that there is no necessity for such firms to prove their case. So long as a person interested in a little insignificant business can prove that he is entitled to a reduction and is granted relief accordingly, then the whole of the industry in which he is engaged, is to enjoy a reduction in consequence. That brings me to the point of what is the real force behind this move. If the original idea advanced by the Government that reductions were necessary to allow certain businesses to be continued still obtains, then there can be no objection to the present practice continuing, and each firm will have to prove its case to the court. If we depart from that position, and the decision of the court regarding one employer is to apply to the lot, then the Government will have shifted their ground, for it will not be a case of emergency or necessity. All it means is that the Government's desire is that Parliament shall decide that there shall be a variation of the wages cut, whether justifiable or not, and that Parliament shall decide that the wage reduction shall take place without those vitally affected being heard or consenting to it. Thus the whole ground upon which the original measure was submitted to Parliament and was supported by a majority of the House, has been departed from. The only explanation the Attorney General advanced for the introduction of the Bill was the long time it would take for each individual employer to appear before the Arbitration Court to be heard. I think the Minister said before the cases could be completed, the Act would have outlived its usefulness as we would be beyond the present stage of depression. Surely the Attorney General will not argue that if there is an industry—I shall give specific instances later on in support of my point—in which there are hundreds of different employers, he will pick out one or two hard-up, dead-broke employers in charge of little trumpery concerns, and on the strength of the case they will put before the court, secure a decision and have it applied throughout an industry in connection with which the great bulk of the employers have not been heard, and have not asked for any such variation. Would a court that acts in accordance with British justice and jurisprudence, consent to do such a thing? The Attorney General cannot conceive of our courts agreeing to such a procedure. If the Bill becomes law, before the court will be warranted in giving a decision, it will be their duty to hear every employer in the industry, and make them disclose their financial positions in order to determine whether or not their businesses are carried on at a profit or a loss. In other words,

each employer will have to prove his own position. The court will make every individual employer enter the witness box, produce his figures and prove the justice of his claim to a variation before any decision can be given. If that be not so, then it cannot be argued that the Bill is merely to accord a measure of relief, and the Attorney General will have to admit that his objective is to secure a wages cut and not to afford relief.

Mr. Kenneally: Irrespective of the condition of the industry.

Hon. A. McCALLUM: Yes, it is a question of forcing down wages and that alone. I hope the Attorney General will now realise how dangerous it is to take the course he has followed, in defiance of the decision of all other Governments throughout Australia. I give him credit for having endeavoured to get the Premiers' Conference to agree to a policy of forcing down wages throughout private employment, but even the Premier of this State refused to have anything to do with such a proposal. No Premier would support the Attorney General. The Minister was chairman of a committee that advanced that suggestion as part of their scheme to reduce wages in private employment as well as in Government employment. The Minister was told by the Premiers' Conference that that was no part of their functions. I quoted the exact resolution before, and I have it with me now. The Premiers told the Attorney General to produce another report, and they would have nothing to do with his suggestion to make a cut in the wages of private employees. The Attorney General's committee was instructed not to include private employees. At the conference table, the Premier told the Attorney General that he did not agree with his contention. Sir James Mitchell said they had enough to do with their own Government employees without interfering with private employers. Although beaten at the Premiers' Conference, the Attorney General returned to Western Australia and, apparently, persisted in the fight and secured enough support in Cabinet to beat the Premier, hence the introduction of this legislation. Now he is finding out to his cost that his legislation has proved to be a spanner thrown into the wheels of industry. The Attorney General himself is the cause of the strife, trouble and ill-feeling that is apparent throughout the industrial community. His legislation has stirred up trouble where peace existed before. The only industrial troubles and hold-up of work that we have experienced for many a long day have arisen from the Bill that he introduced. Formerly Arbitration Court decisions given in accordance with the law, were accepted without question, even when they involved wages cuts. The two troubles that have occurred recently in industries have been owing to the action of the Attorney General in forcing through Parliament a policy with which the Premiers' Conference told him they would have nothing to do. On his shoulders rests the responsibility for the industrial trouble that exists now. Not content with what he has done, he wants to go further. I will give one or two illustrations to indicate to the House what the Bill before us means. I cannot conceive that the Attorney General has examined the position and explored its probable consequences. I am afraid he has taken some reports that have appeared in the "West Australian," emanating from interested employers, and has not considered the effect of this legislation upon industry. For instance, the Perth City Council approached the Arbitration Court and secured a decision that resulted in a cut in the wages of municipal employees. The council's employees affected included one bricklayer who is employed by the Council in making manholes for drainage and sewerage work. If the Bill becomes law, that decision will apply to bricklayers throughout the State. The Master Builders and Contractors' Association and the Bricklayers' Union were not heard; they did not appear in court, nor have they asked for any such reduction. The contractor who is engaged in erecting the Commonwealth Bank buildings secured his contract when wages were high and the cost of materials was high. Undoubtedly he put in a price that would make the job show a profit. Under the Bill, that contractor will not be called upon to prove his case and indicate to the court the necessity for a reduction. On the other hand, merely because the wage of one bricklayer employed by the City Council was reduced by direction of the Arbitration Court, the contractor, who is undertaking work worth over £100,000, is to enjoy a similar advantage, and all the bricklayers employed by him will have their wages cut down accordingly. Where is the justice or equity in such a proposal?

Mr. Marshall: That will make for industrial contentment!

Hon. A. McCALLUM: Will the men submit to anything of the sort? Should Parliament ask men to submit to it? Could we regard ourselves as men imbued with the spirit of what is known throughout the world as British justice, if we agreed to pass a law that would enforce such conditions upon the industrial workers of the State? Surely the Attorney General can see the absurdity of the position. No longer can it be contended that this legislation is introduced in order to grant relief. It is not, for relief is not necessary. We know that the cost of materials and wages themselves have come down. Would the Attorney General argue for one moment that relief is necessary for the contractor engaged in building the Commonwealth Bank. The reduced cost of living has brought down wages and, as I have pointed out, the cost of materials has been reduced, and yet, if the Bill becomes law, the contractor of the Commonwealth Bank will enjoy a 22½ per cent. further reduction in the wages he will have to pay.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. McCALLUM: I was pointing out how, if this Bill were law, the decision would apply to the bricklayers employed on the Commonwealth Bank. It would not be limited to the bricklayers because the City Council have a decison applying to builders' labourers. Because the City Council's builders' labourers have suffered a reduction, it would apply to all the builders' labourers employed on the Commonwealth Bank. Yet that contract was let when prices were very high. How can the Attorney General support such a proposition? Where is the justice and equity of it? When the contract for the Commonwealth Bank was taken the contractor calculated to make a profit. Then came a reduction in the cost of materials, a reduction in wages consequent upon the drop in the cost of living, and now there is to be a big cut in wages again. The Attorney General cannot justify this measure on the ground of financial emergency. It cannot be other than a Bill to swell profits. The contractor entered into that contract when everything was against him. Now everything has turned in his favour, and still the Attorney General wants us to pass a law to enable wages to be reduced. Because the same award covers the employees, this Bill provides that the decision of the court must apply to both employers. It is a most extraordinary proposition to submit to a Parliament that is set up to mete out justice. In some of the South American republics where certain sections are singled out for special penalties, it might be understandable, but in a British community a proposition of the kind is unheard of. Another case might be cited. The City Council Gas and Electricity Department applied to the court for an order for a reduction, but the union was able to show that last year the concern made a profit of £31,000 in addition to paying off £26,000 worth of debentures, while in the previous year it made a profit of £52,000, and cancelled debentures to the value of £20,000. In face of such evidence the court refused to make an order to reduce the wages of employees, but if some little tin-pot show in Murray-street employing an apprentice boy secured an order from the court, this wealthy department of the City Council would be able to apply it to all its men. That is the effect of the Bill. Is that what the Attorney General means? I cannot conceive that he understood the full extent to which the measure would apply. From what appeared in the "West Australian" one might form the opinion that it was necessary to pass the law, but a very one-sided case was presented in the columns of that paper. The case should have been thoroughly examined. Is Parliament to be asked to pass a law providing that, because an order is given applying to some little section of industry that is hard pressed and cannot compete, the decision is to apply to big concerns making profits such as those I have quoted? Another phase is that all the decisions given to date have been given on the circumstances applying to the applicant employer. The court has not taken into consideration the position of anyone other than the applicant. But if the Attorney General has his way, the court's decision given on evidence applying to individual cases will be made applicable to others who have never been considered.

The Attorney General: But this Bill has no retrospective effect.

Hon. A. McCALLUM: No, I shall deal with that phase presently. The Minister wishes to make every order a common rule.

The Attorney General: No, if the Full Court's decision is upheld, the orders already made will continue under the law as it was.

Hon. A. McCALLUM: That is as regards the cases already heard. This is to make the decision of the Full Court absolutely beyond doubt.

The Attorney General: Yes, for the future, and if that is beyond doubt, surely the Arbitration Court will not decide to vary an award to cover every employee on some flimsy evidence in one tiny case.

Hon. A. McCALLUM: Then on that admission the whole case presented by the Minister is shattered and collapses. The only reason he gave for the Bill was that it would expedite decisions and would not necessitate each individual employer applying for an order, but would apply to all.

The Attorney General: So it will.

Hon. A. McCALLUM: Now the Minister says that the court will consider the circumstances of all employers.

The Attorney General: I did not say any such thing. However, I do not wish to interrupt you.

Hon. A. McCALLUM: Are we to understand that the Minister would say to Brown and Co., "You can have this decision; cut your men 22 per cent. I do not know your position, or whether you may be making 100 per cent. profit, but you can have the cut"? Does the Attorney General think the court would do that? Is that what he wants the court to do?

Mr. Marshall: Of course it is.

Hon. A. McCALLUM: If the court does not adopt that attitude, every individual employer will have to be put in the box so that his figures can be examined. Consequently what becomes of the case of the Attorney General? One firm who went to the court employed one mechanic, but they employed a good many other men, and they got an order for a reduction of the wages of every employee. The one mechanic they employed, a fitter, was governed by the engineers' award. If this Bill had been law, every engineer employed throughout the area would have suffered a reduction, without receiving any hearing, without any consideration being given to the financial position of his employers and regardless of whether there was any need for the reduction. It would have been automatically applied. The bakers' award applies throughout the length and breadth of the State. Bakers in Wyndham, Esperance, in the outback goldfields, and in every country town, are governed by the one award. Millars Timber and Trading Company employ bakers. They applied for a reduction of wages. During cross-examination the representative of the company would not deny that they were making a profit out of their baking. Owing to the position of the timber industry they got an order to reduce the wages of every employee, including the bakers. Under the Bill every baker from Wyndham to Esperance would, following that decision, have his wages reduced.

Mr. Wansbrough: They have had their wages reduced.

Hon. A. McCALLUM: Would the Attorney General contend that there is any call for a reduction of bakers' wages? There has been a drop in the price of wheat and a decrease in the price of flour and a very small reduction in the price of bread. I suppose if there is one industry that is making substantial profits, it is the baking industry. But because the bakers employed in the timber industry suffer a reduction, every baker is to have the decision applied to him. This is a British Parliament! This is justice! This is equity! This is supposed to be a measure to meet a financial emergency, and to give relief because industry is unable to carry on! This is the way Parliament instructs the courts to function. Is this not degrading? There are many awards which cover quite a number of different callings. Some of them embrace dozens of callings. Let me take the case of one which embraces a number of different branches. The award governing the engineering industry covers different sections including the electrical, the mechanical and the vertical pipe section. Only one firm in this State makes vertical pipes. The State Implement Works make them on the bank, but Monteith's make them vertically. The employees are under the engineers' award. If the court, after a thorough investigation into the position of the electrical trade, issued an order for a reduction, Monteith's would have the right to reduce their men. How is the Attorney General going to support that? I could go on ad nauseam quoting cases pointing out the injustices that must crop up if the Bill becomes law. Certainly the unions will make an endeavour to see that justice is meted out to them. To do their job, the court will have to put every individual employer into the box, and examine his financial position before agreeing to a reduction. Instead of

expediting the business, as the Attorney General suggests it will, the Bill will retard it. If it does not expedite business, what can be the reason for the Bill? If every employer has to go into the box and have his financial position disclosed before the court agrees to make an order, the business must be delayed. Is it not better to leave things as they are, and allow employers who want a reduction to go to the court for it? Why is the Attorney General so anxious to protect people who do not want a reduction? If they want a reduction, they can go to the court for it. The Attorney General is saying, "It does not matter what you want, I am after it. I am going to pass a law forcing it upon you." He is defying the Premiers' Conference, and shattering the views the Premier put up there. He got a Bill through which has created this disturbance in our industrial life, and he wants to go further. It is all very well to say that if the employers do not want a reduction they will not apply for it. He knows that the Employers' Federation have issued instructions to their members that they are to apply the reductions in accordance with the decision of the Full Court, and they are taking on the defence of the applications from the unions. These are not employers who are immediately concerned, as is the case in the wool dispute. They are hangers-on who like to regard themselves as representatives of the employers, although they are not actually employing labour. They are busybodies in the employers' organisation, and are always out for their full pound of flesh from the workers. Through their organisation they are forcing the employers to apply the reduction. In the case of the Commonwealth Bank, the reduction was neither wanted nor warranted. We know the machinations of the employers' organisation. If one member refuses to comply with their decisions, we know what happens to him when he is looking for supplies. The Attorney General is laying the foundations for every conceivable industrial disturbance. I defy him to justify this Bill, or to show that it is equitable or warranted. Even now I ask him to permit the law to remain as it is. Surely his own way is clear now. If an employer feels that his financial position is such that a reduction is warranted, he can apply to the court, but his application will not rope in everyone. There is nothing in the Bill to say that everyone should be consulted, that the case is to be a representative one. What percentage of the employers or employees is to be represented in any application that is made to the court? A week or two ago we had the spectacle of one hairdresser in Perth applying for a reduction in the wages of his hands. If this Bill had been law and his application had been granted, hundreds of hairdressers in the metropolitan area would have been able to apply the reduction. There are some hotels which are not paying their way. I am told that others outside the city are doing very well, and are not so hard-hit as are those in the centre of Perth and Fremantle. A decision given in the case of two or three hotels, which could produce books and accounts to show there is a loss, would apply to all. It is not going to be a responsibility of the unions to put the employers into the box. The only way for the court to combat the position is to get a full list of everyone in the industry, every hotelkeeper in the country, and summon them to disclose their accounts. What is the necessity for that? The Attorney General has turned his hand to this business. He said there was to be a general slide down. This is not a financial emergency Bill. It is a method by which an all-round reduction in wages can be obtained, whether the position of the business of the individual warrants it or not. I appeal to him and to other members on the Government side of the House to remember the weakness of human nature. Is it possible that men will submit to this kind of thing? Can men be expected to sit down under it when their wages are going to be reduced in circumstances such as these? The Minister cannot deny that every illustration I have advanced can be substantiated, and that similar things must occur if the Bill goes through. The only outcome of the measure will be a crop of industrial disturbances, which no one wants to see. We have got through our troubles better than any other State in the Commonwealth, and a better feeling prevails between the employers and employees here than anywhere else. The parties meet one another in a spirit of understanding. Recently, however, there has been a change in the atmosphere and the outlook. Instead of having our cases decided on their merits, the situation is going to be forced, and decisions are to be applied

all-round, whether they are justified or not. If the Attorney General persists in this measure there can be only one view to take of it, namely, that the Government have decided that wages must come down irrespective of the position of the industry or the individual. Instead of being a Bill to meet a financial emergency, it should be described as one to boost profits or increase dividends, and to take money from the worker and put it into the pockets of the employers. I have cited the case of the Commonwealth Bank, and could mention dozens of others. That case has already been determined. Owing to the decision of the High Court and the action of the Employers' Federation, the reductions are being enforced. Action is in train to test the decision right through to the High Court of Australia. The case will first go to the Arbitration Court, whose decision has already been given. It will then go to the Full Court, whose decision has been given, and will then go to the High Court for interpretation. A most peculiar position has been reached. The High Court has given its decision on a matter which has not yet been submitted to it. The decision is known before the case is put up. The unions are to be put to the expense and trouble of going to the High Court to get justice, but the Attorney General is making sure that from the time this Bill is passed there will be no doubt about the position. It is quite evident that he does not think the decision of the Full Court correct; otherwise these extensive alterations would not be suggested. I hope it is not too late for the hon. gentleman to see the error of his ways and refrain from persisting with this Bill.

[*The Deputy Speaker took the Chair.*]

MR. PANTON (Leederville) [8.1]: Like the Deputy Leader of the Opposition, I hope the Bill will not be carried. The effect would be to bring about considerable industrial discontent and irritation; and very little, if any, good could result. With all due deference to the three learned gentlemen who have voiced their opinions, I am satisfied that they know little of the far-reaching effects of this measure on industry. Had they any real knowledge of the matter, such as members on this side possess from necessity, those opinions would never have been expressed. Having spent years among shop assistants as a member of the executive of their union, I ask hon. members to realise what the Bill means to those working in the industry. Absurd consequences will follow in that industry if the Bill is enacted. The "Western Australian Industrial Gazette" for the quarter ended March, 1929, contains a shop assistants' award, which includes the following paragraph:—

> This award shall apply to the industries mentioned in the first column of the schedule hereto in respect of workers following the vocations mentioned therein; provided that it shall not apply to workers provided for in any award of the Court of Arbitration of Western Australia.

There are about a hundred vocations mentioned in the first column of the schedule—agricultural implements selling and/or dealing, account book, agents, Customs and general, agents manufacturing, agents produce, bakers' requisites, basketware, bedsteads, belting, bicycle and cycle, builders' hardware, biscuit and cake, and so on. I will pick a few more here and there—engineering, drapers' retail, dairy produce, earthenware, fancy goods, fish, fruit and vegetables, ham and bacon-curing, ham and beef, hardware, indiarubber, news agency, oil, tobacco. Those are some of the vocations covered by the shop assistants' award. Workers covered by that award are spread over all those vocations. I think the Attorney General will agree that if any one firm gets relief under this Bill by common rule—

Mr. Wells: Does not a firm like Boan's handle all those goods?

Mr. PANTON: No. Boan's are not bakers or engineers, for instance. Certain firms have applied for relief, all of them connected with either hardware or timber. On the other hand, there are firms who up to date have refused to apply for relief, notwithstanding any pressure being brought to bear. Here are some of those firms, and the number of shop assistants employed by them respectively—Boan's 620, Foy's 350, Bon Marche 120, Chas. Moore and Co. 140, Brennan's 45, Baird's 250, Woolworth 100, Ahern's 100, Walsh 20, Cecil Bros. 50, Betts and Betts 50, Ezywalkin 20, Alexander Kelly 20, Charlie Carter 80—a total of 1,975 employees in the Shop Assistants' Union working for firms who have up to date refused to apply for relief. As a matter of fact, the firm that caused this Bill to be brought in, Millar's Company, employ one

storeman. They have obtained relief. According to the opinion expressed by the Full Court and voiced in this Bill, Millars having obtained relief in respect of one storeman, all shop assistants in the metropolitan shop district, between Midland Junction and South Fremantle, numbering 2,000 are brought in. Can anything more ridiculous be imagined? This one storeman working in the timber industry is going to have a common rule effect on a little girl in Foy and Gibson's, or a little girl selling cigarettes and tobacco across the counter. Surely this House does not want anything like that to happen! I venture to say that if the Attorney General had any idea of the extent over which a common rule would operate in an organisation of this kind, he would give further consideration to the Bill. I have a list of firms who have applied for and obtained relief. They are practically all wholesale firms. One is A. C. McCallum and Co., hardware merchants. Although selling only hardware, the firm employ numerous shop assistants selling various parts. Once the Bill becomes law, the fact of McCallum and Co. having obtained relief in respect of their shop assistants will bring all other shop assistants under the Financial Emergency Act. It might be argued that if these firms have not up to date applied for relief, they are not likely to take advantage of the situation which will be created. But that contention does not hold water. The very fact of various firms obtaining relief by virtue of the common rule will force other firms into line, from the aspect of competition. To a firm like Boan's, with 620 assistants, the 2s. 4d. difference between the basic wage and the amount payable under the Financial Emergency Act will give cause to consider the position. Competition in the retail trade will force all the firms into line. The award gives quite a number of definitions, such as packer, head storeman, storeman, despatch hand, female despatch hand, casual hand. The fact that F. H. Faulding, wholesale druggist, has obtained relief and employs storemen, packers and despatch hands, though not necessarily shop assistants, will bring into line every other shop assistant in the metropolitan shop district irrespective of whether he is selling drugs over the counter, or selling tobacco, or dress material, or boots. Surely hon. members will not pass a measure which will have so ridiculous an effect! Apart from reductions in wages, every one of the shops in the metropolitan area has obtained from the Arbitration Court the right to work part-time. Firms employing just under 2,000 shop assistants have not seen fit to ask for further relief, on top of the drop of 13s. 6d. in the basic wage. But because two or three firms who have already got that relief intend to have these additional reductions made a common rule, all other firms are to be brought into line with them. What has happened to the bakers? The bakers represent a State-wide organisation. The mere fact that Millars employ one baker has brought all the bakers in the State into line. What applies to the bakers will apply to storemen, packers, and shop assistants generally.

The Attorney General: This Bill will not do that.

Mr. PANTON: Why not?

The Attorney General: Of course, if the Full Court's decision turns out to be the right one, the Act will do all that is required.

Mr. Kenneally: And if the Full Court's decision fails, this Bill will take the place of it.

The Attorney General: Of course not.

Mr. PANTON: I am not concerned about the retrospective part of it, because the employees are not receiving sufficient to enable them to pay back the 2s. 4d. per week which is involved. The Attorney General must realise that once the Bill becomes law it will be necessary only for one firm of employers to make application, and if the application is successful it will become a common rule. If a small shopkeeper employing only one or two hands applies to the court and is successful, does the Attorney General deny that the Bill would bring all in the trade under the application?

The Attorney General: No.

Mr. PANTON: The Act which this Bill is to amend does not direct the court to take into consideration what effect it will have. All that the court is expected to consider is whether there is a financial emergency existing. Is not that the position?

The Attorney General: They have to treat the thing on the broad.

Mr. PANTON: I have many times tried to point out to judges in the Arbitration Court what Parliament meant. It is of no use telling the President of the court what we in Parliament meant. The late Mr. Justice Burnside once said to me, "I cannot

help what Parliament meant. This is what Parliament has said and this is all I have to deal with." The Act states there is only one thing for the court to take into consideration. If Jones, employing a small staff goes to the court, the court will give him relief if he can prove that relief is necessary because of the financial emergency. The court is not instructed to ask what effect it is going to have. We here in Parliament have to decide that, and we should make due provision. Let the Attorney General draft an amendment intimating to the court that not only must it be a question of financial emergency, but they must also take into consideration what effect the application will have on the common rule. Then the court will have something to go upon. But the court are not going to read up in "Hansard" what I said and what the Attorney General agreed to. That is not the law; it is only the debate leading up to the law. It would be ridiculous to pass the Bill as it is. It is only part and parcel of the original Act which says that the only thing to be taken into consideration is the financial emergency. The only reason why that was put in was to get over the existing Arbitration Act. It makes me wonder why the Attorney General did not come down and suspend the Arbitration Act and say, "There is a financial emergency, and all the employers are going to do what they like." That is what they are saying in effect now. We have had an aggregate reduction of 13s. 6d. in the basic wage and the Employers' Federation say it is not enough. Parliament has said in its legislation that the workers can be brought down another 2s. 4d. to at least £185 for aduit males and £100 for females. And they have to get every penny of it. The Attorney General comes along and says, "Yes, I am going to assist you in that." I am dealing only with this particular industry, because I know something of it and of the hardships that will be imposed. Also I know something of the discontent and industrial unrest that will be caused. Are we as a branch of Parliament justified in saying to those 5,000 people in the metropolitan area—and this organisation extends right through the country—to the 3,000 shop assistants working under the Shop Assistants award—if they are going to be brought willy-nilly under this Bill can there be any justification for any complaint if they refuse to work under it? I have no hesitation in saying that if those shop assistants are prepared to put up a fight, I shall be prepared to help them. For I think no more cruel piece of injustice has ever been attempted to be perpetrated through this Parliament. And what can happen in the metropolitan area can happen all over the country where there are branches of the Shop Assistants' Union. Any firm can apply for relief and bring in the whole of the town irrespective of whether the other firms are doing good business. That is what this legislation means and I hope members will give it consideration and give the people an opportunity to deal with their own business. It is quite a new departure. For years in this country, not only the Labour movement, but also the Nationalist Party—the Country Party of course is prepared to wipe out the Arbitration Court—has stood for arbitration. The first Arbitration Act was passed in 1902 and amended in 1912 and again in 1924. This House has spent hours and hours pleading for and fighting against various provisions in those Acts. I believe the whole of the country stands for arbitration. Yet in one sweep the Attorney General tries to upset all the work of the Arbitration Court and indeed the very Act itself. But the court does not agree with him. Now he comes down with a bigger Bill saying in effect that the Arbitration Act can go by the board and the court can function only under the Financial Emergency Act, and that under this Bill it has no option but to grant relief to any person who can show that he is in financial difficulties.

Mr. Marshall: No, who can show that it is a national emergency.

Mr. PANTON: It depends more on the applicant's financial position. I appeal to the Attorney General, if he is bound to go on with the Bill, to give some consideration to an amendment. Personally I am opposed to the Bill, lock, stock and barrel, but if the Attorney General with his brutal majority is bound to go on with it, at least he should give consideration to an amendment confining any relief given to the industry concerned. Suppose the timber industry goes to the court and gets relief. Surely it is not asking too much to contend that the relief should be confined to the timber industry. Why should it be extended to other industries? If a shopkeeper with a reasonable number of employees is prepared to go to the court and get relief, I would have no

great objection to the common rule applying; but I emphatically object to any one industry, big or small, dragging in all the other industries irrespective of whether they are in financial difficulties. I hope members will give consideration to the effect the Bill will have. Very few members have any idea of the effect of an application of the common rule in a big industry. The timber industry employs a number of navvies constructing light railway lines into the bush. And the A.W.U. has over 10,000 members in this State, the biggest proportion of them engaged on construction work. They will be brought within the court's decision on any application by the timber industry. The very Government themselves will be brought within it.

The Attorney General: We are under it now.

Mr. PANTON: But there are scores of A.W.U. members not under it. One firm could bring from five to seven thousand men under the common rule application. Would not any man kick? The Attorney General does not require to be told that a stoppage of industry means a great deal more than will be saved under this Bill. I see no good reason for the Bill. In the light of the downward tendency of the basic wage, wages are falling steadily. If the Attorney General will agree to wait for another three months he will find there is no reason at all for the Bill. If he wants to assist the employers, he should at least make provision for the employees working only part-time. I make this last appeal to the Attorney General that if he is bound to go on with the Bill he will at least give consideration to modifying the application of the common rule.

MR. KENNEALLY (East Perth) [8.39]: I did think at one time that it was the opinion of the Government that they had dipped sufficiently into the pockets of the workers, and taken enough money therefrom to be able to call a halt for at least a little while, or at any rate until the season of good cheer was over, before they dipped their hands further into those pockets. The Government by their various actions surely have rendered this measure unnecessary. When emergency legislation set out to reduce wages, at that time wages were considerably higher than they are to-day, and the action of the Government has resulted in those not covered by that legislation being reduced to within 2s. 4d. of the amount of those actually covered by the legislation. Is that not sufficient for the Government? This Government, unlike the Governments of the other States, reaches out for the reduction of the wages of private employees for the purpose of balancing their Budget. I do not know how the Government are going to do it. The Minister who introduced the Bill put up a fight at the conference to rope in private employees, but he was thwarted in his effort, and now we find that he is reaching out for an additional 2s. 4d., which will bring the private employee to within that amount of the public servants. The present session of this Parliament has lasted an inordinate length, and hon. members had hopes of getting away to enjoy Christmas cheer. But legislation of this kind cannot be allowed to slip through. When the parent Act was introduced, it contained a provision by which an automatic reduction would take place amongst those employed by the Government as well as an automatic reduction amongst those in the employment of private firms. This House in its wisdom saw fit to alter that legislation and it did away with the right of the employer to say, "You are going to be reduced by 20 per cent.," and it was made necessary for the private employer to apply to the court, and unless the court decided, after taking evidence, that the reduction should take place, the employer was not entitled to effect a reduction in the wages of his employees. Where have we got to since. This House said that the employer had to satisfy the court, and now we propose that any employer shall have the right to apply to the court, and the court having given a decision, that that decision shall bind any industry whether the employers have gone to the court or not. That was not intended by this Legislature when it passed the original measure, and nothing has happened to convince me or to convince the House that there has been anything to justify that change of attitude since the Act was passed. Last night we were giving attention to tenants relief legislation. Would the Attorney General say that it would be the right and proper thing under that legislation for the Commissioner to hear evidence in one case for the granting of a protection order and find that that was a case in which a stay order should be granted, and that the evidence taken in connection with that one case should apply to other tenants who should be given similar relief? Of

course he would not. Neither he nor anyone on this side of the House would claim on the evidence taken in a case like that the Commissioner should have the right to say, "I am going to make a declaration that all tenants shall not pay their rents." Yet now, when some little firm which has not been showing a profit makes an application to the court and is granted relief because of its difficult financial position, we are making provision that the decision of the court in that case shall cover other firms that may be making profits running into thousands. Just as the Attorney General and members supporting him would not approve of a common rule being made with regard to the rental question, so also does common sense dictate that we should not approve of a system whereby evidence in one case which may not be analogous to evidence in another case shall not apply to that other case before evidence in that case has been adduced. I do not know whether it is the intention of the Government to stir up the animosities of the people before Christmas. We are apparently about to close the session, but in the last hours of it the Government are attempting to take a little more from those who already have had sufficient taken from them in the last few months.

Hon. M. F. Troy: This is a message of peace and goodwill which the Government want to deliver to the workers of the State.

Mr. KENNEALLY: It certainly looks as if that was the message the Government were anxious to deliver. Whilst members retire to enjoy a period of peace there will certainly be in the industrial field no peace at all, and I can assure the Attorney General that if the Bill gets through there will be created a feeling that the people cannot be much worse off, and whatever happens the result will be laid at the door of those who refuse to agree that the system of industrial arbitration should be given a reasonable opportunity to function fairly. What is the position now? There was an application to the court. A decision was given and another application was made to the Full Court, which court gave a decision regarding the appeal made to it and then unnecessarily went out of its way to express an opinion as to what its decision would be if another aspect of the case had been argued before it. We have come to a pretty pass when we find the highest court of the country taking an attitude such as that and virtually saying "We only wish to the Lord you had argued another aspect of the question, because had you argued that aspect this would have been our decision; now come along and argue it and you will get that decision from us." That would have been bad enough, but why not leave it until such time as the legal position is determined by the courts? The Government say they are not satisfied, and that they are going to step in and alter the law, even though they cannot go backwards because the Attorney General has said it is not to be retrospective. What he does propose to do, however, is to make provision so that if the court's decision is against the workers, the Government will step in and say, "We are behind the employers' attitude; we are there to buttress up the court and the employers." The Government will safeguard the position from the employers' point of view by saying that even though they cannot go back to the date of the operation of the Act there are going to be a different set of circumstances and the employers' attitude will receive the Government's support. If open warfare is going to be declared, and if the Government are going to take the part of the employers, it will be good-bye to arbitration in this country. I remind the House of the great shaking that was given to Federal arbitration by the interference of the Commonwealth Government some years back. The Prime Minister at that time told the President of the Arbitration Court that he was not to consider the question of hours. The President, who was the late Justice Higgins, said he was going to continue the consideration of the question of hours, and the Prime Minister altered the personnel of the court by appointing a couple of youthful individuals—their ages were between 70 and 80 years—to that bench so that his wishes might be carried out. Not long afterwards, it will be remembered, the then Government appointed an ex-president of the Employers' Federation as a judge on that Federal court. Can it be wondered at that action of that description has ruined the respect which the people of the day had for the Federal tribunal? It seems now that the Government of the State are desirous of acting in exactly the same way. They alter the Act first of all with regard to the basic wage, declaring that it shall be determined in a certain way for a number of years, and, as has been pointed out already, by one stroke of their political pen they took £400,000 from

the pockets of the workers by reducing wages. But that £400,000 seems to the Government to be a mere fleabite, because since then they have reached out their rapacious paw and got an additional sum from the workers' pockets. Now it is their desire by means of this Bill to take a still further sum from the workers and further reduce the standard of living in this country. It will be worth while our spending Christmas in this House debating the Bill. For my part I do not wish to spend Christmas in a better way than in an attempt to protect the workers of the State from the ravenous attitude of the Government. If we could but stay the effect of the Government's policy for a few extra weeks, that in itself would be satisfactory. The Government are looking for industrial trouble, and they will get it. I have already mentioned the mental attitude of workers, which is such that they are beginning to think they cannot be much worse off. With men thinking that way, there is not the slightest doubt that a Government looking for trouble can get it. The time will come when the present Government will be permitted to dip no further into the pockets of the people in order to balance the budget. Although there may be some reason in the objective of balancing the budget, there is no justification for the Government interfering in a dispute between the employers and employees in the Arbitration Court. That is what the Government are doing by means of the Bill. The employees have taken an appeal to the High Court, and, in view of the High Court's decision, the Government now say to the men, "For fear you may be successful in your appeal we will get in early with legislation so that you may not enjoy your success for long. We have the big stick and we will support the employers." If the Bill be passed, it will mean that an industrial concern showing a profit of £100,000 a year will benefit from wage reduction if a less profitable concern is able to show that a reduction is warranted. In other words, the Bill will be used to swell the profits of firms making many thousands of pounds profit. Is that what the Government intended? That will be the effect of the Bill. The evidence tendered to the Arbitration Court need not necessarily be that emanating from a firm making hundreds of thousands of pounds profit, but may be advanced by a firm showing a loss on their transactions for the year. Because of that loss shown by a small firm, another concern with huge profits will also enjoy a reduced wages bill. Does the Attorney General want that?

Mr. Sleeman called attention to the state of the House.

Bells rung and a quorum formed.

Mr. KENNEALLY: At the Premiers' Conference, the Attorney General made a determined fight to bring about what he hopes to achieve under the Bill. He was beaten there because some of the Premiers of the States were sufficiently against a compulsory all-round reduction of wages to take a stand against the Attorney General, and he was left alone. Even his own Premier turned him down. The Minister seems to be determined; he does not know when he is defeated. His desire is almost unquenchable, and he must attain his objective. He has made up his mind that it is right that the workers should suffer reduced wages, and he is determined to show that those who stood in his way were wrong. He is endeavouring to prove to them and to the workers that wage reduction must take place. That is a nice little bit of Christian Christmas cheer for the workers of the State! As a matter of fact, quite apart from the Bill, the Attorney General has practically secured his desire with the help of his colleague, the Minister for Works, who has paved the way by the reduction in the wages of the departmental workers. The action of the Minister for Works has made much more simple the Attorney General's task of reducing the wages of outside employees to something more in line with those paid to Government employees. After all, 13s. 6d. per week must be regarded as a fair amount for any Government to take out of the pockets of workers in a comparatively short time. If they could take another 2s. 4d., they would get down to practically the same basis as that obtaining in respect to Government employees. Even if that level be reached, I am wondering whether the Government will be satisfied, or whether they will not make a still further onslaught upon wages. I have given up the hope that one of these days the Government will be satisfied with what they have taken from the workers. Statistics show that the present Government stand pre-eminent amongst Australian Governments with regard to the amount they have taken out of the pockets of the workers. The Government took office on the plea

that they would find work for everyone. If they continue to take the wages from the people in the manner we have noted of late, the time will not be far distant when even those on full-time work will be drawing the dole. I shall not traverse the ground already covered by other speakers. I am anxious that the Government shall withdraw the Bill. The attitude of the Government reminds me of a story I heard with regard to an Irishman who saw two people fighting. He watched the combat in an interested way for some time, and then he could stand it no longer. He went up to them and said, "Is this a private fight, or can anyone join in?" The Government have watched the fight between the employers and the employees in the Arbitration Court. They watched the proceedings and the appeal to the Full Court. In effect, the Government have intervened at that stage with the request to know whether it is a private fight or whether anyone can join in, because the Government themselves want to take the part of the employers. It is a most undignified position. Here we have a Government charged with the duty of holding the scales of justice evenly between all sections of the community, and yet they can step in and interfere in an industrial dispute, taking sides with the employers. In effect, they say to the employees that even if their appeal to the High Court should prove successful, they will see to it that the success is short-lived because, although it may apply to cases now in court, legislation will render it ineffective for the future. I am particularly concerned regarding that aspect. In a thoroughly Christian Christmas spirit, I ask the Attorney General not to proceed with the Bill. Even if at a later stage he might deem it necessary again to introduce such legislation, he might at least refrain from doing so for the time being and give further consideration to the position. The Government should allow the employers and the employees to fight their battle out in the Arbitration Court, and it is not for the Government to step in to render ineffective the successful issue of the unions' appeal to the High Court. Is it worth while? When the emergency legislation was introduced, wages were considerably higher than they are today, and with the existing cuts, wages are down to within 2s. 4d. of the emergency wage paid to Government employees. I am afraid that legislation of this description indicates a low standard for the Government of the country, particularly when it means that, in order to assist the employers, they will intrude upon a legal quarrel between the workers and the employers. I hope there will not be an opportunity to do that. If ever there was a time when the stirring up of industrial strife should be avoided it is now. I say that with due sincerity. For over 30 years I have stood up for the principle of arbitration whenever it has been assailed, but when Governments politically interfere with arbitration it is hard for those who support the system to justify their attitude to the people they represent. The present Government and other Governments have politically interfered with the functions of the Arbitration Court, and the present action of the Government is making our position very difficult. If an increasing number of people are forsaking arbitration and arguing against it, we cannot wonder at their action. Anyone responsible for turning people against arbitration is doing a disservice to the community, and I say the Government are doing a dis-service to the community by interfering in the argument between employers and employees. I hope we shall not be kept here until Christmas debating this question, but that the Government will realise the wisdom of deferring consideration. Then, in the interim, a settlement of the dispute may be found. It is a great pity that the Government should adopt such an attitude, which is so detrimental to the interests of the people. I ask the Attorney General to give the question further consideration, because the workers must use all their powers to prevent such legislation becoming operative.

MR. MILLINGTON (Mount Hawthorn) [9.2]: When I look up the original Act which this Bill seeks to amend, and refresh my memory of the preamble I am reminded of the expressive poetic phrase, "A heavenly tune piped through an alien flute." The preamble makes one rather hopeful, but the contents of this measure show that if the preamble is a heavenly tune, it has been piped through an alien flute.

Hon. J. C. Willcock: What is the heavenly note in the preamble; to restore prosperity?

Mr. MILLINGTON: I can quite understand that the Government's emergency legislation, after having been in operation for

a few months, is in need of amendment. It was apparent to everyone that there were glaring anomalies in the original measure and that the equality of sacrifice sought had not been attained. Therefore I quite expected that the Government would have to bring in amending legislation. After examining the working of the Act, I should say that those who have suffered most under the measure should be those to whom we should afford relief under amending legislation. Who have suffered most? When the original measure was before us, we pointed out that those who would suffer most would be, not the workers on full time, but those who had been rationed, who were working part-time or who were out of employment. Those who have been rationed have already suffered from the financial stringency. Employers had made arrangements to meet the conditions, and those workers have had to submit to a serious sacrifice. No attention has been given to that phase of the question. If the Attorney General really wanted to make the Bill workable and mete out justice, attention should have been given to that phase, but we find that those whom he seeks hurriedly to accommodate are not those who have suffered. Certain demands have been made even to a greater extent than those embodied in this Bill. A deputation waited on the Premier, and I have heard it broadcast that one of their requests was to have the Arbitration Act suspended. That was a definite request made to the Premier. I am rather inclined to agree with the member for Leederville (Mr. Panton) that if we are going to tinker with arbitration under emergency legislation it might be as well to go the whole hog and see how we get on if the Arbitration Act were suspended. Much is said about lack of respect for the law, and people are lectured about it, but it must be apparent to everyone that such legislation as this, which is transparently unjust and unjustifiable, will soon kill even the little respect for the law that exists to-day. That will be an inevitable effect of this emergency legislation. It was foreseen that different interpretations would be placed upon the Act, but it was expected that the Arbitration Court, a special court of experts, would be the one to interpret the Act. We must have respect for the opinion of the Full Court, but the Arbitration Court, which gave decisions under the Act, gave them under the impression that the decisions would have a certain effect. Had the members of the Arbitration Court known that a different interpretation would be placed upon the Act, their decisions would probably have been different. If they had had the slightest idea that their decisions would have been applied as a common rule, I think they would have provided specific exemptions.

Mr. Coverley called attention to the state of the House.

Bells rung and a quorum formed.

Mr. MILLINGTON: It is quite true that conflicting interpretations have been given by the Full Court and by the Arbitration Court, but there is in existence the necessary legal machinery to straighten out that conflict. I cannot see that we are justified, in the middle of a dispute, in stepping in, taking sides and enacting a law which favours one particular view. Let the decision run the full course of the courts of the land. It is generally recognised in legal circles that when a dispute is in existence the courts should settle it. Another point might be considered by the Government. When the emergency legislation was introduced affairs in this State, financially and industrially, were entirely different from what they are to-day. In many respects there has been a recovery. In plain language there would not be the same reason for introducing emergency legislation to-day as there was when the original measure was introduced. I do not think anyone would deny that certain industries which then appeared to be in a hopeless position have, to a certain extent, recovered. The ordinary machinery of arbitration has reduced wages to an extent that should satisfy the members of the Government, who are pronounced and ardent wage-reducers. The basic wage has been responsible for bringing the rate down to £3 13s. 6d. a week as against £3 11s. 4d. under the emergency Act. Had that been recognised at the time the emergency measure was introduced, the need for such legislation would not have arisen. I do not think it would have been recommended by the Premiers' Conference or by the Loan Council. In view of the fact that matters have, to an extent, righted themselves—that is from the point of those who think matters will be righted if wages are drastically reduced—I fail to see the need for tinkering with the emergency Act. Even in the course of a few months the need for the emergency legislation, insofar as wage reduction is concerned, has gone by the board.

Yet the Government are persisting ruthlessly with this emergency legislation because it is demanded of them in a certain quarter. Many employers do not seriously desire this legislation to have effect, but they are in competition with those who do, and there is co-operation between the various firms and those who make up the Employers' Federation. I presume, therefore, that a certain amount of uniformity of action is demanded. The sooner we get away from this emergency method of dealing with the fixing of wages the better it will be. Whilst this stares us in the face, there will be some who will take advantage of it. I fail to see that anyone has yet been greatly benefited by it. It has not had the effect its sponsors declared it would have. The best thing that could happen would be that this emergency legislation should die a natural death and that the existing machinery be allowed to operate. In our industrial relationship with the Eastern States we would not thereby be prejudiced.

The Attorney General: Can we compete with South Australia even with this, when the basic wage there is £3 3s. ? It seems impossible.

Hon. J. C. Willcock: They are not very prosperous in South Australia.

Mr. MILLINGTON: I do not know that low wage countries are the most prosperous. Many of those we sought to protect have had an opportunity to recover, owing to the rise in the price levels. There might have been urgent need for this legislation at the time it was passed, but to a great extent that need has disappeared. There is a better outlook for the primary industries to-day than when this legislation was considered imperative. There appears, however, to be a disposition to continue to the bitter end with this type of thing. The emergency which existed has to a great extent disappeared, and the industries we sought to relieve have been relieved by other means.

The Attorney General: I wish I could take that optimistic view.

Mr. MILLINGTON: The thing most stressed was the price of wheat and wool. The parlous condition of our primary industries was a big argument for the passing of the emergency legislation. There would have been no need, had we known, to make this apply to private industry, and I do not believe it would have been applied if prices and prospects had been as good as they are to-day in respect to the primary industries. Whereas the prospects for industry have improved, the condition of the wage earner is worse than it was. Instead of rationing in industry being decreased, it has increased. The reduction in the basic wage would not be so bad if £3 12s. 6d. represented the wage received. The worst feature of the position is that many people are not receiving that sum. I cannot understand the persistence of the Government. The Attorney General said this legislation was obnoxious to him. Having carried out his job, why does he persist in following it up ? Why have the Government left this Bill to the end of the session ? Sufficient harm has already been done to the wage earner, and the wage cutter has had a fair innings. Economies of various descriptions have already been effected. Surely the session might end with a prospect of amicable relations being continued throughout the recess as would be the case if this Bill were not persisted in. Sufficient legal machinery exists to straighten out present difficulties and anomalies. There is no guarantee that this Bill will overcome them. I think it will give rise to more anomalies and dissension. The measure meets with disfavour on this side of the House. We have to be considered because this legislation bears particularly harshly upon those we represent. The member for South Fremantle (Hon. A. McCallum) undertook to endeavour to get a settlement with the union that is in difficulties owing to the emergency legislation. If the Government persist in getting the last drop of blood out of the workers I do not think very much will be gained. Already the unions are smarting under what they consider to be an injustice. They know they have the heaviest of the load to bear. If this legislation is persisted in it will be most difficult to preach to the unions that they should respect the law which bears so harshly upon them, and does not contain that machinery which ensures mutual sacrifice on the part of the whole community. The Government know that if the Bill fails to pass they still have the requisite machinery to deal with industrial situations. The court can be trusted to interpret the existing law. There would be less dissension if we relied upon the law bad as it is, without this objectionable Bill. It would be dangerous to give the workers a fresh dose of emergency legislation. That type of legislation is always objectionable and can only be justified by very important circumstances. Because this

legislation does not work out to the satisfaction of one party, it is to be altered to suit the purposes of the other party. There is not one item in the amending Bill that meets with our approval; so there can be no suggestion of compromise. From start to finish this is legislation required by the employer, and the employer is not suffering. The employee is. If amending legislation were justified, it would be legislation to relieve those who are suffering; but the strangle-hold is to be tightened. Then hon. members opposite ask us to preach goodwill and the other commendable flapdoodle which characterises this season of the year. I do not think it would be successful. I believe that the Attorney General would drop this measure if he thought that instead of promoting industrial peace it would have the opposite effect. Let the Bill stand over for more mature consideration, and let the courts and those concerned have an opportunity of seeing how the existing legislation works. There is dissension with regard to interpretation here as in the case of any law and especially emergency law. The Attorney General, who is young enough to be a man of reason, should not persist with a Bill which will render an objectionable law still more objectionable to those who have been called upon to make sacrifices. Let us see how far existing legal machinery can satisfactorily administer the principal Act. It may be that when the House reassembles the need for emergency legislation will have gone by. It has so little effect now on the fixing of wages that it might well be allowed to pass out of existence. The ordinary machinery can do the job. At the end of next year the Financial Emergency Act should lapse. No one can say that the present emergency is so great as to justify further tinkering with legislation which to hon. members opposite appeared necessary some months ago. I do not think the employing section would censure the dropping of the Bill. In any case, the measure is not of a sufficiently urgent character to be brought down at the close of the session; and the industrial machinery of the country will work more smoothly if the Bill is dropped.

Mr. COVERLEY: I move—

That the debate be adjourned.

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

Ayes	16
Noes	20
Majority against	4

AYES.	
Mr. Collier	Mr. Sleeman
Mr. Corboy	Mr. Troy
Mr. Coverley	Mr. Wansbrough
Mr. Johnson	Mr. Willcock
Mr. Kenneally	Mr. Wilson
Mr. Marshall	Mr. Withers
Mr. Millington	Mr. Raphael
Mr. Munsie	*(Teller.)*
Mr. Panton	

NOES.	
Mr. Angelo	Mr. Parker
Mr. Barnard	Mr. Patrick
Mr. Brown	Mr. Piesse
Mr. Davy	Mr. Scaddan
Mr. Ferguson	Mr. J. H. Smith
Mr. Griffiths	Mr. J. M. Smith
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. J. I. Mann	Mr. Doney
Mr. McLarty	*(Teller.)*
Sir James Mitchell	

Motion thus negatived.

[*Mr. Speaker resumed the Chair.*]

HON. W. D. JOHNSON (Guildford-Midland) [9.41]: This Bill is based on an expression of opinion given by the Chief Justice which has been adopted by the Employers' Federation as a decision. If that expression of opinion is sound, there is no need for the Bill. If it is unsound, then the introduction of the Bill is most decidedly wrong. Having made that definite declaration, I propose to devote some little time to really analysing the position and to seeing just exactly what the Government will descend to in defying the people of this State. The issue is most grave. There is a difference of opinion between the employer and the employee; and in such a position Governments must be most careful, exercise the soundest judgment, and display the greatest toleration. The expression of opinion by the Chief Justice, accepted by the employing class as a decision, is being put into operation by them as a decision; and the Government, no doubt recognising that the employers are doing a wrong thing, introduce legislation for the purpose of making that wrong thing right. If that is not a deliberate attempt to defy the people, I have never heard of such an attempt. Hon. members doubtless have read the decision of the Chief Justice as recorded in the "West Australian" of the 10th November last. It was an extraordinary procedure for the court

to adopt. There was no evidence of the extension of the judgment to cover the question of the variations under the Financial Emergency Act becoming a common rule. That was not raised, was not argued. The Chief Justice made it quite clear, and one is justified in expressing regret that His Honour did not stop when he made his declaration regarding the question submitted to the court. Having given that decision, he should have stopped. One hesitates to criticise a court of law, particularly when it is presided over by the Chief Justice and constitutes the Full Court. But it is as well to put on record one's objection to obiter dicta that can be used to the prejudice of the King's subjects. The Chief Justice has no right to express views, apart from the actual matters submitted to him, if there is a danger of such views being accepted as part and parcel of his decision. This was not part and parcel of his decision, but it was closely associated with the subject matter and the employers immediately seized upon it as being part of the decision and have since actually put it into operation. It was extraordinary for the court to go out of its way to express such an opinion and I think it wrong for the Government to try to justify it by special legislation. To show that it was wrong one has only to place on record the reply of Mr. President Dwyer of the Arbitration Court, who is just as capable, possibly more so, because of his special training and experience, to express an opinion on industrial law than any other authority in the State. Mr. Justice Dwyer felt it incumbent upon him to make some observations. He did a service to the State in that regard because he quite fairly gave the other side of the question and demonstrated that the employers were wrong in taking advantage of the expression of opinion attached to the Full Court's decision and making it justification for taking advantage of their employees. Those remarks by Mr. President Dwyer were published next day, on the 11th November, 1931, so it will be seen that no time was lost by the President of the Arbitration Court in striving to allay the alarm created by the Chief Justice's statement.

Mr. Sleeman called attention to the state of the House.

Bells rung and a quorum formed.

Hon. W. D. JOHNSON: Mr. L. L. Carter, secretary of the Employers' Federation, also made a statement to the newspapers to the effect that he did not propose to adopt the opinion expressed by the Full Court. Is it not dangerous for judges to express an opinion on matters about which no evidence has been submitted? It is not a common practice, thank God, under British rule, for judges to go outside actual evidence, or perhaps I should say arguments, and express an opinion beyond the matter on which an opinion is sought. Not only did the employers take advantage of the position to the detriment of the employees, but the Press seized upon the situation to publish misleading statements. The very report of the decision was headed, "Variations must apply generally." That was wrong. The Chief Justice did not say that, but expressed an opinion that a variation of an award must be a common rule. Then again the newspaper report suggested there should be a limitation. That just shows how the Press take advantage of a situation, if they think fit to do so. That was bad enough, but now we find the Government trying to establish a variation by a special Act of Parliament at the tail-end of a session! It is reprehensible in the extreme. The Government are not justified in doing so.

Mr. Coverley called attention to the state of the House.

Bells rung and a quorum formed.

Hon. W. D. JOHNSON: It is necessary to review the legislation that the Bill proposes to amend. The Attorney General earlier in the session introduced a Bill in which he proposed to place upon the employees the onus of preventing an automatic reduction of wages. In the first place, he desired to give the employer the right to take advantge of what was known as the Premiers' Plan reduction and then to place the onus on the employee of protecting himself against the reduction. Parliament convinced the Minister or a majority of his supporters that the latter suggestion was unjust and the Bill was amended, the responsibility being placed on the private employers to justify the granting of a reduction. That legislation has operated successfully; relief has been granted to employers and the employees have secured protection. There has been no misapprehension as to what Parliament intended. Now because

there is a difference of opinion as to the extent to which an order shall apply, the Bill before us has been introduced. Under its provisions employers will not be required to make out a case to the satisfaction of the court. What right has the Minister to make such a proposal? There has been no alteration in the personnel of Parliament, and yet hon. members are asked to reverse a decision they arrived at a few months ago. It would be wrong for the same members to alter a law that they agreed to and which has operated successfully. It may be argued that the law was slow in effect and decisions were not given as speedily as some employers desired. Much of that has been due to the employers not being prepared to approach the court in a proper manner. In other instances, the delay was due to the fact that there was a marked difference of opinion as to whether particular employers were entitled to any reduction. Some applications had to be argued at length, and the court had to reserve their decision for further investigation. While delay may be chafing to employers when wages are on the down grade, it has to be remembered that workers suffered when wages were on the up grade.

Mr. Marshall: My God, they did! In one instance they had to wait for years.

Hon. W. D. JOHNSON: I was an advocate in the Arbitration Court representing the superphosphate workers. It was 18 months before I could get to the court to secure the increase to which those workers obviously were entitled. All other workers were enjoying the increase, but the superphosphate workers were denied the same privilege because of the congestion at the court and the consequent delays. It is true that the employees protested at the time and, although there may have been a Labour Government in power, Parliament did not go to their rescue in an endeavour to speed up the operations of the court. I remember going to Sir Hal Colebatch on behalf of the unions and appealing to him to do something along those lines to assist the unions to obtain decisions and have the advantage of the increased wages. The cost of living had gone up but wages had not increased generally, mainly because of the congestion of work at the Arbitration Court. There was no redress for the employees then, yet there was the same argument in favour of a common rule to make the increase general, as there is now to make the decision a common rule when wages have been decreased. Parliament adopted the attitude that the Arbitration Court had been appointed to do certain work and, although irritation and injustice were caused by the delay, Parliament did not give any direction to the court or pass special legislation to make the increases a common rule. Now that a decrease in wages is taking place and the employers desire to secure relief, we have the spectacle of a Government, within a few months of having passed a special law to give the employers the benefit of a reduction in wages because of the reduced cost of living and the state of emergency that exists throughout Australia, presenting a Bill such as we have before us this evening.

Mr. Marshall: Western Australia is the only State handling this sort of legislation.

Hon. W. D. JOHNSON: We are unique in that respect.

Mr. Marshall: And our Attorney General is carrying the whole burden of it.

Mr. Coverley: The Attorney General is becoming a dictator.

Hon. W. D. JOHNSON: I submit that the original provision sets forth quite a just way of approaching the question. Every employer should be called upon to prove that he is deserving of relief under the Act. How otherwise can we get equality of sacrifice? Why should some employers get relief when they are already making a greater profit proportionately to other employers? Where industry has not been depressed there is no justification for providing that it should get relief and cause the employees to suffer reduction. It has already been emphasised that we are really asked to give a bonus, to increase the dividends, to improve the profits of particular employers. We are asked to give men who are already making exorbitant profits, comparatively speaking, an opportunity to get more. That is not equality of sacrifice. That is not in accordance with the Premiers' Plan. The Premiers' Plan laid down a formula. It was not very faithfully represented in the legislation introduced by the Attorney General but the House put it into better shape and made some kind of a job of it. Even then it was not quite just, but it was something better than that introduced by the Attorney General. The very foundation of the Premiers' Plan is equality of sacrifice. Does not that imply that an investigation is necessary? How can it be said that because one baker is employed by a partieu-

lar timber mill and because the owner of the mill desires relief on the milling side, the baking being a mere detail, we should permit all master bakers who have been making an exorbitant profit to receive equal relief? The Attorney General has expressed the opinion that the price of bread was disproportionate to the price of wheat and flour. He could not deny that the profits made by the bakers are substantial and he would not argue that the baker was entitled to any relief. If there were one section of employers who should have continued to give consideration to their employees they were the master bakers of the metropolitan area. Yet because the Employers' Federation, following a court opinion, have directed the master bakers to reduce the wages of the employees in the metropolitan area, and because the soundness of that direction has been challenged, we are asked to pass a special law to put it right. I cannot imagine that the Minister viewed the question from that standpoint.

Mr. Marshall: To validate the employers' action in cutting down wages.

Hon. W. D. JOHNSON: I do not think the Attorney General seriously considered it from that angle. He would not be a party to giving relief to the master bakers unless they made out a case for relief. I think he was quite sincere in demanding that there should be equality of sacrifice. How can he now argue that this Bill is a perpetuation of that principle? The previous measure was not all that we desired but it did contain some semblance of justice insofar as it required the employer to appear before some tribunal and justify his application for a reduction. The Attorney General surely would not agree that the master bakers should receive relief simply because Millars employed a baker and because his wages were reduced. This measure is so much at variance with the foundation of the Act, the equality-of-sacrifice rock on which the Act was based, the principle on which the Premiers' Plan was built, that I feel the Attorney General should reconsider the Bill. The Employers' Federation having taken the court's opinion as a decision have instructed employers to make of it a common rule. That is in dispute. As a matter of fact the question is sub judice. There is an application by the Plumbers' Union and the Furniture Trades' Union asking the court for an interpretation as to whether all plumbers' wages shall be reduced because in some isolated case relief has been granted under the Financial Emergency Act. The question is being argued before the Arbitration Court, the tribunal created to give a decision. What right have we to step in during the currency of such an investigation by the court? Why should we say "Irrespective of the fact that the court constituted to deal with the matter is already investigating it we shall take no notice of that, but will pass special legislation to meet the position." The fact that the case is under discussion should have caused the Attorney General to hesitate before introducing the measure. I know that Governments can introduce legislation on such matters, but it is quite wrong for Parliament to discuss them when they are already receiving attention from the properly constituted authority. I wish to show what would happen if this Bill were passed. The Full Court has not given a decision on the question, though the employers have said it is a decision and are giving effect to it. Application has been made to the Arbitration Court for an interpretation. The employees are justified in anticipating the decision of the court, because Mr. President Dwyer has already placed on record the court's opinion. He said he disagreed with the opinion of the Full Court; he explained his reasons at length to demonstrate that the Full Court was wrong. We are justified in anticipating that the Arbitration Court will declare by interpretation that the employers, in regarding an expression of opinion as a decision, were quite wrong. Then I take it the employers will have to pay the wages they have withheld, or enforcements will be taken to compel them to disgorge the money. What is Parliament doing? There is a difference of opinion between employers and employees affecting wages. Actual cash is in dispute. The employers say to the baking trade and other employees, "Your wages will be so much less." There has been no decision of the court, but the employers have adopted an expression of opinion as a decision. The Arbitration Court has said nothing. If it has declared at all, it has declared against that interpretation. Yet Parliament, in a matter where real money is at stake, is asked to take sides.

The Attorney General: It is not.

Hon. W. D. JOHNSON: It is.

The Attorney General: Parliament is not affecting anything in dispute already.

Hon. W. D. JOHNSON: It is definitely affecting something in existence to-day.

The Attorney General: No, it is changing the law for the future.

Hon. W. D. JOHNSON: It is not.

The Attorney General: The Bill has no retrospective effect.

Hon. W. D. JOHNSON: That may be so. Although the employers in a number of callings are withholding wages from employees, it will be necessary to disgorge them.

The Attorney General: This measure will not justify them if they are wrong.

Hon. W. D. JOHNSON: But if they are declared to be wrong by the Arbitration Court, Parliament will turn round and tell them they are right.

The Attorney General: We will provide only for the future.

Hon. W. D. JOHNSON: Why should we take sides on such a question? The Attorney General has contended over and over again that we should leave to the proper tribunal matters affecting the special jurisdiction of that tribunal. What right have we to interfere? Why should the future be different from the past in industrial matters? Mr. Justice Dwyer pointed out there would be very great difficulty in getting the applications before the court finalised prior to the expiration of the Act, but this has since been extended.

The Minister for Lands: It has not been altered since it was introduced.

Hon. W. D. JOHNSON: I misread the judge's remarks. He expressed the opinion that the court could not get through by the end of 1932. So much work has been done under the Act that the judge must have been wrong when he said that there would be no relief by the end of 1932. There is no great need for haste in this matter. Why should one section of employers have to go to the court and another section be given automatic relief? Great discontent will arise out of such a situation.

The Minister for Lands: It is time we put that right.

Hon. W. D. JOHNSON: The position will rectify itself. The man who has gone before the court has had to prove his case but, if the Bill passes, the person who has not been before it will not have to prove any case. Parliament is not under an obligation to relieve the Employers' Federation. They have their court to settle their differences. Why should the Employers' Federation take an unfair advantage of the position to increase their profits, without evidence or argument? If the Act was found to be operating in a manner not intended by Parliament it might be as well to review the situation.

Mr. Kenneally called attention to the state of the House.

Bells rung and a quorum formed.

Mr. SPEAKER: It has been a long-standing practice that, if the Speaker is satisfied that a quorum is present within the precincts of the House, it is not necessary that the bells should be rung.

Hon. W. D. JOHNSON: It is wrong that Parliament should go to the rescue of the Employers' Federation when that body is perpetrating an injustice upon the employees. That is how industrial strife is fomented. Already we have sufficient industrial differences in our midst, due to this emergency legislation, but this Bill is inviting turmoil and strife. We are saying to the workers that because one brand of politician occupies the Treasury Bench, those associated with them can get what legislation they want, irrespective of the masses. One employer may employ thousands of people, but all are human beings just the same. Legislation should not discriminate between employers and employees. The British method is that both are entitled to the same protection from the laws of the land. In this case we are proposing to pass legislation for the minority in the community. The workers represent about 80 per cent. of the people, and the employers 20. The present situation does not call for a Bill of this kind. It is brought down to give to the 20 per cent. a right to penalise the 80 per cent., to take advantage of the workers, and to give the Employers' Federation legislative authority to do what they have done illegally. The workers cannot be expected to take this lying down. They are bound to revolt. They would not be worthy the name of Australians if they permitted an injustice like this to be perpetrated. The Financial Emergency Act was passed when Parliament was in the mood for careful legislation and capable of giving proper consideration to it. This Bill is brought down in the dying hours of the session. No proof has been afforded that the Act requires to be reviewed. If this Bill is passed, a grave injustice will be done, but that will only be proved when Parliament is in recess. There

is no hope of our meeting again for at least six months.

The Minister for Lands: How do you know that?

Hon. W. D. JOHNSON: I gather it from the attitude of members of the Government. I shall be surprised if Parliament meets again for at least six or seven months.

The Minister for Lands: Not if we are to listen to this sort of thing.

Hon. W. D. JOHNSON: The Government will get more than this if Parliament goes on much longer. Not only will the workers cry out but others will also do so. The Bill will create turmoil and strife between employers and employees. It invites employees to revolt.

The Minister for Agriculture: You are inviting them to do so.

Hon. W. D. JOHNSON: What with crop liens and other things connected with the harvest, the Minister for Lands will have enough to do.

The Minister for Lands: You will make it busier for me, if you can.

Hon. W. D. JOHNSON: I will see that my voice is raised to protect the producers against injustices.

The Minister for Lands: I never yet heard you put up anything of a constructive nature.

Hon. W. D. JOHNSON: I am trying to secure peace in industry. The most constructive thing imaginable is a happy understanding between employer and employee, between capital and labour. This kind of legislation will disorganise industry, and create strife and turmoil in it. The Government ought to be ashamed of themselves for introducing such legislation at the end of the session. Parliament is asked to tie up industry, and to compel the employees, if they have any regard for their wives and children and a reasonable standard of living and the maintenance of British justice, to protest against this legislation. We must not arbitrarily pass laws unjust to a section of the community. Parliament's duty is to mete out equal justice all round. Action in the opposite direction will bring Parliament into contempt. The Bill asks us to depart from the Premiers' Plan of equality of sacrifice. I oppose the second reading.

Mr. COVERLEY: I move—

That the debate be adjourned.

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

Ayes	16
Noes	20
Majority against ..	4

AYES.

Mr. Collier	Mr. Munsie
Mr. Coverley	Mr. Panton
Mr. Heguey	Mr. Raphael
Mr. Johnson	Mr. Sleeman
Mr. Kenneally	Mr. Troy
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Wilson
Mr. Millington	Mr. Corboy (*Teller.*)

NOES.

Mr. Angelo	Sir James Mitchell
Mr. Barnard	Mr. Parker
Mr. Brown	Mr. Patrick
Mr. Davy	Mr. Piesse
Mr. Ferguson	Mr. Richardson
Mr. Griffiths	Mr. Scaddan
Mr. Latham	Mr. J. H. Smith
Mr. Lindsay	Mr. Thorn
Mr. J. I. Mann	Mr. Wells
Mr. McLarty	Mr. Doney (*Teller.*)

Motion thus negatived.

MR. MARSHALL (Murchison) [11.9]: While not wishing to delay the House, I feel myself obliged to enter the strongest possible protest against legislation of this nature. Reviewing the origin of the Bill, namely, the Premiers' Plan, we find that the Attorney General—the only Minister now in the Chamber—was as lonely at the Conference in his advocacy of this form of legislation as he is to-night. He was the only member of that Conference to advocate that the Governments should extend to private employers relief by reduction of wages. His own Leader, the Premier of this State, opposed that suggestion, which does not form part of the Premiers' Plan. One part of the Premiers' Plan, sacrifice on the part of the Associated Banks, has not been advocated by the Attorney General.

Mr. SPEAKER: The hon. member is rather getting outside the scope of the Bill.

Mr. MARSHALL: I shall not go outside the four corners of the measure, Sir. In introducing the parent Act, the Attorney General argued that the financial crisis through which the State was passing warranted drastic legislation. Everyone, he said, would have to make a sacrifice—rich and poor alike, man, woman and child. But it is remarkable that one bite at interest and salaries satisfied the hon. gentleman. On the other hand, the basic wage was reduced by 13s., and the Attorney General, by the Financial Emergency Act, gave it an-

other slash. This Bill proposes yet another cut. In the Bill for the principal Act the Attorney General had a provision that any employer securing relief in wages would have to make a corresponding sacrifice in profits. But the Attorney General dropped that contention. He now proposes to free the employers from the need for sacrifice. He says to the employers, "If you desire further reduction of wages, you need only get an application made by some employer whose business shows no profit whatever, but perhaps a debit balance." And that gentleman can walk into the court and cite a case for the reduction of wages and under the Bill everybody employed in that industry will be subject to the cut. So anxious is the Minister that his friends the employers should prosper that he forgets the argument he adduced a moment ago, that all must make sacrifices, and has so framed the Bill that the employee can be taken into court within seven days, instead of the 14 days prescribed in the Act. He gives further velocity to the merciless wheel of reduction, but he says nothing about the banks. They have never been attacked. I charge the Attorney General with insincerity. When he was introducing the parent Act I thought he was anxious to do something for the country to get it over its financial troubles, but his subsequent legislation has been redolent of a desire on the part of the employers to use the Government for the purpose of attacking wages and conditions. Millars Trading Company Limited employs storemen who, for the purpose of the court's award, are joined up with the Shop Assistants' Union.

Mr. Coverley called attention to the state of the House.

Mr. SPEAKER: I am quite satisfied there is a quorum within the precincts, and so I decline to ring the bells.

Mr. Coverley: Under what Standing Order do you decline?

Mr. SPEAKER: Under the practice established in this Chamber for the past 20 years. Do you dispute my ruling?

Mr. Coverley: I do.

Mr. SPEAKER: Then put it in writing.

Dissent from Ruling.

Mr. Coverley: I move—

That the House dissents from the Speaker's ruling.

I do not know how you, Sir, are in a position to judge that there is a quorum within the precincts. We are discussing important legislation, and Government supporters should be here to listen to the debate. I am not convinced that there is a quorum within the precincts. Many members may have left for their homes since last the bells were rung.

Hon. M. F. Troy: I quite accept your statement, Sir, that it has been the practice of the House that if the Speaker knows there is a quorum within the precincts he declines to ring the bells. But that should not continue indefinitely, for every hour, or even half-hour, the Speaker should make quite sure that the quorum is still available. You are the Speaker of the House, but you are here also to consider the rights and privileges of members. We are in your hands for the time being, and if you say you are sure there is a quorum available we must accept it. But it will not do for you to say that according to practice you have decided there is a quorum. That is not sufficient; you must know there is a quorum, and you ought to let us see the quorum at least once an hour.

Hon. A. McCallum: I have been in the House for 10 years, and this is the first time I have heard that it is the practice for the Speaker to decline to ring the bells if he is satisfied there is a quorum within the precincts. That practice has not been exercised since I have been here. I have never made a study of the Standing Orders, for I regard them as a farce, built up on crusty old conservative ideas. I was in hope that a committee would take the Standing Orders in hand and revise them. But even if it be the custom and practice, as you say it is, I should like to know from you how you inform your mind that there is a quorum within the precincts. To my knowledge at least three members have gone home since last the bells were rung.

Mr. Marshall: I have heard it said that if the Speaker believes there is a quorum within the precincts he may decline to ring the bells. But it would be deplorable if such a ruling was always to be upheld. There are times when members may be entitled to be absent; there are also times when they should be present. If your ruling remains it will be implied that having taken the trouble to discover that there were seventeen members within the precincts of the

building, it will be leaving it open for the business of the Chamber to be carried on with even half a dozen members. That might prove extremely dangerous. I support the motion to disagree with your ruling.

Mr. Sleeman: I draw attention to the farce that is going on in this House.

The Minister for Lands: Yes, you are quite right.

Mr. Sleeman: Earlier in the evening, when the member for Guildford-Midland was speaking, there were eight members present.

The Minister for Lands: When he was reading, not speaking.

Mr. Sleeman: Will you be quiet! I drew attention to the state of the House then and the bells were rung. A quorum was formed, but immediately after the hon. member resumed seven members remained in the Chamber and the others filed out. It is no wonder that Parliament is ridiculed by people outside. I will do all I can to raise the tone of Parliament as high as possible, so that people outside may not be able to say that we are here merely to amuse ourselves. What is meant by "precincts of the House"? It has been said that "precincts" may mean 20 feet outside of the building or 20 feet from the Chamber door. If your ruling, Sir, is correct, it is time we altered the Standing Orders.

Mr. Speaker: I have listened with very much interest to the statements of hon. members on the subject of my decision. As far back as 1904 the then Speaker ruled in this Chamber that he was satisfied that there was a quorum within the precincts of the Chamber. Strange to say the present Leader of the Opposition was the member who raised the question that there was not a quorum in the House. The Speaker ruled that he was satisfied there was a quorum, and the Leader of the Opposition did not dispute the Speaker's ruling. As far as my memory serves me, several Speakers since that time have used practically the same language. I listened to the member for Fremantle's objection. I should like to know under what Standing Order it would be possible to chain members to the seats after they have responded to the summons to enter the Chamber. A Standing Order of that description, I am afraid, would be honoured more in the breach than in the observance. What I am concerned about is the preservation of the dignity of the Chamber, and to see that the rules of the debate are carried out in an orderly manner. That is my job, and if an hon. member thinks that the ruling I gave was not based on sound lines, it is up to him to move a substantive motion that under the Standing Orders, the Speaker has no power to say that there is a sufficient number of members within the precincts of the House, unless they are actually in the Chamber. The Deputy Speaker took the Chair at about a quarter-past eight until ten o'clock, and in black and white I have it that attention was called to the state of the House no fewer than five times.

Mr. Kenneally: There should be no necessity for that.

Mr. Speaker: At 10 o'clock I resumed the Chair. At 10.20 I rang the bells and 22 members came into the Chamber. At 10.50 my attention was again called to the absence of a quorum and 21 members responded to the bells. Then, carrying out the practice followed by previous Speakers, I decided that if I considered there was a sufficient number of members within the precincts of the House there would be no need to ring the bells again. I ask members to vote now whether my ruling was right or wrong.

Mr. Panton: I assume your remarks have not closed the debate.

Mr. Speaker: I waited two or three minutes for other hon. members to rise, and as nobody seemed inclined to speak, I rose to reply. But I have no wish to burke discussion.

Mr. Panton: If it is the usual custom in such an instance that the Speaker's reply closes the debate, I shall be prepared to sit down.

Motion (dissent) put and negatived.

Debate Resumed.

Mr. MARSHALL: I have very little else to say. I do not believe the Attorney General realises what position is likely to arise by the passing of this Bill. Imagine attempting to keep industrial peace in the State under such conditions as are proposed. Whatever opinion I may have held regarding the sincerity of the Government in endeavouring to make everyone participate in the national sacrifice, there has been a subtle and determined effort on the part of the Employers' Federation, irrespective of the profits their members have been making, to reduce the standard of living of the worker under the guise of a national emergency. If any such attempt were made when conditions were normal, it would be alto-

gether wrong because, on the strength of relief accorded a firm not making a profit, big firms making huge profits would secure similar relief. The Attorney General led me to believe that so long as the man or firm experiencing difficult times was relieved he would be satisfied, but now he has departed from that attitude, and the firm making huge profits will be placed on the same basis as the unsuccessful firm. It is neither fair nor equitable. A man who is working full time cannot maintain his family on the present basic wage. We had this sort of proposal before us during the war period, and one wise man very truly wrote on one occasion that "patriotism is the last refuge of the scoundrel." I do not know that that can apply to emergency legislation, but it is verging on it. The sincerity that seemed to be embodied in the Act and its objective is now set aside. While the workers have been required to make sacrifices, others, particularly one wealthy section, have been left entirely free. The section I have in mind was called upon by the Premiers' Conference to make sacrifices, but they have not been interfered with. If the Bill is passed, industrial peace will not be possible. The position is pathetic. I am pleased that the session is coming to an end. It has been a most deplorable one for the workers. When Parliament is prorogued, we shall at least know that we have reached the end of this class of legislation for the time being. I am afraid if Parliament were to continue much longer, the workers' standard of living would be reduced still further. I oppose the second reading of the Bill.

MR. SLEEMAN (Fremantle) [11.51]: As the result of the discussion, I hope the Attorney General will listen to reason and will withdraw the Bill, at any rate for the time being. I shall try him out by moving an amendment—

That "now" be struck out and the words "this day six months" added to the motion.

In my opinion, the Title of the Bill is incorrect, because it is not intended to amend the sections mentioned. The purpose of the Bill is rather to reduce the wages of the workers; it seeks to provide the employers with a quick road to wage reduction. Finding that the employers cannot secure the benefit of reduced wages quickly enough through the Arbitration Court under the existing system, the Bill is intended to provide the quickest way of taking the last penny from the workers. Other speakers have dealt with every point that can be raised regarding the Bill and its effects. I believe that even Government members are now satisfied that instead of securing industrial peace, the Bill will mean industrial unrest. The principal Act has been responsible for the industrial trouble that exists today, and I fear to think what will happen if the Bill be passed and wholesale wage reduction is effected. I believe the workers will be goaded into taking action to protect the few pence that they are entitled to now. I hope that the Minister will at any rate shelve the Bill until we have overcome the present unrest.

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

Ayes	14
Noes	20
Majority against	6

AYES.

Mr. Corboy	Mr. Munsie
Mr. Coverley	Mr. Panton
Mr. Hegney	Mr. Raphael
Mr. Kenneally	Mr. Sleeman
Mr. Marshall	Mr. Troy
Mr. McCallum	Mr. Willcock
Mr. Millington	Mr. Wilson
	(*Teller.*)

NOES.

Mr. Angelo	Sir James Mitchell
Mr. Barnard	Mr. Parker
Mr. Brown	Mr. Patrick
Mr. Davy	Mr. Piesse
Mr. Ferguson	Mr. Richardson
Mr. Griffiths	Mr. Scaddan
Mr. Latham	Mr. J. H. Smith
Mr. Lindsay	Mr. Thorn
Mr. J. I. Mann	Mr. Wells
Mr. McLarty	Mr. Doney
	(*Teller.*)

Amendment thus negatived.

Mr. RAPHAEL: I move—

That the debate be adjourned.

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

Ayes	15
Noes	20
Majority against	5

AYES.

Mr. Coverley	Mr. Panton
Mr. Hegney	Mr. Raphael
Mr. Johnson	Mr. Sleeman
Mr. Kenneally	Mr. Troy
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Wilson
Mr. Millington	Mr. Corboy
Mr. Munsie	(*Teller.*)

NOES.

Mr. Angelo	Sir James Mitchell
Mr. Barnard	Mr. Parker
Mr. Brown	Mr. Patrick
Mr. Davy	Mr. Piesse
Mr. Ferguson	Mr. Richardson
Mr. Griffiths	Mr. Scaddan
Mr. Latham	Mr. J. H. Smith
Mr. Lindsay	Mr. Thorn
Mr. J. I. Mann	Mr. Wells
Mr. McLarty	Mr. Doney
	(*Teller.*)

Motion thus negatived.

MR. RAPHAEL (Victoria Park) [12.3]: I am sorry that we should be compelled to consider at this late hour of the night a Bill which seeks to bring about a general reduction in the wages of the workers. During the last 19 months the Government have been busy in breaking the promises they made during the election, but this is a more severe onslaught on the workers than any made previously. Whenever the workers have received an increase of wages, it has been gained only after a hard-fought battle, and it has had to be justified by proof of an increase in the cost of living. Never once have I known wages to be increased in advance of an increase in the cost of living. Generally, wages follow soaring living costs at a distance of 12 or 18 months. I believe that many of the promises made by the Government were made as a result of their inexperience of prevailing conditions. If they had made investigations, I feel sure they would never have told the lies they did.

Mr. Brown: Are you referring to the cross-benches or to the Ministerial benches?

Mr. RAPHAEL: To both because all members on the Government side are in the same boat. On every possible occasion the Government have endeavoured to reduce the wages and conditions of the workers. In my opinion the so-called Premiers' Plan was not a plan of the Premiers; it was Sir James Mitchell's plan, and he was blindly followed by the rest of the Premiers. I have every respect for the Premier as a man, but as a political leader I have no admiration for him. The Attorney General sits in his place with a blissful look on his face as if the conditions of the workers were of no importance. Under the Bill workers will be reduced who ought not to suffer reduction. The Attorney General seems to assume that all kind of business are being conducted at a loss at the present time. He is not going to allow the Arbitration Court to decide whether that is so or not. The City Council Electricity and Gas Department applied for a reduction of wages and the application was refused on account of the huge profits made by the department. Hundreds of men in the employ of the department are consequently receiving their normal wages, because the concern is showing a huge profit. But the Attorney General refuses to recognise that any firm is showing a profit. He is of opinion that an order of the court should be made a common rule against an industry. Many employers are not game to approach the court, possibly because the representatives of Labour would repay them a little of what they owe. The Minister is going to overcome that difficulty and is going to spare them the necessity for appearing in the court. Hitherto I have been of the opinion that the Attorney General was fair and just, but he introduces a Bill of this description just at a time when we may say the tide is on the turn. According to the reports, wool has increased practically 100 per cent.

Members: Nothing of the sort.

Hon. A. McCallum: How pleased you cockies are to hear that.

Mr. J. I. Mann: We would be pleased if it were true.

[*The Deputy Speaker took the Chair.*]

Mr. RAPHAEL: Members opposite frequently quote the statistician's figures in connection with the cost of living of the workers, and I wish to quote the increased wool prices against them. If the Government are going to permit of the common rule being applied in this way, will they apply the same principle to the orders of the court under the tenants' relief legislation? I should like an assurance from the Attorney General that that will be done, and that the principle of the common rule will also be applied in other directions for the protection of the workers. It seems to me that we have to conclude that the Attorney General introduced the Bill without making proper investigations regarding the effect of the Premiers' Conference decisions. I should like an assurance that he has made a mistake in seeking to inflict further hardships on the workers and will take the earliest opportunity to rectify it. A mining company in Kalgoorlie, which may be showing a 50 per cent. profit on output, cannot be said to be deserving of relief under this legislation, and yet if a reduction of wages is effected elsewhere in the State, it can be taken advantage of by that company. The Attorney General tells us that the unemployed are satisfied with what the Government are doing, but when we put that up to the unemployed themselves they tell us a different story. I hope the Bill will not be proceeded with.

HON. M. F. TROY (Mount Magnet) [12.18] I understand the Full Court have

already given a ruling that the principle set out in this Bill exists.

Hon. J. C. Willcock: This is a vote of censure on the Full Court.

Hon. M. F. TROY: The "West Australian" referred to this as a clarifying measure. It clarifies the decision of the Full Court. Apparently, then, the Full Court do not know their own business. Why is the Attorney General wasting the time of the House to legalise a principle which is already the law of the land, according to the Full Court?

Hon. J. C. Willcock: They have expressed the opinion that it is the law.

Hon. M. F. TROY: They have not been asked to say that it is the law, but that is their opinion. The Government now propose to do things which the Full Court say can already be done. We have been amending Bill after Bill, rectifying omission after omission, and removing errors in legislation, but this is the first time in my experience that legislation has been brought down to enable something to be done that can be done without it. Apparently the Attorney General doubts the knowledge of the Full Court.

Hon. J. C. Willcock: He does not think their judgment will be upheld by the High Court.

Hon. M. F. TROY: He has not said that.

Hon. J. C. Willcock: It must be the effect of this legislation.

Hon. M. F. TROY: By means of this Bill the Attorney General is providing for a reduction of income to £3 11s. a week. How could he or any other married man make ends meet upon an income of that kind? The Government are giving 30s. a week sustenance to settlers, who have a home to live in and can produce 80 per cent. of their own requirements. Many of our wages men are only temporary employees to-day, but because of this Bill will be supposed to provide for illness, old age, and their own living expenses out of a wage of £3 11s. a week. How can members opposite support such a measure? All they do is to lie low and say nothing. There has been no demand for the Bill, and it is contrary to the election promises made by the Government. They have done nothing else but bring down legislation to attack the bottom dog. Not one member of the Government ever suggested he would support this sort of thing. On the contrary they said they would not attack the standard of living. Even if the Full Court were wrong in their opinion, any person who wants relief can approach the Arbitration Court under the existing law.

Hon. J. C. Willcock: Which is a fair compromise.

Hon. M. F. TROY: Under this Bill one person can get a decision which may be applied to everyone else in the industry, without any regard for the position of the industry itself. When an employer goes to the court he must prove his case, but when a decision of the court is made a common rule, men who do not ask any relief are forced to avail themselves of it. Tradesmen employed in a certain capacity will find themselves obliged to accept a reduction because of the decision of the court in some application in which they and their employers were not concerned. Another tradesman working in the same capacity for an employer who does not require relief, must suffer a reduction under the common rule. This legislation applies to the goldfields. One mining company applies for relief on the ground that it cannot carry on without it, and the court grants relief. If the relief is made a common rule, another company, making big profits, will be entitled to the same relief. And the same thing will apply throughout industry. Does the Attorney General doubt the decision of the Full Court? Does he consider that he has the capacity and knowledge—I am not depreciating his capacity and knowledge—to revise the decision of the Full Court? Then why waste time over the Bill? We cannot make valid that which is already valid. The Full Court interprets the law; and whilst we object to the interpretation, that is as much as we can do. Do the Government think this legislation is going to remedy the existing state of affairs? The Premier and the Acting Premier are urging people to buy more goods, during the prosperity campaign. The very people they are asking to buy more are the people whom they intend to receive less under this Bill. It is an extraordinary paradox. By this legislation the Premier and the Acting Premier infer that, "Times are so bad that wages must be further reduced." It may be urged that we are offering unnecessary opposition to the measure, but my experience of the Government is that they are too one-eyed in their legislation so far as the good of the people is concerned. At times they take up legislation in the interests of the Country Party,

who I regret to say have only one point of view—to take necessities from somebody else so that they themselves may enjoy them more. The Country Party have never given a vote except to take necessities from others. In that respect they are most narrow, reactionary, and ungenerous. They desire to pay nothing, but to get all. We do expect that some time they will show a spirit of humanity. But they give nothing. Their policy is "What we have we hold, and what we can get we will get by any means." I have never heard a member of that party express a decent sentiment in favour of the people of Western Australia. That is why the Country Party are losing respect in the country. Why have the Nationalist Party who claim to represent the interests of the people, introduced during this session nothing but legislation cutting down the wages of the people? In the first instance, it was not necessary to introduce financial emergency legislation affecting other than Government servants. The Premiers' Plan and Agreement was a matter of Government finance. But the Western Australian Government have departed from that arrangement, and have provided means by which people in private business can approach the Arbitration Court for a reduction of wages. Still, at this stage, why press the matter further? From metropolitan members, and also from the member for Gascoyne (Mr. Angelo), who all made election promises that the conditions of the workers would not be interfered with, there is not a word against this Bill. The Government must feel that our objection is quite reasonable; and, this being the end of the session, they ought to withdraw the Bill. The Christmas season is approaching, and I shall be surprised if the Attorney General wants to hand out to the workers a Christmas box of this character. The only people who ask for the Bill are people who are reactionary and whose interests are selfish. The Government ought to take the broad, humanitarian view, and withdraw the Bill. I appeal especially to members who secured election on promises entirely contrary to this performance. The Government have no mandate for the Bill. They would not attempt to approach the electors for such a mandate. This kind of legislation will not serve the country. If the European nations do not get together within the next twelve months, there is the possibility of a general collapse, and whether wages are a shilling a day or a penny a day will not matter to this country then. The means of securing prosperity are in our hands only to a limited extent. It is largely a matter of world finance. If countries like the United States, France, Britain and Germany do not get together and arrange some means of restoring trade and commerce, all this legislation will be utterly useless.

The Attorney General: Your view is somewhat gloomy.

Hon. M. F. TROY: This legislation is useless. It can only pull the people down.

The Attorney General: All our standards will fall in a heap of ruin if your view is correct.

Hon. M. F. TROY: There is that possibility. All the economies that it is possible to make cannot affect the situation. Why at this time of the year introduce such legislation as this Bill? Better wait a few months until Parliament meets again, when we can approach the subject with fuller knowledge. I appeal to the Attorney General to withdraw the measure.

Mr. HEGNEY: I move—

That the debate be adjourned.

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

Ayes	13
Noes	18
Majority against	5

AYES.		NOES.	
Mr. Coverley	Mr. Panton	Mr. Angelo	Sir James Mitchell
Mr. Hegney	Mr. Raphael	Mr. Barnard	Mr. Parker
Mr. Johnson	Mr. Sleeman	Mr. Brown	Mr. Patrick
Mr. Kenneally	Mr. Troy	Mr. Davy	Mr. Piesse
Mr. Marshall	Mr. Willcock	Mr. Ferguson	Mr. Scaddan
Mr. McCallum	Mr. Wilson	Mr. Griffiths	Mr. Thorn
Mr. Millington	*(Teller.)*	Mr. Latham	Mr. Wells
		Mr. Lindsay	Mr. Doney
		Mr. J. I. Mann	*(Teller.)*
		Mr. McLarty	

Motion thus negatived.

MR. HEGNEY (Middle Swan) [12.47]: Since we have had so long a debate there is now not much that one can say that would not be repetition. Still, I represent a substantial number of workers, and I protest against this legislation, which is going to have a prejudicial effect on a very large number of people. When the original Financial Emergency Bill was brought down it was of

a very drastic nature, but this Bill is worse. Already the workers have been substantially reduced, and under the Bill they will be pulled down to coolie standard. It has been said the Federal Government are doing certain things at the behest of the workers. For instance, there are the waterside workers' regulations, which time after time the Federal Government have sought to put into operation. But they have been attacked by the Nationalist Party and the Country Party and by a hostile Senate. I say confidently that the Bill before us is here at the behest of the Employers' Federation. The Government are supposed to represent all sections of the community, and many of them at the last elections had the advantage of votes of the workers, notwithstanding which they entirely favour the Employers' Federation. The Bill would not be here had not the Employers' Federation given instructions to the Government.

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

Ayes	18
Noes	15
Majority for	3

AYES.

Mr. Angelo	Mr. McLarty
Mr. Barnard	Sir James Mitchell
Mr. Brown	Mr. Parker
Mr. Davy	Mr. Patrick
Mr. Ferguson	Mr. Piesse
Mr. Griffiths	Mr. Scaddan
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. J. I. Mann	Mr. Doney
	(*Teller.*)

NOES.

Mr. Corboy	Mr. Munsie
Mr. Coverley	Mr. Panton
Mr. Hegney	Mr. Sleeman
Mr. Johnson	Mr. Troy
Mr. Kenneally	Mr. Willcock
Mr. Marshall	Mr. Wilson
Mr. McCallum	Mr. Raphael
Mr. Millington	(*Teller.*)

Question thus passed.

Bill read a second time.

In Committee.

Mr. Angelo in the Chair; the Attorney General in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 14:

Hon. A. McCALLUM: I move an amendment—

That after paragraph (a) the following paragraph be inserted:—"By inserting in subsection 1 after the word 'employing' in line 6 the words 'in the majority of the'."

The object is to ensure that the employers who make an application to the court shall be the employers who are employing a majority of the employees in the industry. That will prevent tin-pot applications being made to the court. On the second reading, I gave definite instances, and I do not wish to go over them again, for the Attorney General cannot have forgotten them. The court should not have to listen to any but substantial applications since the court's decision will govern the whole of the industry. My amendment will save the time of the court and will do away with bogus applications.

The ATTORNEY GENERAL: I appreciate the point the hon. member desires to make but I thought there was sufficient safeguard in the amendments to enable the court to prevent the absurd position happening that the hon. member expects will happen. I should imagine that where it is quite clear that the result of its order affects the whole award, the court will insist.

Hon. A. McCallum: Where has the court the power to insist?

The ATTORNEY GENERAL: The court has absolute discretion. I suggest that we might report progress for, say, half an hour and the hon. member and I can confer and endeavour to devise an amendment which will meet the case. The hon. member's amendment will not fit in at all.

Progress reported until a later stage of the sitting.

BILLS (2)—RETURNED.

1, Land Act Amendment (No. 2).

2, Insurance Companies Act Amendment. Without amendment.

BILL—HOSPITAL FUND ACT AMENDMENT.

In Committee.

Resumed from the previous sitting; Mr. Angelo in the Chair, the Minister for Health in charge of the Bill.

The CHAIRMAN: Progress was reported on Clause 3.

Clause 3—Persons to give notice to claim exemption:

Mr. SLEEMAN: I should like to know whether the Minister is prepared to recommit the Bill so that members may have an opportunity further to consider Clause 2, which went through so quickly at the previous sitting.

The MINISTER FOR HEALTH: It is not my intention to recommit the Bill.

Hon. S. W. MUNSIE: I am sorry the Minister is persisting in his effort to get the Bill through. Even at the cost of offending the "West Australian" I desire to refer to a paragraph which appeared in the issue of the 3rd instant in connection with this Bill. That paragraph accuses me of being unfair to my successor, the present Minister. The criticism in that paragraph is more than unfair, it is untrue and misleading. One portion of it says—

> The amending Act in this regard differs only from the original Act in facilitating the collection of hospital fees from persons who, although earning less than the basic wage, have financial resources other than those of their present earnings, and which in justice disqualifies them from free treatment.

If the Minister will introduce an amendment along those lines, I will support it, but that is not what the Bill seeks to achieve. The man who wrote that paragraph in the "West Australian" did not know what he was writing about. He has not read the Bill and does not know what either it or the Act contains. If he had that knowledge he would not have published such trash in the paper. He asserted that the object of the Bill is to amend the Hospital Fund Act to enable money to be collected from those who have sources of income or means over and above the basic wage. If that was what the Bill aimed at, I would support it. I do not desire to see the hospitals imposed upon and for the most part it will be the Government hospitals that will be imposed upon. The Minister seeks to wipe out the whole of the exemptions and there will be no security afforded the people at all. No one will be able to claim free treatment if the Bill be agreed to. People will have to trust to the generosity of the hospital committees in connection with committee hospitals, or to the generosity of the Health Department and the Minister so far as Government hospitals are concerned. To say that the effect of the Bill will be to collect money from those who have other sources of income is absurd. I object to the Minister, now he has the hospital tax, making everyone pay and at the same time wiping out the only benefit that the Act contains.

The Premier: Does not this Bill do what you want?

Hon. S. W. MUNSIE: No.

The Premier: I think it does; Section 11 will stand.

Hon. S. W. MUNSIE: But it will be altered by the provision in the Bill. No protection is afforded whatever. In another part of the Bill it is provided that the board or the court shall decide whether a man in receipt of less than the basic wage shall be entitled to any benefits.

The Minister for Health: It does not say that.

Hon. S. W. MUNSIE: I have read the Bill and the Act closely and I think it does. The court cannot give a verdict for costs against a hospital board.

The Minister for Health: It can, except under one condition so that a claimant will not come along two or three years later with his excuse.

Hon. S. W. MUNSIE: I believe it was the intention of the Minister to provide for what he has indicated, but if a man leaves a hospital without giving notice, that man cannot secure costs if the court finds a verdict in his favour, should he be sued by the department. That is unfair.

The PREMIER: Section 11 is left as it is.

Hon. S. W. Munsie: That is not so, because in Subclause 3 the words "either in whole or in part" are to be included.

The PREMIER: That means that the authorities will inquire into the means of a claimant and if his means are substantial, he may be expected to pay the whole amount owing.

Hon. S. W. Munsie: Then why the inclusion of the words "in whole or in part"?

The PREMIER: If a man's means are not substantial, the authorities may ask him to pay part of the amount owing.

Hon. S. W. Munsie: Even if he earns less than the basic wage of £230?

The PREMIER: Yes.

Hon. S. W. Munsie: Words have been added that cut out the stipulation regarding £230 and £150.

The PREMIER: If a person earns little and has considerable property, as might

easily happen, he should pay. The hon. member desires that.

Hon. S. W. Munsie: Yes, I will support a clause to that effect.

The Minister for Health: We have provided for that.

Hon. S. W. Munsie: No; Clause 2 nullifies the provision regarding the £230 and the £150.

The PREMIER: What the Minister for Health has provided is what the hon. member says he wants. The trouble is that the hon. member does not agree it has been provided.

Mr. SLEEMAN: I cannot follow the Premier's reasoning. The Bill provides that anyone earning less than £230 or £150 is entitled to free treatment, but the latter portion of the measure nullifies everything. The clause provides that the hospitals shall inquire into the means of the claimant and the circumstances of the case. In other words, if a man had a small home he might be denied free treatment and might be asked to pay half-fees, or if the children, through years of thrift, had a few pounds in the bank, the hospital might require some payment from that. If the Bill be passed, confusion will be created and people will be harassed and prosecuted for hospital fees. Will the Minister deny that?

The Minister for Health: No more will be prosecuted than in the past.

Mr. SLEEMAN: Many have been prosecuted in the past.

The Minister for Health: Not since we took over the hospitals.

Mr. SLEEMAN: I have a summons issued a couple of days ago by the Crown Law Department on behalf of the Fremantle Hospital. The man is not possessed of great capital. He has been a casual worker for many years, has not done a day's work for four months, and the amount for which he is being summoned is for a debt incurred eight years ago.

The Minister for Health: What has that to do with the Act?

Mr. SLEEMAN: It shows how the department are administering the Act. The Government have already started on a campaign against people who owe money.

Mr. PANTON: I have been associated with the Perth Hospital for 10 years, and in that time I do not think four cases have been put into the hands of the Crown Law Department. At present every patient—other than in an emergency case—entering the hospital has to sign a declaration. I have samples of the cards here, and the officer who supervises the filling in of the cards takes a statutory declaration. On the card is shown the value of the patient's real or personal estate. That applies to in-patients and out-patients. After last night's discussion I took out a few figures to show the effect of the Act on the hospital. For the six months previous to the passing of the Act actual payments by patients—the charge is 8s. per day—amounted to £9,496 11s. 10d., and for the six months following it fell to £6,103, 2s. 5d., a difference of £3,393.

The Minister for Health: And the number of patients increased.

Mr. PANTON: Yes. That shows the large number who must have entered the hospital under the free-treatment scheme. In those figures an average of 38 to 40 repatriation cases are not included. In the out-patients department—the charge, if the patient has it, is 3s. for registration and 2s. a week—for the six months previous to passing the Act we received £10,244 11s 10d., and for the six months following only £668. At the end of every month a list of uncollectable accounts is submitted to the board, and is left there for a month. On an average over the 12 months we have written off £2,500 to £3,000 a month as uncollectable. That is outside of the patients who received free treatment, so it does not seem as if the Perth Hospital authorities were chasing anybody who is unable to pay. If a patient says he is unable to pay, an inspector is deputed to make inquiries, and he presents a recommendation stating whether the amount is collectable or otherwise. If discretionary power is left in the hands of the hospital board, the Bill will have no effect upon the Perth Hospital. No principle is laid down as to how much a man may possess. He makes a declaration, and there it stands, subject to the inspector's report. The existing board is not likely to lay down any principle.

The Minister for Health: Neither the Perth nor the Fremantle boards have been changed of recent years.

Mr. PANTON: The Perth Hospital is carrying 146 beds over its ordinary ward capacity. This year 10,623 patients have so far been put through the institution. In only three cases have the Crown Law authorities been asked to intervene. As a

board we cannot see that the Bill will have any effect upon our institution.

The MINISTER FOR HEALTH: The hospital accommodation in this State is severely overtaxed. If our hospitals are to be kept open they should be made available for those who can least afford to pay fees. If we do not get the power asked for, it will mean that a man who can pay for treatment will be depriving someone else of accommodation that he cannot afford to pay for. I know of a man who went into the Perth Hospital and gave his address as the Esplanade Hotel. The member for Leederville devotes a tremendous amount of his time to the Perth Hospital committee. I am sure he would not allow the Government to abuse any privilege. All we are asking for is power to ensure that our hospital accommodation is made available to those for whom the institutions were built.

Hon S. W. MUNSIE: Mr. Panton said that the number of people who had been treated at the Perth Hospital had meant a reduction in the collections of £3,000 for the half-year.

Mr. Panton: With an increased attendance.

Hon. S. W. MUNSIE: Is the Minister going to leave this matter entirely to the discretion of the hospital boards?

The Minister for Health: Provided the patient has no other means.

Hon S. W. MUNSIE: If that is what the Minister wants, he should have amended paragraph (b). If he would include the words "provided he has no other means" they would entirely meet my objection.

The Minister for Health: What concerns me greatly is the scarcity of hospital accommodation.

Hon. S. W. MUNSIE: And the Government have not the money with which to provide it. They will not get from the tax what it was estimated would be collected.

The Premier: Do not be too positive.

Hon. S. W. MUNSIE: The Government will not get more than £34,000, and of that all the hospitals will get will be £6,000. The people are now to pay the tax, but are to be deprived of all benefits.

Mr. SLEEMAN: The Minister for Health said I was looking for excuses for patients who, though able to pay, did not pay. The Minister also said a certain patient was worth £2,000; but investigation has shown that no such man ever got into the hospital in question. I challenge the Minister now to say whether the man had £2,000.

The Minister for Health: He had £2,000 that we know of—cash in the bank.

Mr. SLEEMAN: The information I received was that the man had an equity of £2,000 in a building—a very different thing from £2,000 in cash. If a man had £2,000 cash, I certainly would not support his getting free hospital accommodation. However, if only three persons managed to enter the hospital as the result of signing false papers, the position is pretty good. Even those three people did not get away with it. The Minister said the Perth Hospital Board would not be interfered with; but as sure as night follows day, the Minister will not be Minister for ever, and the present members of the board will not be there for ever.

[*Mr. Panton took the Chair.*]

The Premier: The Crown Law Department said one of these men had been working on the "Kangaroo."

Mr. SLEEMAN: Then the Crown Law Department gave wrong information.

The Minister for Health: Is not that man entitled to pay for his hospital accommodation?

Mr. SLEEMAN: The previous Government's Bill dealt with the matter fairly, requiring those to pay who could pay. Probably the man alluded to got a little occasional employment on the "Kangaroo." The summons should have been withheld pending full inquiries. I hope the Minister will not persevere with the Bill.

Mr. MARSHALL: The Minister has twisted completely away from the excuses he first made for this clause.

Hon. S. W. Munsie: He gives a different excuse each time.

The Minister for Health: I try to add to my excuses.

Mr. MARSHALL: The Minister said the object of the clause was to make things easier for persons exempted.

The Minister for Health: I repeat that statement now.

Mr. MARSHALL: Under the parent Act, a statement from the employer that the person earned a certain amount of money finished the argument. Under this easy clause, the intending patient has to furnish the hospital committee with a certificate that he is a person entitled to claim hospital accommodation; and he has to do a lot more besides, under this easy clause. I am not prepared to

grant such extraordinary powers, of which some boards and committees are apt to take advantage. Ought a poor old prospector or kangaroo hunter, who perhaps has never seen Perth, be compelled to give notice to the hospital authorities? This provision is altogether too drastic.

The Minister for Health: Give it a trial.

Mr. MARSHALL: And if after a trial I want to amend it, where will you be?

The Minister for Health: I shall be behind you.

Mr. MARSHALL: Yes, I know you will. This is too drastic for us to agree to.

The Minister for Health: You are afraid it will be abused. I give you an assurance it will not be abused.

Mr. MARSHALL: It might be all right if the Minister were there to supervise it, but I am not so ready to trust some of the departmental officers. I know what will happen, and I deplore it.

Mr. SLEEMAN: Since the Minister is not going to be reasonable, we cannot let the clause go through like this. I move an amendment—

That in line 3 of Subsection 1 of proposed new Section 11A the words "thereof in writing" be struck out.

There is no necessity whatever for those words, and they will work hardship on some people.

The MINISTER FOR HEALTH: I cannot accept the amendment. Even if it were agreed to, it would still be necessary to submit the certificate. The hon. member, of course, has no desire to prevent the hospital from insisting upon its ordinary forms being filled up.

Mr. SLEEMAN: If that is all it means, there is no necessity for these words.

The Minister for Health: The form would still have to be filled in in writing.

Mr. SLEEMAN: So long as the patient gives notice, why should it be in writing? These words should be struck out.

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

Ayes	14
Noes	19
Majority against	5

Ayes	
Mr. Coverley	Mr. Munsie
Mr. Hegney	Mr. Raphael
Mr. Johnson	Mr. Sleeman
Mr. Kenneally	Mr. Troy
Mr. Marshall	Mr. Wilcock
Mr. McCallum	Mr. Wilson
Mr. Millington	Mr. Corboy
	(Teller.)

Noes	
Mr. Angelo	Sir James Mitchell
Mr. Barnard	Mr. Parker
Mr. Brown	Mr. Patrick
Mr. Davy	Mr. Piesse
Mr. Ferguson	Mr. Richardson
Mr. Griffiths	Mr. Sendee
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. J. I. Mann	Mr. Doney
Mr. McLarty	*(Teller.)*

Amendment thus negatived.

Hon. S. W. MUNSIE: I move an amendment—

That in lines 5 and 6 of Subsection 2 of proposed new Section 11A the words "either in whole or in part" be struck out.

All the evening the Minister has been arguing that this is only to catch the man with means. The man on £230 will be exempt. I want the man without means to get free hospital treatment, not free hospital treatment either in whole or in part. Later I will move for the deletion of other words.

The MINISTER FOR HEALTH: This is the whole essence of the Bill. It is not a question of the £230, but of the additional means a man may have. If a man is earning £230 and has other capital, surely he should pay something for hospital treatment. The hon. member desires, as I do, to prevent the man who can afford to pay from using the hospital. I know a man who has not earned a penny, but who can afford to stay at the Esplanade Hotel. Under the amendment he could get into a hospital.

Hon. S. W. Munsie: If a man earned £1,000 and it was all gone, he would have to get free treatment.

The MINISTER FOR HEALTH: A man on remittances from England could secure free treatment.

Mr. SLEEMAN: If you catch the man who can afford to pay you should make him pay. If a man has only a certain amount, and the board thinks he can pay half, I venture to say he cannot pay anything at all.

The Minister for Health: If a man gets £300 a year, he can pay.

Mr. SLEEMAN: With such an income he can pay the lot, but if he has a big family of 10 or 12 children he cannot afford to pay one penny.

Mr. ANGELO: If the words are struck out, the powers of the board will be restricted to either letting a man off altogether or charging him the full amount. That would be a hardship to some of the patients. If the words are left in, a man may have to pay £20 or £30.

Hon. S. W. MUNSIE: The words I propose to strike out affect a person about

whom the hospital authorities have made inquiries, and have satisfied themselves that he has not any money and has not £230 a year. It is after the hospital authorities have made inquiries and have proved to their satisfaction that the man has earned less than £230 that the claimant shall pay either in whole or in part even though he has earned less than £230.

Mr. Angelo: He may have it in the bank from past years.

Hon. S. W. MUNSIE: Then he will have to pay. The Hospital Act itself gives all the power the Minister wants to sue anybody who has capital of any description.

Mr. SLEEMAN: Can we get an assurance from the Minister that a man with less than £230 or £156 as the case may be, provided he has no other means, will not be charged?

The Minister for Health: He will not be charged.

Mr. SLEEMAN: If the Minister is satisfied he will not be charged, then he should not object to words to that effect being inserted.

The MINISTER FOR HEALTH: I desire that the Minister shall retain power to prevent abuse. I wish I could meet the hon. member, but I cannot do so.

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

Ayes	14
Noes	19
Majority against	5

AYES.

Mr. Corboy	Mr. Millington
Mr. Coverley	Mr. Munsie
Mr. Hegney	Mr. Raphael
Mr. Johnson	Mr. Sleeman
Mr. Kenneally	Mr. Troy
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Wilson
	(*Teller.*)

NOES.

Mr. Angelo	Sir James Mitchell
Mr. Barnard	Mr. Parker
Mr. Brown	Mr. Patrick
Mr. Davy	Mr. Piesse
Mr. Ferguson	Mr. Richardson
Mr. Griffiths	Mr. Scaddan
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. J. I. Mann	Mr. Doney
Mr. McLarty	(*Teller.*)

Amendment thus negatived.

Hon. S. W. MUNSIE: Will the Minister explain Subclause 3? Surely he does not require it as drafted. If a man complies with all requirements except providing the necessary notice in writing to the hospital board and he is proceeded against but the magistrate finds that he was entitled to free treatment, surely it is unfair to deprive him of costs.

The Minister for Health: You want the prohibition on costs deleted? I will agree to that.

Hon. S. W. MUNSIE: That is what I want, but I do not want the Minister to be led into a trap. It will be necessary to amend the subclause because, if the magistrate decided that the individual was entitled to pay for his treatment, I do not want him to have costs.

The MINISTER FOR HEALTH: It may be necessary to look into the matter, and I will have an amendment inserted in another place to-morrow.

Mr. SLEEMAN: I do not think the subclause is necessary at all. If the notice that is provided, which is "the prescribed form," is furnished by the patient, how can he fail to give notice?

Clause put and passed.

Clause 4—agreed to.

Clause 5—New section: Allowance and refund in respect of donation to public hospitals:

Mr. PIESSE: I move an amendment—

That a new subsection, to stand as Subsection 3, be added to proposed new Section 12A as follows:—"Where in any financial year any contributor to the fund under this Act shall have made payment of a special rate or tax levied by any local authority for or towards paying the cost of erection or maintenance of any public hospital and shall furnish proof thereof to the Commissioner, such contributor shall be given credit for the amount of such rate or tax, against the amount of contribution to the fund payable by such contributor in respect of such financial year, and the contributor shall be liable to pay only the balance (if any) of the contribution to the fund for which he has been assessed."

Prior to the inauguration of the hospital tax, there was no statutory obligation imposed upon those who used hospitals, to contribute towards their funds. It was the policy of the Government to call upon people to contribute towards the erection of hospitals on a fifty-fifty basis. At Katanning a hospital was erected under those conditions, and it will be admitted that the people embarked upon no inconsiderable responsibility. The settlers have fallen on hard times owing to low prices for their commodities, but they are not desirous of repudiating

their liability or asking to be relieved of the responsibilities into which they entered. I ask the Committee to accept the amendment and grant relief, because it should not be the intention of Parliament to ask people to pay contributions twice over. The Minister should meet such cases in a reasonable manner, especially as he has provided that donations to public hospitals shall be regarded as a deduction in respect of hospital tax. Most of the money for the construction of a hospital seven years ago was provided by the Government as a loan to the Katanning Road Board. The present liability is £4,810 14s., and the annual liability is £469 18s. 4d. To make provision for the payment of the liability, a tax has been imposed by the board on the rateable property. By subscriptions and other means £2,330 has been raised, of which £2,245 has been expended, leaving a balance of £85 in hand. That money has been expended not only to provide comforts but to buy equipment and to bring the hospital up to date. The hospital serves not only Katanning but large areas outside the road board boundaries. Patients have even come from Ravensthorpe and the hospital has done good work. The liability, however, has been a dual one since the imposition of the hospital tax. Only two or three other centres are similarly situated. I understand that Collie is on all fours and the hospital authorities there have approached the Government for relief. A somewhat similar position exists at Wagin. Unless the Government grant relief, people are not likely to support the erection of hospitals as the Katanning people have done. The Minister was not altogether correct when he said that the Katanning hospital was no worse off than any other hospital in the State. We are paying two taxes and the board feel justified in asking to be put on the same basis as people who make voluntary donations to hospitals.

Mr. BROWN: The people of Pingelly are on the point of opening a hospital of their own. We have found £1,000 and the Government another £1,000. Most of the money has been raised by straight-out donations. We have, however, received no relief from the hospital tax.

The MINISTER FOR HEALTH: I cannot accept the amendment. In many parts of the State the people have found all the money for their hospitals, and in other parts half of the money. In the case of Katanning the State put up half the money, and advanced the other half to the Katanning Road board, which body pays interest and sinking fund each year. We are also maintaining the institution. If I were to accept the amendment I would be differentiating between hospitals. If the previous Government made a promise they were careful not to put it in writing, for there is no record of it. If I did what was asked I should be depriving other institutions of financial assistance.

Amendment put and negatived.

Clause put and passed.

Clauses 6 and 7, Title—agreed to.

Bill reported without amendment and the report adopted.

Standing Orders Suspension.

The PREMIER: I move—

That so much of the Standing Orders be suspended as is necessary to enable the Hospital Fund Act Amendment Bill and the Financial Emergency Act Amendment Bill to pass their remaining stages at this sitting.

Mr. SPEAKER: I have counted the House. There is an absolute majority of members present.

Question put and passed.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—APPROPRIATION (No. 2).

Returned from the Council without amendment.

BILL—ELECTRIC LIGHTING ACT AMENDMENT.

Council's Amendments.

Schedule of three amendments made by the Council now considered.

Standing Orders Suspension.

The ATTORNEY GENERAL: I move—

That so much of the Standing Orders be suspended as will enable the Council's message to be taken into consideration in Committee forthwith.

Mr. SPEAKER: I have counted the House. There is an absolute majority of members present.

Question put and passed.

In Committee.

Mr. Richardson in the Chair; the Attorney General in charge of the Bill.

No. 1. Clause 2.—Insert after the figure "(1)" in line 11, the words "With the consent of the Governor."

The ATTORNEY GENERAL: All the amendment does is to limit the power of the local authority by making it subject to the consent of the Governor. The idea was that if the thing was left untrammelled in the hands of the local authorities, the Collie power scheme might gradually creep up to Perth and compete with the Government Electricity Supply. I move—

That the amendment be agreed to.

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

No. 2. Clause 4.—Delete "either" in line 36.

The ATTORNEY GENERAL: Authorisation of contracts under the principal Act is, in strict parlance, made by Section 3; but Section 4 also deals with the terms upon which a contract is entered into. Meticulous care requires us to make this purely verbal amendment. I move—

That the amendment be agreed to.

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

No. 3. Clause 4.—Insert after "three" in line 37 the words "or four."

The ATTORNEY GENERAL: This amendment also is purely verbal. I move—

That the amendment be agreed to.

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

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

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

In Committee.

Resumed from an earlier stage of the sitting; Mr. Richardson in the Chair, the Attorney General in charge of the Bill.

Clause 2—Amendment of Section 14 (partly considered):

The CHAIRMAN: The member for South Fremantle has moved the insertion of a new paragraph.

Hon. A. McCALLUM: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

On motion by Hon. A. McCallum the following amendments made:—

In paragraph (a), after the word "agent," to add the words "authorised in writing"; after paragraph (h) to insert a new paragraph, as follows: "By inserting after the word 'Act' in line 7 of Subsection 5 the words 'and is satisfied that the application for such an order is supported by employers employing a majority of employees working in the industry in respect of which the order is applied for;'" and also a new paragraph, as follows: "By adding at the end of Subsection 5 the following proviso: 'Provided that the court may, for good reason shown, limit the effect of any variation to an individual employer, employers, groups of employers, or to any industry or branch of an industry.'"

Bill reported with amendments and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—SECESSION REFERENDUM.

Returned from the Council with amendments.

MOTION—FOREST REGULATIONS.

To Disallow.

Order of the Day read for the resumption, from an earlier stage of the sitting, of the debate on the following motion by Mr. J. H. Smith:—

That the amendments made to the Forests Regulations, 195, published in the "Government Gazettes" of 7th August, 1931, and 2nd October, 1931, and laid upon the Table of the House on 29th September, 1931, and 13th October, 1931, respectively, be disallowed.

Question put and negatived.

MOTION—FEDERAL TARIFF.

Debate resumed from the previous day on the following motion by Mr. Doney:—

That in the opinion of this House the present protective tariff by its harsh effect on the primary industries has a highly injurious bearing on progress in this State, and consequently stands in need of an early and drastic downward revision, and that this resolution be forwarded by this Government to the Federal Government.

MR. GRIFFITHS (Avon) [3.55 a.m.]: I am not going to detain the House for long, but I think this a most opportune time to pass the motion and send it to the Federal Government. Taunts have been flung across the House regarding freetrade, but I do not believe any member is a freetrader. What we want is some sanity in the tariff. As I say, it is an opportune time to pass the motion and so support the strong movement in the Eastern States for a revision of the tariff. Similar motions have been passed in many Eastern States centres, and I sincerely hope this one will be agreed to.

On motion by Mr. Kenneally, debate adjourned.

ADJOURNMENT, SPECIAL.

The PREMIER: I move—

That the House at its rising adjourn till 4.30 p.m. to-day.

Question put and passed.

House adjourned at 4 a.m. (Friday).

Legislative Council,

Friday, 4th December, 1931.

The PRESIDENT took the Chair at 2.30 p.m., and read prayers.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. C. F. Baxter—East) [2.32] in moving the second reading said: The Bill provides amendments to Sections 14, 15 and 22 of the Financial Emergency Act. The first two are the really important amendments that have to be considered. Sections 14 and 15 of the principal Act deal with the application of what has been called the cut in the wages of workers outside the Government service. Hon. members will recollect that numerous applications are being made under those sections, and that orders have been made in many instances. The Arbitration Court, in making those orders, took a certain view as to the meaning of Sections 14 and 15—that the effect of a successful application merely applied the reduction of wages to the employees of the particular person who made the application. One result of that view was, of course, that if a man were in a particular industry and had not any employees engaged at a given moment, he could not make any application for the benefit of the Act. The effect was that a man operating in a particular industry in a desultory way, working at some times and not at others, was adversely situated. His competitors could make an application and secure a reduction, thus making it impossible for that man ever to start again.

There is an instance of one man who operates a timber mill from time to time, as he secures orders. When he secures an order he opens the mill, engages men, and sets about the work before him. At the time when the timber millers applied for a reduction, his mill was not working. Therefore he could get no order, according to the view of the court. On the other hand, all the timber millers who were working obtained orders. That meant, practically speaking, that it was made impossible for that man to re-open his mill, because he could not have the advantage of the reduced rate of wages and was afraid to tender for a contract on any basis other than the old rates of wages.

One of the unions took an even narrower view of the meaning of the two sections. That view was that the order of the court applied only in favour of the particular applicant, and only with respect to the persons employed by that applicant at the moment of the order. The union moved the Full Court of the State