I would inform honorable members that the first business to be taken to-morrow will be the resumption of the debate on the Constitution (Reform) Bill. We shall conclude the second-reading debate, and I hope to deal with the Bill in Committee immediately.

Sir STANLEY ARGYLL.—You may deal with the Bill in Committee to-morrow?

Mr. A. A. DUNSTAN (Premier and Treasurer).—Yes, we may.

The motion was agreed to.

The House adjourned at 10.54 p.m.

LEGISLATIVE ASSEMBLY.

Wednesday, July 21, 1937.

The Speaker (the Hon. W. H. Everard) took the chair at 4.12 p.m., and read the prayer.

DANDENONG WATER SUPPLY SCHEME.

DAMAGE TO MR. G. L. WILSON'S PROPERTY.

Mr. BENNETT (Gippsland West) asked the Minister of Water Supply—

If, in view of the fact that serious damage has been done to the property of Mr. G. L. Wilson, of Berwick, through the leakage from the channel and piping of the Dandenong Water Supply Scheme, he will take steps to see that both channel and piping are put in order and thus prevent loss of water and damage to Mr. Wilson's property?

Mr. OLD (Minister of Water Supply).

The answer is—

The main supply channel and pipeline conveying water from the Bunyip river to Dandenong and adjoining centres passes through the property of Mr. G. L. Wilson, of Berwick, and occupies an area of approximately 11 acres, in respect of which Mr. Wilson lodged claims totalling £2,194 10s., covering the land in question, the depreciation of the remainder of the property, and loss by damage from overflow or seepage from the channel and pipes. The Commission obtained valuations from two independent experts, and after protracted negotiation, Mr. Wilson agreed to accept £600 in full settlement of all claims provided the Commission carried out certain works, comprising chiefly the construction of drainage channels to protect his property. These channels have now been completed, but owing to frost action, some leaks have occurred in the concrete pipeline, and these are now being repaired.

INFANTILE PARALYSIS.

CASES IN MELBOURNE SUBURBS.

Mr. TUNNECLIFFE (Collingwood).—I desire to ask the Premier a question without notice. I wish to know whether he and the other members of the Government are fully seized of the seriousness of the position in regard to the epidemic of infantile paralysis which has appeared in some of the suburbs of Melbourne, and whether, in view of the fact that fresh cases are being reported from time to time, he will consider the advisability of calling a conference of medical men with the object of having the whole matter thoroughly examined, and safety conditions provided as far as possible. The position is causing a considerable amount of unrest in my own district, as well as in others, and I feel that there should be no indifference on the subject. I am sure that the Government is neither apathetic nor indifferent, but I consider that some energy should be infused into the whole matter, and an attempt made to make the position as safe as possible.

Mr. A. A. DUNSTAN (Premier and Treasurer).—I shall be very pleased to bring under the notice of the Minister of Public Health the request made by the honorable member for Collingwood that a conference of medical men be called to consider the matter referred to. At the same time I can assure the honorable member that the Minister of Public Health has been giving very serious consideration to the question, which I think is one of very great importance. The honorable member may rest assured that the Government is neither apathetic nor indifferent, but I consider that some energy should be infused into the whole matter, and an attempt made to make the position as safe as possible.

APPOINTMENT OF STANDING COMMITTEES.

House Committee—Library Committee

Printing Committee—Standing Orders Committee.

On the motion of Mr. A. A. DUNSTAN (Premier and Treasurer), the following Standing Committees were appointed:

House Committee (Joint).—Mr. Speaker, Mr. Frost, Mr. Hyland, Mr. Jewell, Mr. Oldham, and Mr. Paton.
GREAT DEAL OF DIFFICULTY IN SEPARATING WHAT ONE MIGHT DESCRIBE AS THE ARGUMENTS

WORTH, TO GO TO BED “INVITING SLEEP AND FOCUS FOR MYSELF, AT LEAST, IF NOT FOR OTHERS.

YESTERDAY, I FELT INCLINED, LIKE WORDSWORTH, THE RESULT ON ME OF THE ARGUMENTS.

—WHEN I WENT HOME LAST NIGHT AND ENDEAVOURED TO ADJUST MYSELF TO WHAT I MAY MAY HAVE BEEN THE MILK OF HUMAN KINDNESS.

AFTER ALL, GOING BACK TO THE VARIOUS EXPRESSIONS TO WHICH WE LISTENED YESTERDAY WAS THE SUGGESTION THAT THE ELECTED HOUSE

SHOULD HAVE HATED TO FEEL THAT I HAD, AS THE GERMAN POET PUT IT, HELPED, EVEN IN PART, TO TURN TO RANKLING POISON THAT WHICH IN HIM MIGHT HAVE BEEN THE MILK OF HUMAN KINDNESS.

ALL THAT OVER, I CAME TO THE CONCLUSION THAT WHETHER THE AMENDMENT MERITED THE APPROVAL OF A THINKER, OR WHETHER IT DID NOT, THE REASONS FOR OPPOSING IT WERE SO DIFFERENT IN THE TWO HONORABLE MEMBERS TO WHOM I HAVE REFERRED AS TO MAKE IT QUITE CLEAR THAT THE PEOPLE WHO ARE SUPPORTING THE BILL ARE SUPPORTING IT FOR VERY DIFFERENT REASONS.

THE FIRST THING THAT I TRIED TO SORT OUT FROM THE VARIED EXPRESSIONS TO WHICH WE LISTENED YESTERDAY WAS THE SUGGESTION THAT UP TO THE PRESENT, WHATEVER THERE MIGHT BE IN THE FUTURE, THERE HAD NOT BEEN ANY ELECTIONAL MANDATE FOR THE INTRODUCTION OF THE BILL. THERE CANNOT, I THINK, BE ANY SUGGESTION THAT THE SUBJECT WAS ONE OF THOSE WHICH WERE PUT TO THE ELECTORS AT THE LAST ASSEMBLY GENERAL ELECTION, AND I AM EMBOLDENED TO THINK, AFTER WHAT WAS SAID YESTERDAY, THAT THE ONLY GUIDE TO THIS MATTER MUST BE THE ASSEMBLY GENERAL ELECTION. THE TREND OF YESTERDAY’S ARGUMENT, AS IN THE INTRODUCTORY SPEECH OF THE PREMIER, WAS THAT THE ELECTED HOUSE
makes and unmakes Governments. If there was anything relating to this subject before the electors when the Assembly last came before them, it could have been only the long-standing plank of the Labour party for the abolition of another place. Certainly the alteration of the Constitution was never in contest, nor was it ever discussed. It has been suggested, of course, that the recent election for the Upper House is a sufficient guide. As to that, I agree with the honorable member for Brighton that at any parliamentary election there are inevitably many forces and questions which affect every candidate, some of them personal, some of them perennially political. We can only take as a guide to general policy the result as seen in the numbers of the members of the different political parties returned to this House.

I do not think that any one can claim that the last Upper House election determined anything very much. The result was reached on new electoral areas, some favoring one party, and some another, and resulting in some constituencies in uncontested elections. Only 66 per cent. of the electors had to cast their votes, and if anybody wants to say that guidance can be obtained from that election, how does he explain the fact that at Ballarat the second preferences of supporters of the Government candidate did not go to the other proponent of constitutional reform?

Mr. OLD.—Did he not say that he was in favour of reform of the Upper House?

Colonel HAROLD COHEN.—He said that he was in favour of a reform. I am in favour of a reform, and I said so at the last election, but I do not think that this proposed reform is satisfactory in some of its features. Then there are lessons which are attempted to be drawn for us in what happened in connexion with the Imperial Parliament Act. The honorable member for Dundas, whose knowledge and research I do not for a moment cavil at, supported the views he holds by reading extracts from works by some noted historians. No doubt, it would be possible to quote a number of historians both for and against. My view, for which I can obtain authority if necessary, is that the Parliament Act was not so much the crystallization of forces extending over a long period, but was intended to be a first step towards the substitution for the House of Lords of other than an hereditary House, and was in fact a bargain, as many things which go through Parliaments in the way of actual politics, as distinguished from high polemics, have got to be. It was a bargain between the Liberal party and the Irish party, by which the Irish party got a quid pro quo. That is shown by the figures of the number of members in that Parliament. There were in all 670 members; 272 of them were members of the Liberal party; 273 of them were members of the opposing party—the Unionist party; 84 of them belonged to the Irish Nationalist party, and 42 to the Labour party. There is no doubt, I think, that the amendment at that time was intended only as a step towards a different form of Upper House, and that the bargain was a bargain of which the Irish party was one of the makers. If the Irish party had not been in the bargain, what was done at that time could not have been done. I have given that information because I think that we are perhaps too much inclined to discuss historical questions on what I may term a plane of high endeavour, which is far removed from matters of practical political importance. The way in which the people of England have accepted that constitutional change is typical of them. They move exceedingly slowly, and something which happened 25 years ago is only one step towards the ultimate object.

I have no quarrel with my friends in the Ministerial corner. We differ materially in our views on the subject matter of the Bill, and they have never disfigured their view. They have put it forward plainly and honestly. They are entitled to their view as, I take it, I am entitled to mine, although it is different from their view. I can understand some of the reasons behind the view of the Labour party, but it is not my view. Their position is a very different one, as I view the matter, from that of those members who are sitting behind the Government in direct support of it. They declare that the last thing they have in mind is the abolition of the Upper House, and they say that the provisions in this
Bill are ample and sufficient to accomplish their object. That is a statement with which I quarrel. Viscount Bryce, in dealing with bicameral legislatures, said that the whole principle is a matter of check and balance.

Mr. McKENZIE.—You cannot very well write a cheque unless there is a balance.

Colonel HAROLD COHEN.—I can understand honorable members in the Ministerial corner saying that the Bill is one step towards their goal, and therefore they welcome it, but I cannot understand the direct supporters of the Government saying that the system of check and balance, as provided for in the Bill, is a safeguard for the protection of the Upper House. I think that in this particular matter the check is more important than the balance, which is contrary to the view expressed by the honorable member for Wonthaggi in his interjection that the balance is more important than the cheque. To say that a provision which states no more than that there is a protection afforded against the abolition of the Upper House is any form of security is something I am unable to follow. In the war between Italy and Abyssinia, the Abyssinians did not abolish Italian prisoners whom they captured, but they rendered them of little use. If we applied the same treatment to the powers of the Upper House, we could say that we were rendering it impotent. To say that the Italian prisoners were not abolished is a very poor answer to the argument that those people were not allowed to remain effective or useful. The form of protection of the Upper House suggested by the Government appears to me to be on the same basis. Honorable members may recall that when a similar Bill was before the House last session I moved an amendment. The measure provided that any Bill providing for abolition of the Council should be exempt from its provisions, and I moved that there should also be exempt any Bill “by which an alteration may be made in the total number of members of the Council, or in the qualification of electors or of members of the Council.” That would have been a check which I could have appreciated, and it would have provided some safety for the other House. This Bill fits in exactly with a statement which was made in the official journal of the Labour party in the following words—

It will be possible to introduce a sufficient measure of reform to elect a House sufficiently imbued with democratic ideals to pass a Bill to abolish itself.

I differ from my friends in the Ministerial corner as to who is a person “imbued with democratic ideals.” I can understand their support of the Bill, but I do not understand how the direct supporters of the Government can say that they do not want to abolish the Upper House, and yet they are in favour of the Bill.

Mr. TUNNELIFFE.—The party in this corner is the bell-wether party, and they are the dumb driven cattle.

Colonel HAROLD COHEN.—The only thing I have to say to the pre-eminent bell-wether is that I hope that at some stage he will not be too closely shorn.

Dr. SHIELDS.—Imagine a bell-wether leading a mob of cattle!

Colonel HAROLD COHEN.—The argument was advanced in some quarters during the debate last night that the Bill provided a sufficient check because it was the logical and proper result, for one must base everything on what was magnificently described as the will of the people, or, in practical politics, the votes of electors of this House whether cast at an election or referendum. Ministerialists are not prepared to follow that argument to its logical conclusion. They are not prepared to say that if the matter is placed on that basis of high policy they will go the whole way and have a reorganization of the franchise, with one vote one value.

Mr. OLD.—You know the hymn, “Lead, kindly light.”

Colonel HAROLD COHEN.—I wish the honorable gentleman would allow me to complete my speech without interjecting. I think he was trying to divert me from saying something which he will not like. Without being diverted by “Lead, kindly light,” or the bell-wether in the Ministerial corner, I want to say that if Ministerialists are not prepared to accept that high policy in its full significance, and follow it to its logical conclusion, they are not prepared to take that step because they are in favour of some check.
and balance. I say frankly that there is a good deal to be said for the check and balance, and I am not in favour of one vote one value. What I cannot appreciate is not that the Ministerialists did not put the check and balance in the Bill, but that they will not put them there. Is it that they want the check and balance only when these things suit their party, or are they putting them on the high plane of which we heard last night? If this is put up on the lower and very practical basis of politics, and there is no high-falutin talk, then I say either the Government is not going far enough or is going too far. If these Ministerialists wish to tell the world that they desire to prevent the Upper House from being abolished, I should like to know how they prove it. With the rest of the House, I suffered from a spate of eloquence on this question for many hours last night, and I do not desire to add much to the volume of what has been said on the subject. It does not matter whether or not there was a mandate; there is the Bill. It does not matter very much whether the rights of man govern this business, there is a practical problem before us, and we are here to consider it on the basis of practical politics. A good deal of discussion on those admirable matters of high policy will not get us much further. I am opposed to the provision in the Bill for the preservation of the Upper House because I do not think it gives the proper balance and check that we should have. I have indicated what I regard as sufficient balance and check by discussing that and not esoteric matters of principle. There has been very little debate on the minor matters covered by the Bill. Not much has been said about the various alterations that are being proposed. My recollection is that we have to risk £50 as a deposit when we face our masters, but the Bill provides for a deposit of £25 in the case of candidates for the other place. That seems to be an injustice.

Mr. Tunnecliffe.—We also risk our reputations.

Colonel Harold Cohen.—This is an injustice under which we should suffer no longer, but still it is only a minor matter. I cannot appreciate the position as regards plural voting. If the franchise is on a property basis, what is the logical argument for the abolition of plural voting? I can understand the argument of the honorable member for Northcote that there should be no property qualification for the electors of the Upper House, but I cannot understand, if there is to be a property qualification, why an elector should not exercise his franchise in more than one constituency.

Mr. A. A. Dunstan (Korong and Eaglehawk).—The deposit will be £50. The matter is referred to in clause 4.

Colonel Harold Cohen.—We do not need to have any such qualification.

Mr. Tunnecliffe.—Or any qualifications.

Colonel Harold Cohen.—I am almost inclined to accept that view. No man is so poor that he cannot be a candidate for this House. The only other questions are whether the two Houses should sit together to settle matters in dispute, or whether it is better to go, as the Bill proposes, to the electors; but we set aside the first proposal last night.

Mr. Tunnecliffe.—Now you must get back to the rights of man.

Colonel Harold Cohen.—My opinions are confused by the large quantities of views on the rights of man that I have heard, but there does not seem to be anything more in it than this: If we go to the electors at present, we shall go to them on the basis of the present voting values, and if we go to a referendum we go to it on the basis of an equal value for all votes. I admit that our whole experience of referendums in this State and in the Commonwealth has been such as to make us feel that in many cases they are not a very great success. Assuming that the issue to be submitted is clean cut, I maintain that we can get a much more definite and clean-cut decision from a referendum than by having a general election into which other things are injected.

Dr. Shields.—Could you get a clear-cut issue at a referendum?

Colonel Harold Cohen.—Yes, if people were not to go on the platform and surround the issue with a nimbus.
Mr. Cain.—Or kill it with faint praise.

Colonel Harold Cohen.—I have heard things other than a referendum damned with faint praise. If I have to choose between the two things, I prefer the suggestion that was made last night, but it is very much a case of “Pull devil, pull baker,” with a little better pull for what my friends regard as the devil—the referendum. Nothing is to be gained by talking at great length on the general principles. I regard this question as one of practical politics, to be considered on a practical basis. If we desire to preserve the Upper House, the safeguards contained in the Bill are not sufficient. I do not wish matters which create the need for the existence of the Upper House to be destroyed under the pretence that they are being protected. If I speak for a longer time, I shall not put the position clearer, and may exhaust the patience of a good-tempered House.

Mr. Holland (Flemington).—It is with diffidence that I rise to speak on this measure. Amongst those who have already contributed something to the debate are members of the legal profession and, as usual, they are divided in their opinions. I desire to make a little contribution purely from a simple layman’s point of view, and to submit some arguments as they appeal to me. I agree to an extent with some of the things that the honorable member for Caulfield said. In submitting the Bill, the Premier went to some pains to indicate that there was no intention, either open or hidden, to bring about the abolition of the Upper House. Personally, I quite agree with the Premier. I do not see any hope whereby even the application of this measure in its complete detail will bring about, in any direct or indirect manner, the abolition of the Upper House. I was almost astounded by some of the speeches that have been made in the course of the discussion of the Bill. Some people fail to realize that this is a changing world. They seem to be somewhat conservative in their outlook. The Leader of the Opposition, for instance, is somewhat conservative, and naturally so, because of his birth, education, environment and position. He takes what I may term the cautious view. By no means would I describe the Leader of the Opposition as being in any way reactionary. But when we listened to the honorable member for Hawthorn—the young man who came into this House in a hurry—

Mr. McKenzie.—I hope he will get out in a hurry.

Mr. Holland.—I say, quite frankly, that he has more than the average amount of intelligence. He understands the economic situation, its cause and effects, and its remedy. No one knows those things better than he does. Yet he took up a reactionary position and advocated mercantilism for the further control of the Upper House. I remember the honorable member for Hawthorn coming into this Chamber and holding forth on the rights and ideals of democracy, so much so that I pictured him behind the barricades, leading the fight for the retention of democracy.

Mr. Lamb.—Are you sure he meant what he said?

Mr. Holland.—Does not the honorable member believe he meant what he said last night?

Mr. Lamb.—I am sure he did not.

Mr. Holland.—Possibly, like many other young men who have come into this House in a hurry, believing in and advocating democracy, he has realized that in its achievement there is involved sacrifice and suffering. Possibly he has seen that the path leading to the realization of the ideals of democracy is spread with thorns and he is not prepared to take that path. Perhaps he says, rather, “I will take the lesser path. I will stand and advocate the rights of vested interests.” Possibly we shall see, at no distant date, the name of the honorable member for Hawthorn adorning the lists of directors of certain companies, or we may see his name published as representing other vested interests. I do not say that in any spirit of anger, but more in sorrow.

Dr. Shields.—Or in envy?

Mr. Holland.—No, I am speaking without a spark of envy towards the wealthy section of the community. I have no envy at all. But it was with a great deal of sorrow that I saw the honorable member for Hawthorn take up the attitude I have described. I recall another bright young man who came into this Chamber from my own district. He
was to some extent contemporary with myself. I used to hear him at street corners in North Melbourne advocating democracy. He took as his model and was always quoting, without acknowledging the author, the speech of Patrick Henry on the fight for emancipation in America. He came into this Chamber, and lost his ideals. I see, in a little pamphlet which I have here on the subject of who owns Australia, that that gentleman’s name is down on a list as being in control of £11,000,000. What a transformation! This is a changing world. I do not want to go into a historical retrospect of the struggle right down the ages from feudalism to kingly control, and to control by mercantilism, which took place in the Middle Ages, and is in existence still in some form or other. But from the commonsense point of view, and bearing in mind that this is a changing world, I maintain that there is no need for an Upper Chamber in Australia to-day. Because the Legislative Council was instituted first in Victoria, and the Legislative Assembly was created subsequently, the Upper House has adopted an air of superiority, and its members want to continue that attitude in spite of the changing world. That has been brought home to us very forcibly. I noticed the effect of it only the other day, when a messenger came here from another place with a message from His Excellency the Lieutenant-Governor, inviting members of the Assembly to go forthwith to the other Chamber. Led by yourself, Mr. Speaker,—you were preceded by the Serjeant-at-Arms—we proceeded to the other Chamber. But we were not allowed inside the gate in that House. Walking two by two, like animals into Noah’s Ark, we found that there was a barrier drawn against us, and we were not permitted to enter the sacred precincts of the Council because we came from an inferior body. We only represent the common people.

Mr. Kent Hughes.—Was not that situation the fault of members in asking too many visitors, rather than the fault of the Upper House?

Mr. Holland.—No, it was to hammer into the members of the Legislative Assembly their inferior position. As I have already said, this is a changing world. We know of the struggle that has taken place right down the ages. As the honorable member for Caulfield indicated, the English mind moves very slowly. It was not until 1929, in spite of the fact that the parliamentary institution has existed in Great Britain for centuries, that adult suffrage was adopted; and even yet it does not obtain there as we enjoy it in Australia. However, there are changes going on all over the world. When we come to assume, as did the honorable member for Hawthorn, that stable men, men of substance—not men of straw—men engaged in commerce, are the people who make the wealth of the country to-day, we may well ask, where would these men of substance be but for the brawn and muscle of the average worker, and but for the science he brings to bear as a result of his knowledge, gathered over years of apprenticeship, to the task of dealing with the raw materials of the community, thus creating the true wealth? We are asking for representation on an equal basis for those who do create the true wealth. It is largely produced socially, but it is not distributed in that direction at all. So I am not afraid of any suggestion for the abolition of this Chamber.

Like the honorable member who has just resumed his seat, I am not too greatly enamoured of the result of appealing to the multitude by referendum. The honorable member for Caulfield pointed out the history of the application of referendums to the people, and that it has been very disastrous in Australia.

Mr. Vinton Smith.—Why disastrous?

Mr. Holland.—Because of the results, due to the indifference of the people. Only one or two minor alterations to the Federal Constitution have resulted from the numerous appeals that have been made to the people.

Colonel Harold Cohen.—They did not agree with them.

Mr. Holland.—They did not, but they were necessary in view of the changes that were coming about.

Mr. Hollway.—You do not think the people were always right?

Mr. Holland.—Not necessarily.

Mr. Vinton Smith.—You were not in favour of the main question put at the last referendum?

Mr. Holland.—I was, because it proposed to give effect to the policy of
the party to which I belong, in the direction of orderly marketing.

Mr. Vinton Smith.—Your party, with the exception of the Queensland members, voted against the matter in the Federal Parliament.

Mr. Holland.—They did not. I am not holding any brief for the members of my party there, however, because they lacked the courage to face up to the issue and stand up for the policy of the Labour movement. They ran away from it. I invite the honorable member to read the speech dealing with the subject delivered by my leader—if I may term him the leader of the Labour party—in the House of Representatives. He skimmed all round the question, and members of the party tried to defeat the object in view by submitting an amendment which, in my opinion, had no relevancy to the subject.

Mr. Slater.—None of the six United Australia party Senators in Victoria helped on that occasion.

Mr. Holland.—None at all.

Mr. Slater.—Half the Ministers did nothing for it.

Mr. Holland.—As an honorable member interjected, people, as a rule, are concerned with referendums only when they are personally affected, as, for instance, in the case of the conscription campaign throughout Australia during the war, when it was realized that the carrying of the referendum might mean that the young men of Australia would be conscripted. In that case, the public rallied behind those who led the anti-conscription fight, not because they believed in their leaders, but because they were personally interested in the result, and because the lives of many young men were at stake.

Mr. Lamb.—And there was a clear issue.

Mr. Holland.—Yes, a very clear issue.

Mr. Cain.—The anti-conscription campaign had some Conservative supporters, too.

Mr. Holland.—Undoubtedly, and the Conservative element contributed a large amount of money to the campaign funds. I participated in that campaign, and an extraordinary feature about it was that, when the hat was passed around, it was not the threepences and sixpences of the workers, but the pounds of the Conservative element which were placed in it. The unusually large number of informal votes at the last referendum held in Australia indicated that a great many people were not concerned with the question at issue at all, and regarded the holding of the referendum merely as an argument for the destruction of the Lyons Government. They did not consider marketing legislation as being necessary in order to give some stability to primary industry.

Dr. Shields.—Who adopted that attitude—mainly supporters of your own party?

Mr. Holland.—Some of them did.

Mr. Vinton Smith.—The whole of the press advocated a “Yes” vote.

Mr. Holland.—Yes, we had the same experience here as was witnessed in America when, with the exception of one or two small journals, the entire American press set out to kill President Roosevelt, but in that case the press received a trouncing, because the people said, “The press wants this exceedingly, but we will not have it.” They were not prepared to examine the position and ascertain the reasons actuating the press. If the Labour movement, for example, comes forward with a definite and constructive programme, formulated not by its politicians but by the rank and file, and goes so far as to say that its object is the socialization of the means of production, distribution, and exchange, then, if the party is returned with a majority, what greater mandate would it require from the people for carrying out that policy? In Queensland a referendum was held on the question of the abolition of the Upper House in that State. When the electors refused to vote in favour of the proposal, the Government—because it represented a majority of the electors—took upon itself the responsibility of abolishing that House. Has any great damage been done to the prestige of the Queensland Government, or the people of Queensland, as a result of that action?

Mr. Vinton Smith.—Very definitely.

Mr. Holland.—The Queensland Government is in a far better position than any other Government.
Mr. VINTON SMITH.—Their credit is rotten.

Mr. HOLLAND.—Those members of the Queensland Parliament who objected to the abolition of the Legislative Council made no attempt, when returned to power, to restore that Chamber.

Mr. MICHAELIS.—They did not last long.

Mr. HOLLAND.—They had the opportunity.

Mr. MICHAELIS.—When they did not take it, they were put out again.

Mr. HOLLAND.—They had the power to restore that House, just as the Labour party had the power to abolish it. In other words, they had a majority.

Sir STANLEY ARGYLE.—Just the same power as you have to redistribute seats.

Mr. HOLLAND.—I consider there is no necessity for a second Chamber. In the current issue of the Times, an American weekly publication, I read that there is a wave of opinion passing over many of the American States in favour of the abolition of the State Upper Houses. In some States, the Upper House has already been abolished, and I do not think any evil would follow the abolition of the Legislative Council in this State. But that possibility is in the dim future.

Mr. VINTON SMITH.—Be a little more optimistic. I should like to see you witness it.

Dr. SHIELDS.—You think it will be a case of slow poisoning.

Mr. HOLLAND.—I think so. The multitude moves slowly. During this debate, there has been talk of an election. I do not know what is behind that. Is there any need for an election?

Mr. MICHAELIS.—Ask your leader.

Mr. HOLLAND.—I do not know what my leader has said, but I speak with the authority of the majority of members of my party when I say that we see no need for an election, in view of the policy submitted by the Government as set out in a number of Bills urgently requiring to be passed. I do not fear an election, and that feeling, I think, is shared by the majority of the members of my party, who are reasonably safe. If we have work to do, we should do it.

Mr. ZWAR.—The Government is not doing it.

Mr. HOLLAND.—We should see that the Government does do it. I feel sure that the majority of members of this House, if they were honest, would say that they have no desire for an election, and that they are prepared to go on with the work which they were sent here to do.

Mr. MICHAELIS.—Are not your leaders doing their best to bring about an election?

Mr. HOLLAND.—I have no knowledge of that. As far as I am concerned, they are not doing it with my consent, or with the consent of the majority of the members of my party.

Mr. MICHAELIS.—They are keeping you very much in the dark.

Mr. HOLLAND.—Many members of my party have spoken to me on the subject, and I am expressing their opinion now. If our leader wishes to express an opinion, this is the place where he should do so.

Mr. VINTON SMITH.—There is no “Hear, hear!” from the Ministerial side of the House.

Mr. HOLLAND.—My colleagues have expressed their opinions to me privately, but I am not betraying confidences. The Minister of Labour, who is at the table, is smiling. I think I can echo his opinion, too, on the question of an election—“No election for me. I am in the Ministry now. I might not remain there if there were a reshuffle, so why not hold on while the going is good?” I do not blame him.

Mr. VINTON SMITH.—Does he not wish to go to Honolulu during the next recess to make inquiries there about the unemployed?

Mr. HOLLAND.—I believe that the honorable gentleman has no desire that there should be an election. He has recently returned from New Zealand with plans relating to a scheme by which he hopes within the short period of three or four years to place a great number of unemployed in profitable industries.

Mr. CAIRN.—Would you suggest that an election should be postponed for three or four years?

Mr. HOLLAND.—That is a great idea, and should appeal to the honorable member for Oakleigh. For myself, I have never run away from an election, and have nothing to fear, because I have al-
ways attempted to do the job for which my electors returned me. No matter what the result of an appeal to the electors was, I should not worry, for I have endeavoured faithfully to adhere to the plan that was prepared for myself and other members of this House. The trend all over the world is to revert to single Chambers on an elective basis, whereby the great mass of the people have an opportunity through adult voting to give direction to or destroy those who fail to carry out the will of the people.

Mr. LAM. — Unfortunately, there is a tendency to do away with Parliament altogether.

Mr. HOLLAND. — If there is a tendency to hold Parliament in distrust and disfavour we must accept a certain degree of responsibility. I am not prepared as yet to aver that there is among the people any general disfavour of parliamentary institutions, I believe that they stand for parliamentary institutions as against any form of dictatorship. Still there is upon us a responsibility to do the work which we were sent here to do; we must do it to regain the confidence of the people, if it be true that we have lost it.

Mr. CAMERON (Kara Kara and Borung).—After hearing the very learned addresses by the honorable member for Caulfield and the honorable member for Flemington I have very great diffidence in directing some remarks to this reform measure. Yesterday we listened with interest to an analytical discussion of the Bill, and it centred around two methods whereby both Houses could arrive at a decision concerning any one measure. I wish to deal with the question from the point of view of the average man and woman. We are all agreed on one point, namely, that the Legislative Council needs reforming.

Mr. OLDHAM. — What authority have you for saying that?

Mr. CAMERON. — Every member who has spoken in this House on the subject has uttered that sentiment, and indicated that he is in accord with the Bill, at least in regard to its minor provisions; that is the reason for my statement. The measure sets out to modify the qualifications necessary for candidates for election to the Upper House, and make them similar to the qualifications relating to candidates for election to this House. That is a desirable measure of reform.

Mr. OLDHAM. — But it does not do that.

Mr. CAMERON. — The change has been asked for by electors for very many years. The people look at the position in this light: They are believers in the bicameral system, and there is no intention under the Bill to alter that system. All necessary safeguards have been provided to make it a practical certainty that the bicameral system of government will continue in this State. Over a number of years the people have witnessed a certain amount of obstruction by another place. The Premier, in his second-reading speech, said that on each and every occasion when a dispute or deadlock occurred between the two Houses this House ultimately had to surrender, and accept the decision of another place.

Sir STANLEY ARGYLE. — That is not correct.

Mr. CAMERON. — It is substantially correct. The Bill offers a solution for overcoming deadlocks or disagreements. The honorable member for Brighton suggested another method—a good one—and it is for this House to choose between the two methods. I state merely my personal opinion when I say that I can see nothing wrong with the suggestion of the honorable member for Brighton; nor do I see anything wrong with the solution offered by the Bill. Whichever method is ultimately adopted will be satisfactory to me. It is true that some method has to be accepted, and we are also aware that, with the minor amendments and minor measures of reform proposed by the Bill, there are not likely to be so many disagreements and deadlocks in the future as there have been in the past. Nevertheless, it is necessary to devise some method of overcoming disagreements when they do arise. The method adopted in the measure appears to me to be democratic, and one which no Government would put into operation unless the issue was worth while. On that account I think it has much to commend it. The other system suggested by the honorable member for Brighton, and to some degree incorporated in the amendment submitted by the honorable member for Oakleigh yesterday, requires more consideration than we had the time...
to give to it, in order to analyse it fully. If the same solution were suggested when the Bill was being considered in Committee we do not know but that this House might ultimately adopt the method proposed. As I said before, in answer to a question asked by the honorable member for St. Kilda, I think, whichever method is adopted will suit me.

Mr. Michaelis.—But you have to vote. You cannot sit back and wait to see what the other members are doing.

Mr. Cameron.—That is so, and I propose to vote for the Bill, for I think the method which it proposes has a slight preference over the other, insofar as in the final analysis this House has to go to the country in order to get over a deadlock or disagreement. I appreciate the arguments that the Leader of the Opposition placed before us yesterday. I agree with many of his contentions, for he plainly showed to the House that he wanted to make the bicameral system sure, and to place the other House and this House so that neither could be abolished. I, and I think the Government too, can wholeheartedly support that view. But to say that the Bill is only the thin end of the wedge of total abolition, and that it is a step towards an objective that is not desirable, is to say something that I cannot agree with. We have to take one step at a time. We cannot make progress unless we take that step. Because we take a step towards revolution that is not to say that we are on the road to revolution. One step is enough for me. I did not intend to have anything to say on this Bill. If every member spoke on it we should not be transacting the business of the State expeditiously as the State desires. I support the Bill.

Mr. Kent Hughes (Kew).—After hearing the first and very interesting contribution of the rank and file of the Government—

Mr. Hollway.—It was the last analysis.

Mr. Kent Hughes.—It was the first, and it was an interesting contribution, as well as the last analysis. The repetition on the Government side of the House of the statement that the motto of the Government is “One step enough for me,” forces me to the conclusion that it is necessary to remind the honorable member for Kara Kara and Borung that that step was taken “amid the encircling gloom.” When the honorable member for Dundas was expounding his theory clearly and lucidly about the necessity for abolishing the Upper House, and explaining why the Bill was necessary as a first step, the longer he spoke the longer became the faces of the members on the Ministerial back benches, until they reminded me, more than anything else, of a mob of negroes at a lynching. I do not wish to be personal to them, but the look on their faces was exactly similar. It was a look of horror and amazement at being forced to witness something abhorrent to them. When the Premier said to the “obscure” member for Oakleigh last night, in a very unnecessary and untrue manner, that he was not often seen and heard, I could only wish that the Premier had eyes in the back of his head to see the effect “amid the encircling gloom” surrounding members of the Country party.

I cannot agree with the honorable member for Caulfield that there has been a terrific spate of oratory on this Bill. The attention paid by honorable members to the Bill has shown that they are more interested in it than they have been in any measure brought before the House for a very long time. I have never seen a debate extend to the length of this one with so many members present taking a keen and close interest in the subject under discussion. Every member has realized the importance of the occasion and of the step proposed in the Bill. The Bill has produced from all parts of the House some of the most interesting and enlightening speeches we have had for a very long time, and every one of us has learned something from every one else. Few of us, including even the legal members, know the Constitution Act and the Constitution Act Amendment Act backwards and forwards, and inside out, as we ought to know them to enable us to deal with the Bill. We certainly know more about them now than we did before the discussion started.

The discussion has been remarkable for three things. One is the disclosure of a very large degree of unanimity in the desire to see an alteration made in the existing Constitution. Secondly, there is
a very marked difference of opinion as to the methods which should be adopted in altering the Constitution. Thirdly, there have been some surprising reversals of form on what may be termed the political racecourse.

Mr. LAMB.—Are you in favour of the Constitution being altered?

Mr. KENT HUGHES.—I agree that the present Constitution could, with benefit, be altered, but there is a marked difference between me and some other members as to the methods of doing that. The honorable member for Northcote paid the Leader of the Opposition a compliment when he said that he was direct and straightforward. I am sure that the Leader of the Opposition would return the compliment to the honorable member for Northcote. We always know where the honorable member for Northcote stands, and in existing circumstances we know how he will vote. The Labour party makes no secret of its attitude.

Mr. CAIN.—Not what they want.

Mr. KENT HUGHES.—They certainly did not get what they deserved in a mandate from the people at the last election; they got more than they deserved. The statement of their views has always been quite fair and open. The honorable member for Northcote knows quite well that, although he may not be the ringmaster of the political circus, the turn he does within the ring is so important that if he walked out of the circus I would not be able to carry on.

Sir. STANLEY ARGYLE.—Do you mean that he is the lion tamer?

Mr. HOLLWAY.—He is more like the man in charge of the box office.

Mr. KENT HUGHES.—Quite so, and he controls the show. His speech was almost an exact answer to the honorable member for Hawthorn, who also gave a very clear statement of his views, although I do not think his remarks were fully understood in the sense that he intended.

Mr. SLATER.—They would take a lot of understanding.

Mr. KENT HUGHES.—Paraphrasing the poetic language of the Attorney-General in his peroration to his speech on the Companies Bill, I should say that the honorable member for Hawthorn described the Bill now before the House as a crevice in the Country party subject to infestation by Labour parasites. He also said that he believed very fully in a property House, and in maintaining the property qualification. The honorable member for Dundas quoted Disraeli’s opinion as expressed in Sybil, one of his earliest books. Later, when, as the honorable member for Flemington said, Disraeli had been educated by experience in life, he made a different statement. He said then that the people did not consist of any one particular class, and in a community in which ownership of property was allowed, property should be granted certain rights but not final rights. Although that statement was made long ago, it is true to-day. I hold the view that in a civilization in which the ownership of property is permitted property has some rights, but property does not consist only of land and houses; it includes tools of trade, and such things as, for instance, a doctor’s training in his profession.

Mr. CAIN.—And the navvy’s shovel and bowyangs.

Mr. KENT HUGHES.—For the reason that property does not consist of only land and houses, my view is that a second Chamber as provided for in the new Constitution of the Irish Free State, which was outlined by the Leader of the Opposition last night, is the modern ideal of a second Chamber. Its constitution is not based on the ownership of property only in the form of land and houses, but it extends to the wider basis of what might be termed professional or vocational status, and it gives to that second Chamber the power of delay but not the final decision in the event of a deadlock.

Mr. LAMB.—What is to be the limit of professional status?

Mr. KENT HUGHES.—It can be defined in the widest terms.

Mr. SLATER.—Where does the forgotten man come in?

Mr. KENT HUGHES.—Who is the forgotten man?

Mr. SLATER.—The meanest citizen, who has his rights.

Mr. KENT HUGHES.—It is only in the imagination of the honorable member and his party colleagues that we find the view that a man who works with his
hands has no property or rights in the community. It is an entirely wrong view. Of course, he has property and rights.

Mr. LAMB.—But there must be some limit.

Mr. KENT HUGHES.—I have given a broad outline of the ideal second Chamber, and I do not want to discuss details. The view should not be adopted that only those citizens who own property of one kind should be represented in a second Chamber, and other citizens who possess other forms of property should not have representation. When moving the second reading of the Bill the Premier emphasized the importance of the measure, but his remarks in the speech which he made towards the close of the sitting last night seemed to indicate that although the Bill is of very great importance, he does not propose to allow an interval between the close of the second-reading debate and discussion in the Committee stage.

Mr. A. A. DUNSTAN (Korong and Eaglehawk).—I think all honorable members are familiar with the Bill.

Mr. KENT HUGHES.—The Government has found it desirable in its own interests to insert in this Bill additional safeguards and amendments which were not contained in the Bill of last year, and that has been done because of the debate which took place in the other House last session. It is the right and privilege of every member of this House, not only to have ample time to prepare amendments, but also to have them printed and circulated so that other members may have an opportunity of considering the amendments before they are submitted in Committee. I hope the Premier will reconsider his decision on that point, otherwise he will reduce the House to a registering machine. If the Government wants to do that, let it alter the Standing Orders, but until that is done it should not use the Standing Orders in this way. The honorable member for Kara Kara and Borung said that he wanted to consider the proposal submitted last night by the honorable member for Oakleigh, in the event of its being moved as an amendment when the Bill is in Committee. Other honorable members may intend to move similar amendments. I feel that on such a Bill as this, which is one of the most important measures that have been submitted to the House for a long time, every honorable member has the right to have his amendments circulated, and other members have the right to consider amendments before they are moved in Committee. That is important, because since a similar Bill left this House last session the Government has inserted additional amendments. The Premier, when moving the second reading of the Bill, referred to its opponents. They can be divided into two classes. One class wants to retain the Constitution in its present form, and I do not know whether there are many members of this House or people outside Parliament included in that class. They do not want the Constitution altered in a hurry and without proper consideration. A greater number belong to the second class, who want some amendment of the Constitution, but hold that the safeguards included in the Bill do not justify its being passed in its present form. Naturally, the Labour party is supporting the Bill, and if they could use it to knock down more panels in the fence they would be delighted.

Mr. CAIN.—We seem to be the only people who know where we are on the Bill.

Mr. KENT HUGHES.—The honorable member's party wants abolition of the Legislative Council, but I do not think the supporters of the Government know where they are. They do not know what the repercussions of the measure will be.

Mr. MARTIN.—Why did only nine members of this House vote against the Constitution (Reform) Bill last session?

Mr. KENT HUGHES.—Because it was put through in such a hurry that there was not sufficient time to consider it properly. Why has the Government inserted additional safeguards in this measure?

Mr. A. A. DUNSTAN (Korong and Eaglehawk).—They are not absolutely necessary, but they have been put in as additional safeguards.

Mr. KENT HUGHES.—Ministers and their supporters found it very necessary to make a strong point of those safeguards when speaking from the platform during the Legislative Council election.
The Minister of Water Supply, who was Acting Premier at the time, knows that very well.

Mr. A. A. Dunstan (Korong and Eaglehawk).—It is to satisfy those who are unduly nervous.

Mr. Kent Hughes.—The Premier said in his second-reading speech—

I should like at the very outset to sweep aside some of the misconceptions which the opponents of the Bill have sedulously attempted to disseminate, and to focus public attention, if I can, upon the real object and the real purpose of this measure.

I take exception to those comments because if there has been any misconception in regard to the Bill it is due to the action of the Government, and not to what has been called a malign attempt to cause any misconception in the public mind. The Premier has issued a challenge to anybody to show how the Legislative Council could be abolished without its own consent. In this House and also on the public platform the Premier and the Deputy Premier have refused to answer the statement that the Upper House could be indirectly abolished by taking so much power from it that it would become so impotent that virtually it might just as well be abolished as stay in existence.

Mr. McKenzie.—That is far fetched.

Mr. Kent Hughes.—No, it is not. I ask the Premier to let us have the benefit of an independent authority, such as a Crown law authority, on the question whether the indirect abolition of the Legislative Council is possible by stripping that House of its powers. Speaking on the origin and the objects of the Bill, the honorable gentleman said—

It has been suggested, in some quarters, that the Bill is nothing more or less than a malign attempt to abolish, or to destroy, or to render impotent, or to discipline the Legislative Council. Now, I want to say that nothing could be farther from the truth.

If we accept that statement as true, as we should, it is unfortunate that the Premier should have made such threatening remarks in this House about the Legislative Council, after it rejected his taxation measure and held him to his election promise.

Mr. A. A. Dunstan (Korong and Eaglehawk).—What did I say?

Mr. Kent Hughes.—The honorable gentleman said that the Legislative Council was going a long way to bury itself. I can show him that remark reported in Hansard. When the ordinary citizen hears such a comment he is inclined to be led astray.

Mr. Cain.—The average intelligent citizen is inclined to think that the Premier is right.

Mr. Kent Hughes.—That is the honorable member’s opinion. We know what the Labour party’s view is. The honorable member for Dundas talks about the “Argyle blot,” yet he sits with four members who voted for the “Argyle blot” and are now in the Ministry. Three of them are present in the Chamber now, but the fourth, the Minister of Labour, is absent for the moment.

Mr. McKenzie.—You admit that it is a “blot.”

Mr. Kent Hughes.—No, but the honorable member for Dundas said that it is. At the time the United Australia party thought that the redistribution of seats proposed was the best possible from the point of view of practical politics.

Mr. Cain.—You could have made it better.

Mr. Kent Hughes.—I was not in the House.

Mr. Cremean.—The most interesting discovery is that of the “anti-blotites” on your side.

Mr. Kent Hughes.—We shall discuss that later. Speaking on the election platform the Acting Premier enumerated four reasons for the introduction of the Bill. The first was that the present Upper House has greater power than the House of Lords, but that point has been so fully dealt with that I shall not discuss it.

Mr. A. A. Dunstan (Korong and Eaglehawk).—Do you think that is correct?

Mr. Kent Hughes.—Yes, but as the honorable member for Caulfield said, it is not the powers that an individual possesses, but the powers that he abuses that decide his right to them. This House has many powers, and if it abused them it would receive a just sentence in a short while. We can say such a thing about anybody. One point that has not been brought to light about this Bill is this—that the one thing expressly exempted from the British Parliament Act was the
power to extend the life of Parliament. The determination of the duration of the life of Parliament was not placed in the hands of the House of Commons. It does not need any discussion by members in this House to show why that was so. It is obvious that if we are going to place within the hands of one House the power to extend its life, we are opening a way to a dictatorship by constitutional methods.

Mr. Cain.—There is no appeal there.

Mr. Kent Hughes.—I know that. Here an appeal is provided for, but what sort of an appeal is it? Then the Premier went on to say that the spectacle of frustration and delay was one of the reasons for the introduction of the Bill. When one tries to discern the frustration and delay spoken of by the honorable gentleman, one cannot find it. During his recent trip abroad, he seems to have discovered that the nations do not make war but they invade one another’s territories in the interests of peace. Now it is proposed to invade the rights of the Upper House because of the spectacle of frustration and delay. He also said—

The plain fact of the matter is that in a modern democracy a legislature with two Chambers of virtually co-ordinate powers is an open menace to any democratic form of government.

In what way has the Upper House been a menace to the present form of government? What Bill for which the Premier received a mandate has that House not passed? He cannot mention one. In what way has it frustrated or delayed anything that he has tried to carry out? So the reason for the introduction of the Bill is perfectly clear, but it will be denied. I feel, as other members of the Opposition do, that if the Government is so keen on a mandate from the people, the people should be allowed to give it one, not at half a dozen Legislative Council elections, but at the Assembly general election which must take place within the next twelve months.

Mr. Otn.—Do you suggest there should be an immediate appeal to the people?

Mr. Kent Hughes.—No, I think this subject is not of such great urgency that it could not be delayed until the next general election. No mandate has been received from the people for this legislation, but the Government is saying that it must have a mandate from them.

I again intend to introduce the proposal for a referendum because I feel that a differentiation can be made between a deadlock on an ordinary Bill and a deadlock on a constitutional matter. In the case of a deadlock arising on a Bill other than a constitutional measure I think the machinery provided in the measure before the House may not be far wrong. But provision must be made in respect of a deadlock on a constitutional matter by a referendum, which would not be cowardly, but would be the proper way to proceed. The Premier used some extraordinary adjectives in connexion with the referendum proposal. He said it was cumbersome, costly, unsatisfactory, and cowardly. Why, I ask him, did he use those adjectives? It is not more cumbersome or costly than a general election would be. It is considerably more satisfactory, because by means of it we would determine only one question, and we would not have all sorts of cross currents, such as we find at a general election. And it is not cowardly. Why would it be cowardly, in a democratic country, to refer to the people, by a referendum, a question of constitutional alteration when the two Houses cannot agree on it? What is the use of talking about the will of the people being bound to prevail, and everything of that nature, if we are not going to allow a referendum to take place? The Premier, in the first two pages of his speech, talked, I think seven times, about the needs of modern democracy. He said—

That is a principle which is recognized in all modern democracies.

The Bill takes its roots in the very first principle of constitutional and democratic government.

It is an elementary principle. . . . in democratic constitutional government.

The whole basis of this Bill is the needs of a modern democracy.

And so he went on. Since when has the Premier been a consistent advocate of modern democracy? Or is he a converted agnostic? He has not been a consistent advocate of modern democracy, as the Minister of Agriculture very well knows. There is no necessity for me to go into past history; but when we take into account the alteration that was made last year in connexion with the ratio of Council voters, bringing about a change of
basis from 100 to 49 to 100 to 55; when we remember that compulsory voting has been brought to bear in connexion with Council elections; and when we realize, further, the way in which the Premier proposes to redistribute the representation on the Melbourne and Metropolitan Board of Works, we may be forgiven for saying that he is a converted agnostic. But when we come to the difficult problem of the redistribution of Assembly seats, which must follow as a result of the passing of the Bill before the House, and when we take into consideration the attitude of the Premier on that subject, the only conclusion we can come to is that he is neither of the two things that have been suggested, but that he is a consummate actor, whose powers we might envy but could not respect.

Does the Country party realize that if the final appeal to the people is to be made by a general election on the basis of the needs of a modern democracy there is only one logical thing that can be done, and that that is to bring about a redistribution of Assembly seats? Instead of saying that the Labour party wants the principle of one vote, one value, the Country party is now, itself, bringing in the legislation which demands that. The party will not have a referendum; it will not have the suggestion that has been put forward by the honorable member for Oakleigh. It is left, therefore, with the one thing only, and that is that the final arbitration on all matters of deadlocks, whether on constitutional measures or others, must be by means of a general election, and I still hope that the House will agree to that course. If we are going to settle constitutional matters by means of an election, then, as the Minister of Water Supply, who is now at the table, said last session when speaking on the reform Bill then before the House, we shall get plenty of catch cries at an election, plenty of high lights, plenty of tub thumping, plenty of everything except concentrating public attention on the one thing on which the election is supposed to be taking place.

Mr. Old.—Except when there is no one to listen to you, as was your experience at Echuca.

Mr. KENT HUGHES.—That meeting was badly organized, I admit; but I found that things were very different when I spoke at Shepparton. I hope the honorable gentleman will give me some credit in that we had a very good meeting there, and that the result was a very good one too.

Mr. Old.—It was satisfactory to us.

Mr. KENT HUGHES.—At election time you can tell the people—if the Premier prefers it—anything you like, whether it is true or untrue, as at the last election.

Mr. Old.—You cannot get away with that.

Mr. KENT HUGHES.—All right, I am prepared to withdraw that. I take it from the Minister that what the Premier said on the 22nd of February, 1935, at Maryborough, in connexion with the last election campaign was true, when he stated that the Argyle Government had done all that it was possible to do. I take it that he was then speaking the truth, but I find great difficulty in thinking that other things the Premier has said since about the Argyle Government were true. His words could not have been true in both cases. In the course of an
election campaign there are all sorts of side issues and cross currents, and one cannot obtain a clear mandate. Although a referendum may not be necessary in the case of a dispute between the Houses on an ordinary public Bill, it is not only necessary but is eminently desirable on a constitutional matter. If the people are slow to change the Constitution, are we to complain? If they do not consider it of sufficient importance, or if the issue is not put simply and clearly enough to them, whose fault is it but our own? What reason is there why provision for a referendum on constitutional matters should not be accepted? When it is all boiled down, there is no genuine and justifiable reason that has yet been put forward, and I still think that this House should accept the proposal. I hope it will do so when I submit my amendment in that direction, in Committee.

Mr. McLACHLAN (Gippsland North).—I intend to vote for this measure although I think it should have been preceded by a stabilization of the franchise. That is the view I take with regard to the word “democracy” which we have heard so much used in connexion with the discussion of the important matter before the House. To my way of thinking, we have no true democracy in this State; nor can we have it until our people who have been presented with a vote are educated. Time after time people are sent into this House to oppose—I do not know why—instead of to construct. No exception is taken to that course, yet it is a fact. I do not think that the Bill will add to the prosperity of this country. I do not think there will be enhanced prosperity until the people are educated; and that is a step which should precede this Bill. Our time should be spent in endeavouring to teach the people who have been given the franchise the various forms of government. Until the franchise which they possess is stabilized, a measure of this kind is not likely to do any good. Although I intend to vote for the Bill, its passing will not bring prosperity to this country. One factor which will assist in achieving that end will be the improvement of the position of electors, which can only be attained by education. Slums would not exist in this country if the people knew how to use the vote which has been conferred upon them. They were given the franchise as a result of the activities of those who demanded freedom and justice, and now Parliament compels those who are indifferent to record their votes under penalty of a fine. We cannot have the true democracy referred to by members of this House until such people are fitted to use the formidable weapon placed in their hands. If we wish, we can destroy the Legislative Council, but that will not give us a true democracy, which is government of the people by the people for the people—assuming the people are mentally and educationally fitted to exercise a vote. But instead we frequently get government of the people by the party for the party, which is a totally different thing. Mussolini would probably say, “What is the difference between your country and mine? I am the dictator in my country; and your party for the time being is the dictator in your country.” It is true, of course, that in this State the Government is formed by a party, but, in a great many cases, the people who cast their votes do not know what effect their voting will have upon the country.

To obtain some idea of what is meant by a true democracy, honorable members should attend a political meeting in the country and note the percentage of local residents present. I have, in years gone by, seen country halls filled with electors during an election campaign, because the people of those days, many of whom had come from England and Scotland, were politically minded. They were also, to some extent, educated in the troubles experienced by their fathers, and were endeavouring to overcome them through Parliament. To-day, although the population is much larger, not one in twenty people attends political meetings. Take, for example, the meeting held in Sydney at the opening of the recent referendum campaign. I was informed by a resident of my home town, who happened to be in Sydney at the time, that little or no interest was displayed in it. People have lost interest in political matters because we have not achieved the democracy we talk about. That is a very strong reason why our attitude towards the reform of Parliament should be altered, as I have indicated previously.
In our scholastic establishments we have every opportunity of impressing on the minds of the young folk a bias towards political life. We do not take advantage of that opportunity, but permit them to leave school with little or no knowledge of the forms of government, the meaning of parties, and the importance of the responsibility cast upon them when they reach the age of 21 years. The progress of this country depends upon Parliament. That being so, the study of politics should be added to the school curriculum, and annual examinations conducted therein. If that were done, it would mean that after leaving school a great many young people would become interested in debating societies and other organizations that tend to the mental improvement of the people and give them a wider outlook. In various places, endeavours are being made to create an interest in politics by means of mutual improvement societies, but it would be far better if young people became interested in political matters while students. They are taught to read and write at school, and, whether they go to work on the road or on the farm, they read their newspapers and become experts on sporting matters. It has been said that Australians are better informed in this direction than any other people in the world; but, while sport is necessary to ensure physical fitness, young people also need, in the interests of the country, that mental food which will give them a wider outlook on public questions.

Another example of the weakness in our democracy is disclosed at polling booths on election days, where people may be seen offering electors tickets containing advice how to cast their votes. That really is not a reflection on the intelligence of the community. People can identify themselves with sport and still be intelligent; but such a practice as that to which I have referred reflects lack of thought on the part of Parliament for the welfare of those for whom Parliament legislates, in that it does not make provision so that, if they display no interest in other matters, they shall at least study political subjects. On such education the future welfare of this country depends. In view of the poverty in our community, where none should be, what does it matter who are elected to this Parliament, or whence they come, so long as they co-operate with the one great object in view—that of giving every person an opportunity to live in reasonable comfort? As regards our slums, true education of the people would mean that shacks would not exist. The same remark applies to elections in respect to which the standard of the political education of the people is only too apparent. We shall have to educate them along the right lines, otherwise eventually there will be such general indifference that a change to something far removed from democratic ideas will become imminent. We should certainly hold on to the measure of democracy that we have, weak as it appears to be, and nourish it so that it will become virile. This is the advice given by all those who have a wide outlook on Dominion affairs.

Instances can be given to indicate where the weaknesses in our democracy lie. In our Commonwealth Parliament, for instance, there are short sessions, lasting only two or three weeks, but dealing with matters of vast importance to the nation. The legislation is disposed of hurriedly, without adequate discussion. Again, one can refer to the long parliamentary recess in this State, beginning at Christmas, and lasting until July. Surely members have grievances that they desire to ventilate in the meantime. Yet this weakness in the democratic structure is tolerated; the people say nothing, and Parliament does nothing.

Mr. Creman.—You cannot say that Parliament says nothing.

Mr. McLachlan.—It says nothing about the long recess. On many occasions in periods of recess constituents of mine have come to me with grievances which to them are of vital importance, and I can do practically nothing until Parliament reassembles. As I have already suggested, the sessions of the Commonwealth Parliament are too brief, and the measures are dealt with too rapidly. That cannot be said of our House, because every opportunity is given to members to discuss questions. Another weakness in our democracy is in its tolerance of the slow manner in which steps are taken to conserve the natural resources of our State. With the position of those
resources both Ministers and private members are constantly apprised. When the subject is brought forward in the House it should be the duty of the Government, as a body, to consider it. For instance, the position regarding our mountains and rivers justifies the holding of a conference to see what action can be taken to protect and develop our water supply. Ministers might depend upon their officers to bring them certain information, but it would be much better for those Ministers to observe for themselves what is taking place. That might facilitate the proper steps being taken, and certainly in regard to our mountains and rivers action has been long delayed.

As the honorable member for Kew pointed out, the Premier, in connexion with the Bill now under discussion, frequently made use of the word "democracy." My idea is that we have not yet reached that truly democratic state which should be our constant objective. That is a change which should take precedence even of that dealt with by the Bill. Until we do take necessary steps to place in the hands of the electors a weapon well sharpened, so that they can exercise their rights on vitally important matters, there will not be that progress which is so much to be desired. I have no objection to the measure as it stands, but if it becomes necessary for the House to go to the voters, we shall have to do so. As I have said on previous occasions, those who should go before the electors are the Ministers, not the private members of Parliament. When there is a clean cut issue, unadulterated by any other question, the Ministers are the proper persons to deal with it on the public platform. As they are responsible for submitting important proposals they should take the risks associated with them, and if they succeeded in being returned to Parliament that would be a justification for the general acceptance by Parliament of such proposals.

Mr. ZWAR (Heidelberg).—The main subject under discussion has been threshed out both yesterday and to-day, and some very fine speeches have been made. Therefore, I do not intend to occupy the time of the House for long. One could judge from the speech of the honorable member for Kara Kara and Borung that he was really expressing the view of the honorable members on the Ministerial back-benches, but that if he had freedom of vote he would be in favour of the proposals made by the Leader of the Opposition and the honorable member for Brighton. Unfortunately, Ministerial members are not free to give a vote according to their views; they must vote as they are told, and ever since the Dunstan Government came into power that fact has been obvious. The direct supporters of the Government are simply dumb voters, and do not give any concrete reasons for the way in which they cast their votes.

The honorable member for Flemington said that there was no need for the Upper House. On the contrary, I feel that there is a great need for it, as the other Chamber is required for the purpose of stopping the passage of, or altering Bills that have been hurriedly passed through our House and not dealt with in an intelligent fashion by various Ministerialists. The Upper House is a brake on unhealthy legislation, and while there is need for some reform, there is only one method of effecting it, and that is the right method. I regret that the proposal made by the honorable member for Oakleigh last night was rejected.

This is not an urgent Bill. Certain other Bills are far more necessary in the interests of the people. There are the questions of slum abolition, the plight of State children, and the permissible income regulations. The Government is not thinking of those questions, nor is it thinking of those members of the community who are on the starvation level, and should be looked after first. The Government has the opportunity. Why does it not take it? Inquiries have been made into the slum question during the past twelve months, and the Government knows just where the slums are. Why does it not get on with the job?

Mr. OLD.—Will the honorable member support the necessary taxation to allow slums to be abolished?

Mr. ZWAR.—It is necessary for the House to go into the question of ways and means. Why has the Government not taken steps in that direction? The present Bill is only a red herring across the trail.
The honorable member for Flemington made a good speech. He always does. He goes deeply into matters. He referred to the wealth of Queensland and the prosperity of the workers there. Queensland is one of our greatest States, and has great wealth behind it, but is one of the most backward in looking after the interests of the taxpayers. Wages Boards in Queensland fix wages higher than the Commonwealth Arbitration Court fixes them. Before the recent decision of the Court, the basic wage was £3 14s. in Queensland, based on the necessary provision for a man, his wife, and three children. That was almost 15s. per unit, with a total of five units. In New South Wales the basic wage was £3 9s. for a man, wife, and child, a total of three units, or £1 3s. per unit. The position in New South Wales was much better for the worker than in Queensland. Where wages are higher the savings of the people should also be higher. Savings bank deposits are a fairly good criterion of the savings of the people. The savings banks deposits in Victoria are £73,000,000, as against £27,000,000 in Queensland.

(At 6.24 p.m. the sitting was suspended until 8 p.m.)

Mr. ZWAR.—When the House adjourned for dinner, I was drawing attention to the differences between the cost of living in Queensland and in other States. Taxation in Queensland is higher in proportion to the population than in any other part of Australia. If the rest of Australia was taxed at the same rate as Queensland, £13,000,000 would be withdrawn from industry. In other words, due to the lower rates of taxation operating in the other States, that money is going into industry and employing thousands of men, whereas the high rates imposed in Queensland mean that fewer people are employed in industry than would otherwise be the case. For every man who obtained work in Queensland at the end of the depression, fifteen were employed in Victoria. Approximately 3,700 men were re-employed in the northern State as against 55,000 in Victoria, which indicates that the good government of this State, with an Upper House—

Several HONORABLE MEMBERS.—Hear, hear!

Mr. ZWAR.—The foundation of that good government was laid by the Argyle Government, and the present Ministry is simply carrying on, the tail of the dog in the Ministerial corner wagging it. The Opposition assists the Government when it submits any decent legislation, which is very seldom. As I said previously, the Bill now being debated is only a red herring drawn across the trail to take the minds of the people off the starvation conditions that the Government is permitting to exist instead of getting on with its job.

Let us compare the wealth of Victoria with that of Queensland. From 1915 to 1929, the wealth per head of population in Victoria increased by £235, while in Queensland the increase was only £72 per head, and it is only the high price paid for sugar by the people in the other States that is keeping Queensland going. Another basis of comparison may be found in the savings of the workers in the two States. As I said before the dinner adjournment, in Victoria, savings bank accounts total £73,000,000 as against only £27,000,000 in Queensland. The respective populations are 1,840,000 and 966,000, so that it will be seen that, although the population of Victoria is barely twice that of Queensland, the amount in the savings banks is nearly three times as great as in Queensland. For the year ended on the 31st of January, 1937, Victoria saved £1,300,000, as against £293,000 in Queensland. In other words, for every £6 saved in this State, Queensland saved only £1.

Let us also look at the position from the point of view of living conditions of workers. For every £100 worth of effects, including pictures, furniture, and musical instruments, owned by workers in Victoria, Queensland has only £75 worth of similar goods, which would indicate that people in Victoria live under better conditions than those existing in Queensland. There is a certain necessity for a measure of reform of the Legislative Council, but the proposal contained in the Bill has been forced on the Government by the Labour party, with the ultimate aim of abolishing that House.

Mr. ALEXANDER MCDONALD (Stawell and Ararat).—I regard this as one of the most important measures
brought before the House during my brief political career. The very able speeches delivered by the Leader of the Opposition and various other honorable members have been most interesting and instructive. I think every member privileged to be present has taken a deep interest in the matter at issue, and the debate will contribute history of importance in relation to the status of this Parliament. Throughout the civilized world, changes are the order of the day. We have read of what has occurred in respect of one nation, a large section of which demanded reform. Through the wishes of those people not being met, much bloodshed has occurred. It would have been far better if the Government of that country had complied with the request made to it. If that demand for reform had been met in the right spirit, it would have resulted in the saving of many valuable lives. An extraordinary price has already been paid to achieve reform, and a still larger price may yet be involved.

Sir STANLEY ARGYLE. — To which country is the honorable member referring?

Mr. ALEXANDER McDONALD (Stawell and Ararat).—I am referring to Spain. I thought most honorable members would have been so well acquainted with developments in that country that such a question would not have been necessary.

Sir STANLEY ARGYLE.—The point is that what is known as the Popular Government is in office.

Mr. ALEXANDER McDONALD (Stawell and Ararat).—We have not gone nearly so far as the House of Commons did.

Mr. A. A. DUNSTAN (Korong and Eaglehawk).—The House of Lords has no power over money Bills.

Mr. ALEXANDER McDONALD (Stawell and Ararat).—Money Bills are a burning question with all members of Parliament, and particularly those of Scottish descent. In his able speech the Leader of the Opposition said that he desired to maintain the Upper House, a view with which I largely agree. As for the honorable member for Brighton, although I thought that he would have moved the amendment actually submitted by the honorable member for Oakleigh—

Mr. A. A. DUNSTAN (Korong and Eaglehawk).—Some one pinched his powder.

Mr. ALEXANDER McDONALD (Stawell and Ararat).—It was not only pinched, but fired. I was about to refer to the suggestion of the honorable member for Brighton that there should be a joint meeting of both Houses, with the idea of avoiding either a general election or a referendum. While I am inclined to favour that idea I do not wholly agree with it, because I think it would meet the difficulty but half way. If we have to endeavour to have a reform measure passed, it is better to proceed on the original basis, because that would show that the Government has no fear or doubt about the voice of the people. With all due respect to the proposal made by the honorable member for Brighton, my opinion is that we should submit to the wish of the people
as a whole. It shows that the Government has every confidence in the people when it will persist in its endeavour to have passed by Parliament a reform measure framed like that of last session, plus the amendments to which the Premier has referred. On this important proposal I merely wish to express the views of a beginner in political life. I suppose that about 80 per cent. of Opposition members have said that they are in favour of reform for the Legislative Council, and it is evident that it is required, not only by the great majority of members of Parliament but also by the electors as a whole. It is therefore to our interest to see that the legislation is passed in a form that will be satisfactory not only to our day and generation, but to those generations which are to come. I hope that every member of this Chamber will view the Bill in that serious manner in which it deserves to be considered, and as I observed in the first place, I think that every member is actuated by the highest motives, desiring to deal with the measure in the most effective way and vote in accordance with the dictates of his conscience.

Mr. DREW (Albert Park).—Probably one of the most interesting discussions that it has been my pleasure to listen to in this House has followed the introduction for a second time of a Bill to reform the Legislative Council. The debate, like so many others, has reminded me of the first quotation that I heard used in this House, the occasion being a debate on a Budget. The then Leader of the Opposition, the honorable member for Collingwood, alluded to the story of Alice in Wonderland, and quoted the following:

"The time has come," the Walrus said,
"To talk of many things:
Of shoes—and ships—and sealing-wax—
Of cabbages—and kings."

I think that in the course of this debate practically everything but cabbages has been discussed.

Mr. Hollway.—I suppose you are not referring to the honorable member for Collingwood as a walrus.

Mr. DREW.—I did not say so. Yesterday, for what reason I am still unable to determine, the honorable member for Northcote, assisted by a few members on this (the Opposition) side of the House, entered into an interesting discourse about Queensland, in which he dealt with primary and secondary industries, taxation, and other matters affecting that State. The issue to be determined in connexion with the Bill now before the House is in itself simple. I do not think that there is one member of this Assembly who does not agree that some measure of reform of another place is desirable in the interests of a smoother working of our parliamentary system. The main basis of contention is how far we should go in the matter of reform.

Mr. Barry.—Abolition!

Mr. Drew.—The views of the Ministerial corner party were expressed yesterday in no uncertain terms. The members of that party have never disguised the fact that their one objective is complete abolition of the second Chamber, but approximately 80 per cent. of the members of this House disagree with that view. Those dissentients include the members of the Government who, while advocating reform, said definitely on every platform from which they spoke that they had no intention of doing anything that would make the abolition of another place possible. That is the considered opinion, and an oft reiterated decision of the United Country party. The few members on the Ministerial benches who have spoken have let it be clearly understood—in case their electors misunderstood them—that they have no desire to do away with another place. We must all agree that the present method of settling disputes between the Houses is unsatisfactory. Frankly, I believe in the bicameral system, for reasons which have already been adduced by several speakers on both sides of the House.

Mr. Barry.—Where does the Country-Liberal section of your party stand?

Mr. Drew.—That section showed by the vote which it recorded last night exactly where it stood. The point remains that we are all imbued with the necessity for reform. The methods of reform that have been suggested are three in number, or we might even say four in number, by including the present system of conferences of managers of both Houses. The three methods are a general election following a dissolution, a referendum, and
a joint sitting of both Houses. We should not be seized of the necessity for reform if the present method was satisfactory, so we can discard that one from consideration. Each of the other methods has certain possibilities, and very many disabilities. It has been suggested in many places that a referendum is the best way to settle these disputes. I should like to ask my friends on the Ministerial corner benches exactly what their own party—the Australian Labour party—thinks of referendums.

Mr. Hollway.—Which is the Australian Labour party?

Mr. Drew.—Any one of the various sections of the Labour party. They are all united in one thing, in being opposed to referendums except on questions of conscience.

Mr. Tunnecliffe.—You have got the idea reversed. The Labour party favours referendums on other questions, but not on questions of conscience.

Mr. Drew.—I say, quite candidly, that in all the referendums I can remember over a period of eighteen or twenty years, except in one or two isolated instances, the people did not understand the questions placed before them. Again, the Labour party has reason to remember its experiences. A Labour Prime Minister of Australia submitted certain questions to the people by referendum, and the people decided against the Labour party. Shortly afterwards a non-Labour Government submitted the same questions, and they again suffered defeat.

The question of the transfer of additional industrial powers to the Commonwealth has been the subject of referendums no fewer than seven times in fifteen years. It has been submitted by different parties, and each time the people have refused to grant the powers asked for. I can draw only two conclusions from that—one that the people did not understand the question, and the other that they did not wish to grant the powers. I think the first suggestion is the right one. Let honorable members cast their minds back a few months to the referendum on marketing. Certainly there was disunity in each of the three political parties in the Commonwealth—the United Australia party, the United Country party, and the Labour party. Honorable members should at least be able to pride themselves on knowing rather more than the average elector about that question. I listened to half a dozen speakers on both sides. Every elector in the Commonwealth had posted to him detailed statements for and against the proposal. At the meetings I went to I heard elaborate explanations, and each time I came away feeling that I should like to consult someone who could give me an explanation of the explanation. That, I am sure, was also the state of mind of at least 80 per cent. of the electors. Even the Premier must admit that the most striking feature of the marketing referendum was that country electorate voted "No" in a most decisive manner, and whole States that were expected to carry the proposal turned it down by large majorities.

Mr. Michaelis.—Do you not think that there is a chance that the people did not want to grant the powers asked for?

Mr. Drew.—I think that the people did not properly understand the question, and did not want to be bothered with the referendum. The only occasion when a referendum will register a true reflex of public opinion is when it is on what may be called conscience questions, such as conscription, which was submitted at two referendums during the Great War. On those occasions I do not suppose that there were 3 per cent. of the people who did not understand what they were expected to vote about; but on an involved question like marketing, or the equally involved question of constitutional reform, which even members of Parliament themselves admit they do not understand, how on earth is it reasonable to expect the average John Citizen to cast an intelligent vote, and, when he has voted, how can any intelligent Parliament say that the result represents the considered opinion of the people of Australia? Quite apart from its unsatisfactory conclusion, a referendum is a clumsy method of settling a point that should be quite capable of decision between the two Houses of Parliament. Let me draw a further analogy. Since we travelled to England last night, and the honorable member for Dundas and the Leader of the Opposition have taken us over to England to-day, I do not
suppose it will be wrong for me on this occasion to refer to Switzerland.

Mr. Slater.—The Bulletin slogan is, “Join the United Australia party, and have a trip round the world.”

Mr. Drew.—I am glad to know that the most conscientious subscriber and follower of the Bulletin is the Labour Premier of Queensland, who has been for a trip round the world three years running. We understand from the honorable member for Northcote that Queensland is a wonderful State, and that it can afford to do all sorts of things. Although when Mr. Forgan Smith got as far as Melbourne last year he learned that the sugar conference was not going to take place, he still went abroad, and spent eight months finding that out. He went again this year because the sugar conference was taking place.

In Switzerland they have a Constitution which makes provision for the holding of referendums, and for elective ministries. After a series of referendums—I think seven—had been put to the people, who, more or less through fear, voted “No,” as they will do in Australia or any other country, it was considered necessary to have a referendum to abolish referendums. When the people do not understand a question, they play safe by voting “No.”

Mr. Tunnecliffe.—That is the natural psychological effect.

Mr. Drew.—Exactly! When the Government of Switzerland decided that the referendum as a means of settling disputes or altering the Constitution was unsatisfactory, and submitted a further referendum for the purpose of abolishing referendums, the people again voted consistently and emphatically “No.” I think the referendum is a clumsy method. In his speech explaining the Bill the Premier said that it would be a rather cowardly method to put upon the people, at a referendum, the onus of deciding a dispute between the two Houses. A general election as the method of deciding a dispute is equally obnoxious, from my point of view.

Mr. Tunnecliffe.—More obnoxious to you, I should say.

Mr. Drew.—I am not concerned from the individual point of view. There has never been a general election in the State or Commonwealth sphere in which half a dozen or more issues and a number of side issues have not been involved. It is well known that many electors when voting are influenced by local reasons or by the personal popularity of a candidate. We know that seats have been held by members of Parliament for years, and we have to admit that they have been held because of the personal popularity of the member, irrespective of the party he represents. We have had examples of members changing from one party to another almost over-night, and still retaining their seats because of their personal popularity. That being so, I think it is too much to expect the people to obtain a proper understanding of an involved constitutional problem at the time of a general election. All sorts of side issues are brought into a general election. A great national crisis, such as a war, or a disastrous economic depression, is very rare, and it has been only on such occasions in the history of Australia that the people have given a concerted opinion on one major issue. Therefore I suggest that the only reasonable solution of the problem confronting the two Houses is embodied in the amendment which was moved by the honorable member for Oakleigh last night—a joint sitting of both Houses to settle the dispute. I know that the Labour party is very much concerned with the existing position, because, to repeat the admission of the honorable member for Northcote, it finds some difficulty in obtaining men with property of a value of at least £1,000 to stand as candidates for the Legislative Council, and, as the honorable member said, when such candidates are found there is nobody to vote for them.

Mr. Tunnecliffe.—Who would want to be a politician if he had £1,000 worth of property?

Mr. Drew.—The honorable member for Collingwood is probably not aware of the existence of the Legislative Council with its 34 members, all of whom own property to the value of more than £1,000. They are not politicians.

Mr. Drew.—Members of the Labour party rate on the public platform, as they did last night in the House, on the iniquity of a second Chamber in Victoria. They
try to denounce it as a barrier to progress. They declare that men enter the Legislative Council with wrong motives, and their one fixed intention is to protect money and property. How is it then that in the State of Victoria the individual enjoys a larger measure of freedom than does the individual in any other country?

Mr. Tunnecliffe.—Greater freedom than in Queensland?

Mr. Drew.—Yes. In Queensland there is compulsory unionism, and if that is the measure of individual liberty which the Labour party wants to grant to the people of Victoria, let members of that party go out to the people and tell them so.

Mr. Slater.—There is no compulsory unionism comparable with that of the British Medical Association, which functions in Queensland as well as in Victoria.

Mr. Drew.—It is an over-rated form of unionism.

Mr. Slater.—No, I commend it. It is very laudable.

Mr. Drew.—The objective of the British Medical Association cannot be compared with that of the ordinary trade union. The honorable member for Dundas belongs to a union which is just as rigid in its rules as the British Medical Association. I refer to the Law Institute, which has the same code as the British Medical Association. The British Medical Association and the Law Institute bind the members of the medical and legal professions together in organizations in order to ensure that they maintain a high ethical standard of conduct in the practice of their respective professions.

Mr. Barry.—Are you in favour of trade unionism?

Mr. Drew.—Yes, I am in favour of trade unionism, but I am not and never will be, in favour of compulsory trade unionism. Queensland is the only State in Australia, and one of the few countries in the world, in which there is compulsory trade unionism. If it is true that the Legislative Council is guilty of all the charges which have been levelled against it by the Labour party, I ask honorable members of that party why is it that the people of Victoria are in such an advantageous position compared with other States of Australia and other parts of the world? Why is it that social legislation in Victoria is further advanced than in any other State?

Mr. Slater.—Victoria is the worst State in Australia so far as social legislation is concerned.

Mr. Drew.—Compared with many other countries in the world, Victoria is miles ahead.

Mr. Cain.—Were you not on the Select Committee that considered the question of widows’ pensions?

Mr. Drew.—Yes.

Mr. Cain.—They have those pensions in New South Wales.

Mr. Drew.—That is a question on which a Select Committee was unanimous in bringing down certain conclusions. Despite that fact, we have not widows’ pensions in Victoria yet.

Mr. Hollway.—If we have a change of Government we shall get them.

Mr. Drew.—Even without that, Victoria is miles ahead of other countries. I accept as an authority a witness who was connected with the League of Nations at Geneva. He gave us some interesting documents showing that Victoria was behind in some instances, but in many other cases was miles ahead. That is despite the fact that we have the alleged blister—the Legislative Council.

Yesterday the honorable member for Brighton indicated that the people of Australia were getting fed up to the teeth with election after election, and referendum after referendum, and with being consulted on so many different questions. Whether we like it or not, we have to admit the truth of that statement. A referendum has been held this year. Next month there will be municipal elections. There will be Commonwealth elections in October, and if the Premier can curl the whip enough, we may have general elections in this State before the end of the year. I hear the multitude of cheers from the members on the Ministerial back bench at that prospect! However, I will content myself by saying that they do not want a general election any more than I do. These things are tending to make the people very dissatisfied with parliamentary institutions.

As the Victorians elected their Parliament in 1934, returning 47 Government supporters and 18 mem-
bers of the Opposition, to carry on a certain policy, are they not, as our masters, entitled to know why in a few months there was chaos in that Parliament, and why that policy was not being carried out in its essentials? They also desire, as electors who pay the bill, to know why we should appeal to them before Parliament has expired through the ordinary effluxion of time. The weak excuse that we cannot agree with another place will not be understood by the average elector, and if it were understood it would not be satisfactory to him.

I agree that if we have the bicameral system the two Houses should be elected on different bases. If we are going to have the same franchise, the same qualifications for electors and for candidates for the Legislative Council as for the Legislative Assembly, then why have the second Chamber at all? There is a real necessity for the Upper House for purposes of review. Despite what the members of the Labour party say, there is a need for the second Chamber because of the members' added interests and stake in the country.

Mr. McKenzie.—That has whiskers on it.

Mr. Drew.—The fact that the House has existed for more than 80 years without the people taking any action against it is evidence that they are satisfied. I should like to remind those members who were so effusive in congratulating Queensland on having abolished its Second Chamber, that when New South Wales had the opportunity of taking a similar step, the people of that State indicated by an overwhelming majority that they wanted a second Chamber on an elective basis.

An Honorable Member.—A pettifogging majority!

Mr. Drew.—Last night the honorable member for Dundas and the honorable member for Northcote tried to convince us that the result of the last Legislative Council elections, at which the votes of the Country party and the Labour party totalled only 11,000 more than those of the United Australia party, furnished a mandate to this Government to proceed with this Bill; but now a majority of 50,000 or 60,000, as was recorded in New South Wales, is described as pettifogging. Honorable members cannot have it both ways. If a majority of 11,000 is to be regarded as a mandate, then a majority of 50,000 must be looked on as an overwhelming order of the people to do certain things. It must be remembered that New South Wales is the most highly industrialized State in the Commonwealth, and the people there voted by an overwhelming majority for the retention of the second Chamber.

If the people of Victoria were invited to vote on a similar subject, they would do the same thing, though perhaps there would be a difference in that the majority would be still greater. That being the case, I think the people of Victoria expect this Parliament to give a lead. It might be interesting to members of the Labour party to mention that I recently had the opportunity of hearing one of their former colleagues, Mr. Maurice Blackburn, respond to the toast of Parliament, when he said—

The duties of Parliament are threefold. In the first place, it is to attempt to carry out the will of the people according to the result of an election. In the second place, it is to lead, and occasionally to command.

He meant, of course, to command in time of a crisis, such as has arisen in Australia and most other parts of the world. That being so, does not this Government think that this is a case in which we should indicate that we are prepared to lead for all time? This legislation is something that has been sprung on the people; it was not mentioned at the last election. If we are elected to carry out a policy, our job is to determine points in conflict. If, as the honorable member for Brighton said, the 99 members of the two Houses cannot determine those points, then the people have every right to abuse us as they will.

Mr. A. E. Cook (Bendigo).—I rise to support the motion for the second reading of the Bill, and I do so with very keen appreciation of the many excellent speeches that have been made on both sides of the House. We have heard considered intellectual addresses on the subject of the bicameral system, on the methods of adjusting disputes between the Houses, on the rights of the people to govern themselves, and on the historical fact and the ever-present problem of the
now before the House, small as the reform is, rather than that we should have nothing at all. Any student of history applicable to parliamentary government, more particularly having to do with the British system of government, must realize that for hundreds of years it has been the desire of the British people to break down the ranks of privilege. On the other hand it has been the desire and the achievement of those who believe in privilege to retain an Upper, or second, Chamber.

Mr. McKENZIE.—After all, you cannot blame them.

Mr. A. E. COOK (Bendigo).—I do not blame them at all. I sincerely wish that there was as much class consciousness in the minds of the people I represent as there is in the minds of those people represented by members on the Opposition side. If we had the spirit of class consciousness exhibited by the representatives of the capitalists in this and every other country there would not be a second Chamber in existence in Victoria. However, that is by the way. I was about to emphasize that throughout the history of parliamentary government amongst the people of the Old Country and in the Dominions, there has been an ever-present struggle to break down the bulwarks of privilege as represented in the second Chamber. To-day we are being offered a small opportunity of making the Victorian second Chamber more amenable than it has been to the desires of the people. It is because of that that the party to which I belong is prepared to vote for the second reading of the Bill.

In connexion with the struggle for freedom that has taken place in this State it is interesting to recall that the first shots were fired on the goldfields of Bendigo and Ballarat. One would have thought that after 80 years of struggle the members representing those two great goldfields in this House would be in the forefront of the fight for the proper representation of the people. But the gentleman who represents the constituency in which the very first shots for freedom were fired is to be found to-day supporting the House of privilege.

I listened with great interest to what the honorable member for Ballarat had to
say last night, for more reasons than one. My first reason was that I have a great deal of personal regard for the honorable member for Ballarat. Another reason was that I rather regret that as he represents that historical field, not only from the point of view of gold mining but from the standpoint of the fight for freedom, he should stand to-day for the House of privilege. As that great organ of democracy and liberalism, the Age, stated this morning, I think the honorable member became lost in his speech yesterday. The fact of the matter is that the democratic people of Ballarat are represented in this Chamber by a Nationalist duckling who quacks in this House against the fight for reform. Both of us are comparatively young men. If we were representing, as we should, our forefathers who made it possible for us to be here to-day, we ought to be standing shoulder to shoulder. The honorable member for Ballarat should be ashamed to be found standing here in defence of the House of privilege.

Mr. HOLLWAY.—Now, what about a few words on miners' phthisis?

Mr. A. E. COOK (Bendigo).—No; that is one thing I am not going to talk about.

Mr. OLDHAM.—You mean that too many cooks spoil the broth.

Mr. A. E. COOK (Bendigo).—I should have very great pleasure in spoiling the broth of the Legislative Council if I could do so. I have said that the discussion in this House has been elevating. We have heard extracts delivered from some of the greatest experts and authorities on constitutional government. It is not my intention to cull further from them.

Mr. TUNNECLIFFE.—Those fellows are nearly all dead.

Mr. A. E. COOK (Bendigo).—Many are, but in many instances their good works live after them. A great number of the members of this House are probably au fait with the opinions that have been expressed by experts in regard to the matter we are considering. I do not mean that we all understand the legal and constitutional aspects of the question. We leave such matters to legal authorities, but I think it has been conclusively shown that the Labour party would much prefer the Queensland system of government by only one House. Members of the Opposition have said that not only do they believe in some measure of reform, but that they consider it necessary that a formula should be adopted in order to settle disputes between the two Houses. Having explained themselves clearly in that direction, they have commenced a tirade of abuse of the Government for having introduced any measure of reform at all. They will certainly have something to answer for, whether the matter is to be settled by an election or by a referendum.

One question mentioned during the debate is this—has public interest in the political life of this country increased or decreased? I do not claim to be an authority on that matter, but my experience so far as the Legislative Assembly is concerned is that very keen public interest is being displayed in this Chamber. If, however, there is a general lack of interest concerning public affairs, it is entirely due to the privileges enjoyed by the Upper House. The people take this view, “Even though we are interested in elections for the Lower House, there is not much in it for us because what that House does can be nullified by those who are elected upon a restricted franchise for the Upper House.”

The proposals contained in the Bill have been well traversed, some of the speeches having reached a particularly high plane. The honorable member for Dundas was one who succeeded in raising the tone of the debate very considerably. The honorable member for Brighton endeavoured to place before the House a proposition which was at least reasonable, and which possibly might have been accepted under different circumstances. This is the first opportunity for 33 years, or perhaps longer, that the Labour party has had of bringing the Upper House closer to the people. As stated by the Age during the recent elections, it is, I believe, true that whatever may happen to the Bill, the fact remains that by its reform proposals the Government has created much greater interest in the doings of the Upper House. The outcome of the Legislative Council election was that not only was there not a majority against some measure of reform, but, if the Bill is passed by this House, it will probably be agreed to by
another place. In the circumstances, the protestations of the Opposition are, to say the least of it, lamentable. A majority of those members voted for the Bill last session, and I believe that they are to-day in favour of some measure of reform, yet their Leader yesterday attempted to bulldoze the public into believing that the party is unanimous in opposition to reform. I expect that when the vote is taken it will be revealed that, not only are members of this (the Ministerial) side of the House in favour of the Bill, but that a large proportion of the members of the Opposition support it. If the Government can be credited with nothing else, it will, at least, be justified in saying that it has given this House and the electors an opportunity of expressing their views upon the question of bringing the Upper House closer to the people than ever before in the history of the State.

Mr. ALLAN McK. MCDONALD (Polwarth).—As an old diehard Tory Conservative who voted against a similar Bill on a former occasion, and who intends to vote against this measure to-night, I shall briefly give my reasons for my attitude. Before doing so, however, may I say I was rather amazed at the authority quoted by the honourable member for Bendigo for certain statements he made. I refer to that leading Melbourne daily, as it is known by the Ministerial corner party, but which is regarded by my party as the misleading Melbourne daily, a newspaper that has been responsible for more political somersaults than could be performed by a first-class troupe of acrobats. It has the audacity to say that members on this (the Opposition) side of the House are a band of diehard Tory Conservatives. Who has demanded the reform about which we have heard so much during the last few months? As a country man, I say that there has been no demand from the country for this Bill. There has been a very definite demand for the abolition of the Legislative Council by the party now sitting in the Ministerial corner, and I give members of that party credit for their sincerity and earnestness in desiring to do away with an institution which they have felt in the past has been instrumental in cramping their style when they have occupied the Treasury benches. But to suggest that there has been a demand from country electorates for this Bill is to stretch the imagination to an alarming degree. In submitting the measure last week, the Premier suggested that the recent Legislative Council elections gave him a mandate to reform the Council. I suggest that if he received the mandate only at the last elections he endeavoured to push a similar Bill through Parliament on a former occasion without having any mandate at all.

Mr. Lamb.—What he got was an endorsement of his policy.

Mr. ALLAN McK. MCDONALD (Polwarth).—He did not receive an endorsement, as the figures submitted by the Leader of the Opposition proved. It is a notable fact that no one has attempted to challenge those figures, and I would point to the fact that 8,000 more votes were recorded for the United Australia party candidates than for the Country party, Labour, and Independent candidates combined. Then the Premier says he has a mandate to introduce a reform Bill. If a measure of reform is necessary—I am not going to say it is not—it is, at least, a fair thing to take the electors into the Government's confidence and tell them what it is proposed to do. At the last general election, no party preached reform of the Legislative Council. I will not say that the Labour party did not suggest the abolition of that Chamber. For twenty years no suggestion that the Legislative Council should be reformed was made by the party now occupying the Treasury benches. But to suggest that the subject was raised—upon which the honourable member for Northcote could enlarge a great deal—that the subject was raised. I suggest that the need for reform was not realized by the Country party until it was suggested by the other party to the gentlemen's agreement was reached—upon which the honourable member for Northcote could enlarge a great deal—that the subject was raised. I suggest that the need for reform was not realized by the Country party until it was suggested by the other party to the gentlemen's agreement that a Bill of this sort would be very beneficial, and would mean the continued support of the Labour party. I shall endeavour to put before the House the reasons why I consider that this reform Bill should not be passed. First and foremost is the reason that the electors of Victoria—the people vitally concerned, the people who, so to speak,
own the Victorian Constitution—have not been consulted. Why should I, as a mere member of Parliament, tinker with something that belongs to the adult population of this State, without consulting them? Is it not a fair proposition to let them at least have a voice in the matter? I suggest to the Government that a great opportunity is afforded it at the next general election, which, I understand, is not very far distant, to place the matter before the electors, by means of a referendum conducted at the same time as the election. That would be a reasonable and, in fact, the only way to get a considered opinion from the electors of this State on a Bill such as that which we have before us. To suggest that a mere general election would give them that opportunity is propounding something beyond the bounds of reality.

We have heard a good deal of discussion on the question whether a referendum should or should not be held, and it is amazing for me to find that all the champions of democracy say that this is a question in respect of which they could not trust the people. In effect, they say that it is such an important matter that the people could not be trusted to decide it, and conversely it is said, “Trust the politicians and they will do the job for you.” As far as I am concerned, until the electors have had an opportunity of voicing their opinion upon the necessity or otherwise for a reform of the character proposed, I will oppose such measures even if I have bestowed on me the flattering names given to me in the past. I make no apologies to the Government, to my party, or to the electors for the stand which I take on this question.

The motion for the second reading of the Bill having been carried by an absolute majority of the House, as required by the Constitution Act, the Bill was read a second time, and committed.

Clause 1 was agreed to.

Clause 2—(Relations between the Council and the Assembly).

Sir STANLEY ARGYLE (Toorak).—I suggest that progress be reported, and I hope that the Premier will agree to postpone further consideration until Tuesday next.

Mr. A. A. DUNSTAN (Premier and Treasurer).—The Government had intended to proceed with the Committee stage of the Bill to-night, but representations have been made that that should not be done until Tuesday next. I understand that some honorable members have been giving thought to the advisability of moving certain amendments, and I do not desire to deprive them of their rights or to prevent them from framing any amendments they may desire to submit. The Government will bring the Bill forward again on Tuesday, and intends that the Bill should on that day be passed not only through Committee, but that the third reading should also be passed. I have conferred with the Leader of the Opposition and the Leader of the Labour party, and they have both assured me that they will be prepared to co-operate with the Government to the end I have mentioned.

Mr. CREMEAN (Clifton Hill).—Thursday of next week is private members’ day, and one of the members of my party—I refer to the honorable member for Flemington—will be bringing forward a motion dealing with a very important subject, as well as a Bill of great import. I understand that it is proposed to continue the discussion on the reform Bill in Committee on Tuesday next.

Mr. A. A. DUNSTAN (Korong and Eaglehawk).—And to have the Bill read a third time on the same day.

Mr. CREMEAN.—I want to make certain that the proposal to continue the discussion on the reform Bill on Tuesday will not mean, in view of the possibility of an all-night sitting, the abandonment of Thursday as a private members’ day.

Mr. A. A. DUNSTAN (Premier and Treasurer).—I think the honorable member may rest assured that even if we have to sit late on Tuesday night to finalize this Bill, that will not in any way prejudice the prospects of honorable members in dealing with private members’ business on Thursday.

Progress was reported.

MELBOURNE AND METROPOLITAN BOARD OF WORKS (CONTRIBUTIONS) BILL.

The debate (adjourned from July 14) on the motion of Mr. Hogan (Minister of Agriculture) for the second reading of this Bill, was resumed.
Mr. WHITE (Bulla and Dalhousie).—
When the Minister moved the second reading of this Bill, he explained to honorable members the purport of it, and mentioned the fact that it was a Bill to renew agreements between the Melbourne and Metropolitan Board of Works and certain shire councils in Victoria. It is designed to make provision for the continuation of payments by the Board to those shires in which certain works of the Board exist. It proposes to renew legislation providing for the payments for a further period of five years, although the arrangement has been in existence for the past ten years. I raise no objection to the renewal being for only five years. As the Minister has stated, at the end of that period the whole scheme will come up for review. To the shires concerned certain sums are to be paid by the Board in lieu of rates to enable the shires to provide for the maintenance of roads and other works within their boundaries. The Shire of Broadford is to receive £150; the Shire of Healesville, £300; the Shire of Lillydale, £200; the Shire of Upper Yarra, £500; the Shire of Whittlesea, £300; the Shire of Werribee, £1,700, and the Shire of Corio, £700. Apart from the fact that the Bill provides for certain payments to the shires concerned, it was designed originally with the object of not depriving shires where Government undertakings, or semi-Government undertakings were operating, of rates on land which had been taken over and had become non-rateable. The passage of the original Bill was obtained I think, Mr. Speaker, by your active work prior to 1927. The agreement eventually arrived at between the shires and the Board was the result of your agitation, and followed on the introduction by you, as a private member, of Bills relating to the rateability of certain land vested in the Board. As a result of the activities of the Board some shires had been deprived of revenue and hampered in their activities as municipalities.

I am glad to see that the Government has introduced this continuing Bill, but before I resume my seat I should like to draw attention to a matter which has some association in principle, if not in detail, with the Bill. I refer to the relationship generally between shires and Government and semi-Government institutions. There is a section in the Local Government Act which says that certain Government and semi-Government authorities shall not be rateable by shires. That has led to great difficulty in some shires, and it is time we, as a Parliament, gave very serious consideration to the fact that shires may by this provision become unable to raise revenue in keeping with the requirements of the Local Government Act. As is well known, £2,500 is the minimum amount on which a shire can operate without some sort of inspection or investigation. I wish to explain what can happen to a shire, whether it be a shire with a high or a low revenue, in that connexion. I shall cite the example of Broadmeadows shire with a revenue of £13,000 to £14,000. Certain Government and semi-Government authorities have from time to time purchased areas of land in that shire, with the result that its revenue has been considerably reduced. An area of 140 acres has been taken by the Commonwealth Government for the Broadmeadows camp; on the opposite side of the street 350 to 400 acres has been acquired by the same Government for a serum laboratory and for other health activities; 200 acres has been taken by the civil aviation authorities for Essendon aerodrome; 130 acres has been acquired for Fawkner cemetery; and something like 60 acres has been taken by the Victorian Government for the Greenvale sanatorium. The annual value of these areas is about £25,000, which, on the rate operating in the shire, would bring in a revenue of more than £2,000 per annum. It means that the shire is deprived of revenue to that extent. We should endeavour to protect shires against such activities as these. The Government has seen fit to introduce this measure, re-enacting the legislation which has been in operation for ten years whereby the Melbourne and Metropolitan Board of Works is required to contribute to the shires in which the Board carries on its operations. Although the State Parliament has no control over the Commonwealth, we should take care to see that shires are protected against any invasion by a Government or semi-Government authority which, because of its activities, deprives a shire of revenue.
and possibly that deprivation reduces the general revenue below the minimum amount of revenue fixed by the Local Government Act for a shire. If this state of affairs is allowed to develop, we might find, particularly with the expansion of civil aviation grounds, that shires are deprived of so much rate revenue that their general revenue is reduced to such an extent that the ratepayers lose their civic rights. This point does not relate directly to the Bill, but it involves an important principle. I hope the Bill will have a speedy passage, and that its general principle will be applied for the protection of the shires generally.

Mr. CAIN (Northcote).—I do not feel enthusiastic in speaking on the Bill at this moment, because of the small number of members present. If the Bill is as important as the honorable member for Bulla and Dalhousie would have us believe, and I think it is important, there should be a quorum.

A quorum was formed.

Mr. CAIN.—I take no exception to the proposal contained in the Bill, which is really a re-enactment of legislation passed ten years ago. No member knows more than you, Mr. Speaker, about the agitation which preceded the introduction of that legislation. At that time your electorate embraced the greater part, if not all, of the shire of Upper Yarra, in which the Melbourne and Metropolitan Board of Works controlled a large area of land. In the interests of those more or less poor shires in which the Board owned territory, you made many protestations in the House in an endeavour to induce the Board to make some contribution towards the upkeep of the shire roads. As the result of that agitation the Government, led by the Minister who is in charge of this Bill, introduced a measure providing for contributions by the Melbourne and Metropolitan Board of Works to the shires in which it was in control of territory. That legislation has expired, and it is proposed in this measure to extend the scheme of contributions for five years. I do not know why a further period of five years has been fixed. Perhaps it is in the mind of the Government that at the end of five years the Ministry which is in office then might consider the advisability of increasing the contributions.

Colonel Harold Cohen.—Perhaps the Government thinks that there should be five-year Parliaments.

Mr. CAIN.—I hope that we hear no more about that proposal, and I am sure that it has no relation to the Bill. The honorable member for Bulla and Dalhousie referred to the effect on the revenue of the shire of Broadmeadows of the ownership by the Commonwealth Government of large areas in the shire. Those areas have been in possession of the Commonwealth for many years, and if retained by the Commonwealth must, of necessity, deprive the shire of a large rate revenue every year. It is safe to predict that, with the development of the metropolis, some of the splendid building land in the Shire of Broadmeadows will be used for building. The presence of large areas such as those held by the Commonwealth do not assist the progress of a shire, because they reduce the rate revenue, and thereby place the ratepayers at a disadvantage. From that point of view, the objection raised by the honorable member is reasonable. However, the Melbourne and Metropolitan Board of Works cannot be called upon to contribute to the Shire of Broadmeadows in respect to those areas, because it does not control them. There has been this experience in many districts where Government bodies have acquired land. For instance, in districts where State schools have been erected, the ratepayers owning the properties opposite those buildings are called upon to make extra contributions towards the cost of street construction. In that way, public bodies not only retard the development of a district, but make the financial responsibilities of the neighbouring residents all the greater. If it is sound that the Melbourne and Metropolitan Board of Works should be called upon to subscribe to the funds of shires, then the time has arrived when we could extend that principle a little further and call upon both the Commonwealth and State Governments to make contributions on account of lands which they have in various municipalities.

Mr. Hogan.—The Railway Department, too?
Mr. CAIN.—The Railway Department generally lets any land it can, and so the area becomes rateable. When railway land is occupied by a tenant it becomes rateable. Railway land used by private companies for oil depots and for other purposes is rateable. Railway areas held for the Department's purposes are generally small; they are devoted to public service. In the case of an aerodrome or a military camp, such as there was at Broadmeadows, a shire's financial obligations to maintain the roads are seriously increased. I hope that there will not be the necessity for another camp at Broadmeadows, but the land is there. If it is just that the Melbourne and Metropolitan Board of Works should make contributions to shires because it occupies land on which rates are not paid, the same principle should be applied to large tracts of land held by the Commonwealth and State Governments. I am sure, Mr. Speaker, that this legislation meets with your approval now, even as it did ten years ago. Apparently the Melbourne and Metropolitan Board of Works has arrived at an agreement, and will continue the contributions which it has paid for ten years.

Mr. HOLDEN (Grant).—I do not desire to delay the passage of the Bill, which, as honorable members have said, is not contentious but is to continue an Act originally passed in 1927 by the Hogan Government as the result of conferences between the Melbourne and Metropolitan Board of Works and the municipalities concerned. Honorable members will have noted the remarks of the honorable member for Bulla and Dalhousie when he mentioned the amounts contributed by the Melbourne and Metropolitan Board of Works to the Shire of Corio and the Shire of Werribee. Both are vitally concerned, and have received the bulk of the money. Honorable members will realize why that comes about. The area of the Melbourne and Metropolitan Board of Works farm comprises more than 20,000 acres. It is a trading concern, and those patronizing it use the municipal roads extensively. As the Minister of Agriculture pointed out in his second-reading speech, it is understandable why municipalities which are under heavy expense through trading activities of that sort should receive a large amount, whereas the position is different when the Board requires land for a reservoir. In such a case, no road has to be maintained, and the contribution to the shire is decreased accordingly. Although I commend the Bill, I am at a loss to understand why the term of five years is specified. I should like to have seen the legislation operate for another ten years. Still, in five years' time it may be necessary to decrease or increase the contributions as circumstances warrant. As I have been interviewed on the subject on several occasions during the last eight or nine months, I was much relieved when the Minister of Agriculture gave notice of this Bill last week.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

JUSTICES (ENFORCEMENT OF ORDERS) BILL.

Mr. BUSSAU (Attorney-General).—I move—

That this Bill be now read a second time.

The purpose of the Bill is to provide a means of enforcing certain orders of Courts of Petty Sessions. Under numerous Acts Courts of Petty Sessions are authorized to order or require certain acts to be done or left undone. Where the act which the Court may order or require to be done consists of the payment of any sum of money, the provisions of the Justices Act 1928 provide ample means for carrying the order into effect either by way of distress, commitment, or garnishee. But where the act ordered or required to be done or left undone does not consist of the payment of money, the Justices Acts provide no means for the enforcement of the order. The result is that, unless the particular Act authorizing the Court to make the order or requisition also provides a means of enforcement thereof, the Court is in the position of having statutory authority to make the order or to require the thing to be done, but of having no power to enforce any order made by it pursuant to this power.

Three examples of such unenforceable orders may be cited:—(1) Under paragraph (b) of section 11 of the Business Names Act 1928 a Court of Petty Sessions has power to order any firm, indi-
vidual, or corporation to furnish certain particulars relating to the carrying on of its business to the Auditor-General, but no penalty for failure to comply with the order or other means of enforcing the order is provided. (2) Under section 89 of the Evidence Act 1928 a Court, including a Court of Petty Sessions, has power to order that any party to a legal proceeding before it be at liberty to inspect and take copies of entries in bankers' books. Again, no penalty for failing to comply with such an order is provided. (3) Under section 6 of the Maintenance Act 1933 a Court of Petty Sessions may make an order regarding the right of access to an infant where any Court has previously made an order regarding the custody or control of the infant. Again, the Court has no power to impose any penalty for failure to comply with such order.

Many of the provisions of the Justices Act 1928 are adapted from the English Summary Jurisdiction Act 1879, but the provisions of section 34 of that Act relating to the enforcement of orders of Courts of summary jurisdiction have been omitted from our Justices Act. This Bill proposes to remedy that omission, and to adopt the provisions of that section with such modifications as are made necessary by local conditions. The Bill will apply only to cases where no means of enforcement is provided by the particular Act in question.

Firstly, the Bill provides for the making of the order and the annexing thereto of such conditions as to time or mode of action as the Court thinks just, and for the suspension or rescission of orders upon certain undertakings being given or conditions being performed and, generally, for the making of arrangements for carrying the order into effect. This provision is necessary, because the power to make the order or require the act or thing to be done is sometimes expressed in very general terms in the Act creating the power. Secondly, the Bill provides a means of enforcing the order by providing for a fine or imprisonment for failure to comply with the order, but limits the amount of the fine or the period of imprisonment which may be imposed for such failure.

Lastly, the Bill repeals section 68 of the Justices Act 1928. This section was adapted from a section of the Summary Jurisdiction Act of 1879, but, by reason of the omission from our Act of a section corresponding to section 34 of the English Act, its meaning is extremely obscure, and with the enactment of this Bill it will become unnecessary and may be dispensed with. In short, the Bill—within the limits of its subject-matter—proposes to do no more than bring the Victorian legislation with respect to the powers of Courts of Petty Sessions into line with the English legislation on the same subject.

On the motion of Mr. OLDHAM (Boroondara), the debate was adjourned until Wednesday, July 28.

ADJOURNMENT.

INFANTILE PARALYSIS: POSITION AT CHILDREN'S HOSPITAL: SISTER KENNY'S TREATMENT.

Mr. A. A. DUNSTAN (Premier and Treasurer).—I move—

That the House do now adjourn.

Mr. BARRY (Carlton).—This afternoon the leader of my party, the honorable member for Collingwood, urged the Premier to call a conference of medical authorities with a view to doing something more than is being done to cope with the outbreak of infantile paralysis. Honorable members will appreciate that the epidemic has created a considerable amount of alarm. Already there has been serious toll of life amongst the children who have been afflicted. I am concerned because the Children's Hospital is in my constituency. In view of the uncertainty associated with the disease—the uncertainty regarding the way in which infection takes place, and the general uncertainty of the medical fraternity with respect to infantile paralysis—I feel that I am justified in saying that cases should not be taken to the Children's Hospital at all. The authorities at that institution will not retain within its walls children suffering from measles or diphtheria or scarlet fever. Patients having those complaints are transferred to the Queen's Memorial Infectious Diseases Hospital, at Fairfield.

Mr. KENT HUGHES.—Are not some of the infantile paralysis cases sent there also?
Mr. BARRY.—I cannot say that some are not sent there. I consider that that is the proper institution to which cases of the kind should be sent. Alongside the Children's Hospital are two very big State schools. Also next door to the hospital is the institution known as the "Yooralla" Hospital School, where crippled and otherwise invalided children are educated. There is this further situation to be borne in mind, that it would not be possible to find a poorer class of people, or a worse slum area, than is actually situated closely about the doors of the hospital. In that pocket of slums one can expect to find more under-nourished, half-clad, and half-fed children than in any other part of the metropolis of similar area. When all is said and done, we must face the fact that no Government has been prepared to stand up to the responsibility of protecting children in that area by giving them adequate supplies of food and clothing, and providing them with proper shelter. Most of them are children of the unemployed, who receive a miserable sum per week for their maintenance. In addition, there are many children in ill health attending the Children's Hospital. If the medical profession was able to say how this complaint is contracted, it would also be possible to indicate whether there was any fear of infection, but, as there is so much doubt on the subject, children in the Bentleigh, Elwood, and other districts who are infected should be removed to an infectious diseases institution, or isolated in their own districts. There are children's institutions much nearer to the affected localities, and in much more healthy surroundings. Whilst additional cases are being reported, children everywhere should be protected, and the schools around the areas concerned should be closed. It is ridiculous for the Government to close and fumigate certain schools while allowing other schools a few blocks away, so to speak, to remain open.

Mr. KENT HUGHES.—Children should not be allowed in picture theatres and other places of amusement either.

Mr. BARRY.—I agree, and they should be prevented from attending school. The practice of sending cases to the Children's Hospital is not fair to those living in the locality, and the parents of children attending neighbouring schools would be well advised to prevent their children from going to school at all until the trouble is over. My object in speaking is not to criticize anybody. I know that the hospitals, doctors, nurses, and the Health Department, are doing their utmost to cope with the situation, but when the disease is discovered, the infected children should not be taken to the Children's Hospital, which is in one of the poorest sections of the metropolis. If the disease were to break out in the slum pockets near the Children's Hospital, probably hundreds of children would be involved. I should not like to say anything to create a panic in the minds of the public, but I believe in facing realities, and taking action instead of being sorry afterwards for what we failed to do to-day. If there were any protection against infection by this disease, the unfortunate nurse who developed the complaint at the Children's Hospital would not have been infected.

Mr. LAMB.—What possibilities are there of a cure in such a case?

Mr. BARRY.—The medical world cannot find the cure, and it would therefore be useless for me to attempt to search for it. My point is that the nurses at this institution must at times leave it, and travel in buses and trams and walk in the streets near the hospital, and there is no certainty that they are not carrying infection. I am anxious to protect the children living in the neighbourhood of the hospital, many of whom may be seen on their way to school without boots. Many, too, are fed at school, so that they may be sure of at least one meal a day. There are two schools very close to the hospital, and there is, therefore, a great danger of infection that does not exist where cases are sent to the infectious diseases hospital. There is a certain person in Australia who, it is claimed, can treat infantile paralysis.

Mr. KENT HUGHES.—She is in England at the present time.

Mr. BARRY.—Irrespective of whether they belong to the British Medical Association, or any other organization, we should encourage the efforts of those who can treat this tragic disease. The people whose children are suffering from the complaint should be able to feel that all
the resources of the medical world are being made available in an endeavour to find speedy relief for those suffering from it.

Mr. LAMB (Lowan).—I support the remarks of the honorable member for Carlton. During my speech on the motion for the adoption of the Address-in-Reply, I referred to the advisability of the Government making every endeavour to inquire into the efficacy of the method adopted by Sister Kenny for the treatment of infantile paralysis, and, if satisfied on that score, the possibility of the establishment of a clinic to treat upon those lines cases of that disease. I now make a special appeal to the Minister of Water Supply, who is at the table, to give an assurance that at least inquiries will be instituted into this method, with a view to affording relief, not only to those who have developed the complaint recently, but others who have contracted it in the past. In the course of my speech, I mentioned nine cases which have recently come under my notice in my own electorate. The parents of the affected children endeavoured to obtain treatment for them in New South Wales, but were unable to do so, because the Government of that State subsidizes the Sister Kenny clinic and, naturally, treatment at that clinic must be reserved for residents of that State. According to a letter in the daily press, the authorities in Victoria claim to follow a treatment similar to that used by Sister Kenny, and say that their method is quite successful. That obviously is not so, for the reasons stated by the honorable member for Carlton. It is also borne out by personal contact which I have had with people who have been given up by Victorian doctors, and have subsequently received successful treatment in Queensland. In one case, a girl in her teens was pronounced incurable by the doctor in charge of the treatment of infantile paralysis in this metropolis. That girl was sent to Queensland, and was fortunate in obtaining treatment there. The treatment was so successful that not only was her condition relieved, but she is now believed to be on the road to permanent cure.

Mr. Mackrell.—Does the climate have any effect?

Mr. LAMB.—It certainly helps, but the fact that a clinic has been established in Hobart shows at least that those in authority do not think that certain climatic conditions are absolutely essential to the use of Sister Kenny's treatment. Sister Kenny is on the way back to Australia from England, where she was received by the medical authorities, and I believe that, if the authorities in this State will express their willingness to subsidize the establishment of a clinic in Victoria, a great deal of good will be done.

I am not concerned at the moment with the treatment of the present outbreak or the segregation of the patients, as that has been dealt with very ably by the honorable member for Carlton; but I appeal to the Ministry to consider very seriously the establishment of a clinic on the lines mentioned, the method adopted having been, as I said before, successful in other States. I think that no money should be spared in a matter of this nature. Even if a considerable amount was spent, and it was found later that no better treatment than we have now could be provided, the money would not have been wasted. It is certain that the treatment that is being given in the institutions of this State is not so effective as one could wish, whereas the other method of treatment is said to be effective. A case was brought from South Africa and received treatment successfully, and, when such results are certified to, it is the duty of the Government to assist in the treatment of this terrible disease, leaving no stone unturned to make full inquiries into the possibilities of obtaining the assistance of Sister Kenny.

Mr. OLD (Minister of Water Supply).—I was not in the House when the honorable member for Carlton began his remarks on the important matter to which reference has been made; but I was here this afternoon when the Leader of the Labour party directed the attention of the Premier to it, and the Premier promised at once that he would take steps to have the matter brought before the Minister of Public Health with a view to assisting wherever possible. I think there is a good deal of merit in the suggestion made by the honorable member for Carlton that infected cases should not be taken to the
Children's Hospital, which, as he rightly states, is in a district where there live children who, owing to their parents being unemployed, are not so well cared for as when those parents are in employment, and are therefore not able to resist infection so readily as can children living in other districts. I undertake that tomorrow morning I will personally bring the matter before the Minister of Public Health, to see whether it is not possible to improve the conditions in that regard.

Mr. Kent Hughes.—Do you know what action has been taken in respect to segregation? I refer not so much to the advice of medical men in regard to the closing of schools, but to picture shows and places of that nature.

Mr. Old.—I do not know what action has been taken in that connexion. The Health Department is not one in which I have been directly interested, but I think that the phase suggested by the honorable member for Kew should be taken into consideration. It is apparent that the means of transmitting the infection have not yet been determined, and when persons attend places of amusement such as picture theatres they may unconsciously be spreading this very dreadful disease. I know of nothing worse than infantile paralysis.

Mr. Kent Hughes.—I think that there are many persons nervous about that aspect of the possibility of spreading the disease.

Mr. Old.—It is worthy of consideration, and I shall direct attention to it. Regarding what the honorable member for Lowan said about Sister Kenny's treatment, when I was in Queensland last year there was a dispute between certain medical authorities and Sister Kenny concerning the success or otherwise of her treatment. She was conducting several clinics there, and I found that the people of Queensland were absolutely convinced by practical experience that her treatment had been efficacious in a number of cases. I understand that the New South Wales Government has established clinics for the adoption of Sister Kenny’s treatment, and that a clinic has been or is about to be established in Hobart, Tasmania. I shall direct the attention of the Minister of Public Health to that aspect of the case also.

The motion was agreed to.

The House adjourned at 10.17 p.m.

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The Speaker (the Hon. W. H. Everard) took the chair at 11.14 a.m., and read the prayer.

GRIEVANCES.

The Order of the Day for the House to resolve itself into Committee of Supply was read.

Mr. Tunnecliffe (Collingwood).—I do not desire to detain honorable members for long. I have not occupied their attention often in recent months, but I wish to draw the attention of the Premier to a report which appeared in yesterday’s Argus. I know that the honorable gentleman will give special attention to the matter because of that fact, and I should like him to answer a speech delivered by the honorable member for Hawthorn in a country district. According to the last paragraph in the report—

Mr. Gray added that although it would be very painful to do so he would be prepared, if called upon, to serve in the Ministry, in the hope that it would bring about a spirit of co-operation between the best thought in the country districts and the best of the influential constituencies in the metropolitan area.

Apparently the honorable member for Hawthorn is willing to accept the policy of the Government and also our support. He also speaks of “the best thought in the country districts.” That is the thought of the Premier and his followers, and the reference is a generous contribution of praise to the intellectualty of the country members. When the honorable member speaks of “the best of the influential constituencies in the metropolitan area” there is the suggestion that his constituency is the most influential and that his intellect, of course, is the most powerful in the House. We want to combine the most powerful intellect in the House with the best thought in the country, and bring about an improvement in the social and economic conditions of the State. I wish to know whether the Premier is prepared to give consideration to this magnificent offer. Then we should have a united
House and everything would go along smoothly, and we could get into recess quietly at the end of the year. If the honorable member for Hawthorn joined with us there would be no contests at the general election. I do not know what portfolio he would accept, but I do not think he wants to be Premier.

Mr. A. A. Dunstan (Korang and Eaglehawk).—Before I reply, I think the honorable member for Hawthorn might throw some further light on the subject.

Mr. Jewell (Brunswick).—In the first place, I wish to refer to the very unfair attitude adopted by the Sustenance Branch in a case which came under my notice some months ago. The man concerned, who has a wife and four children and was in receipt of sustenance, used to rise at 2 o'clock in the morning to assist a milk carter on his rounds, for which he received 2s., but no mention of this fact was made on his application for sustenance. When it was discovered, his allowance was stopped, and he was threatened with prosecution. I interviewed the Minister and Mr. Frawley, and was informed that no summons would be issued until this man returned from the country, where he was doing two or three months' work. The Minister said, "I do not know what will be done, but, at any rate, the man will not be prosecuted." About that time I became ill and, subsequently, to my surprise, I found that no fewer than thirteen summonses had been issued against this man, but when he appeared in Court, all were dismissed. When any one makes me a solemn promise, I expect him to keep it. The treatment received by this man was not fair, and I am surprised at the Minister allowing the matter to go to Court.

Mr. Mackrell.—What is the man's name?

Mr. Jewell.—His name is Quinn. The Minister may recall that I spoke to him in his office about the case. This man was anxious to work and obtain money to assist his wife and children. Surely some consideration should have been shown him when he was willing to get up at 2 o'clock in the morning to earn another 2s. I feel impelled to bring the matter before the House. This is the worst treatment I have received from a public Department during the 27 years that I have been a member of the House.

Another unemployed man in my electorate injured an arm while assisting some one who was experiencing trouble with a motor car, and, although he might not be called upon by the Sustenance Branch to undertake relief work for some time, his sustenance allowance was reduced from 28s. to 14s., a week when it became known that he had been injured. This man had a wife and two children to maintain and, instead of reducing his allowance when he became sick, the branch should have come to his assistance.

In still another case, the sustenance allowance of an unemployed man who developed a poisoned finger was reduced to 14s. a week at a time when he needed a few extra shillings to help him over his trouble, and the allowance paid to men suffering from influenza is reduced because it is said that they are not able to work. I do not blame the Minister for what has happened in those cases, but he should make inquiries and, if necessary, bring the matter before Cabinet.

I desire now to complain about the harassing tactics adopted by the police in order to obtain convictions under the Second-hand Dealers Act, and I shall refer particularly to a case which occurred in North Melbourne, one of many I could mention. In this instance, the person concerned, who owns a garage, advertised a number of second-hand cars for sale in a Saturday issue of the daily papers, and the police believed he was endeavouring to do business during the week-end. Accordingly, they sent a man and a woman to his garage on the Saturday afternoon, when they thought they might catch him selling cars. He was at the races, and had left a lad nineteen years of age in charge. These people endeavoured to persuade the lad to sell them a second-hand car. He replied that he knew nothing whatever about the prices of the cars, and could not do so. They said, "You know something about these cars. You are in charge. Surely you can take a deposit? We want to buy one." He replied, "I cannot do it. I do not know anything whatever about them." The man and the woman then left the garage and returned with some one whom they described as a "big brother," explaining that it was a family affair. They again endeavoured...
to persuade the lad to accept a deposit on a car, but he refused. The police then decided to prosecute him on the ground that he would have taken a deposit if he could. Because I considered the tactics adopted were neither right nor fair I interviewed the Chief Commissioner of Police, who investigated the matter and subsequently notified me that as the man advertised in the daily papers on a Saturday, the inference was that he was doing business on a Saturday afternoon. The Chief Commissioner expressed the belief that the police did not use extraordinary tactics. I told the police that I did not think there was a case, but nevertheless they prosecuted the young man. He was brought before the North Melbourne Court, and the case was dismissed. It would seem, however, that the authorities had some grudge against him, because the next morning another policeman, accompanied by a factories inspector, called, went through the garage, and told the proprietor what alterations he would have to make. I do not see why these unfair tactics should be adopted. I told the police that they were stopped. The police should not go to such places and tell lies; they should be men to whom we can look for assistance, and in whom we can have extreme trust.

There was another case in which a motorist whose car had broken down after closing hours, went to a garage, desiring to purchase certain parts that were necessary for the car. The garage man said, "I do not sell those parts; I have nothing at all to do with them." When the motorist asked where he could get the parts he wanted, he was given the address of another garage man in the same street. The motorist called at the address given, and said that the other garage man had sent him along. However, the second garage proprietor also refused to sell him the parts he required. It turned out that the motorist was a policeman. I consider these tactics on the part of the police are distinctly unfair. The police should not prevail upon second-hand dealers again and again to take a deposit, or sell a car or a part, after trading hours, with the object of launching prosecutions against them. I am pleased to say that there are not many policemen of the character of those to whom I have referred, for I believe that 95 per cent. of the members of the Force are men of the world, and gentlemen. I suppose that a small proportion of the members of every organization should not be connected with it, and certainly men who use the tactics I have described need to be culled out of the Police Force. The position is that second-hand car dealers do not know what they are to do. The Police Department tells them that they can keep their places open for the purpose of selling petrol. On the other hand, the Labour Department officials say that they cannot do so, but may open the door to receive money for petrol, and close it again immediately. Apparently they must sit beside the petrol pump waiting for the next motorist who wants petrol!

It is said that second-hand car dealers who have garages where petrol is sold must, if they wish to keep open after 6 p.m., fence or partition off their second-hand cars, and that this is causing a great deal of inconvenience. One can understand such a procedure being insisted upon in the case of a shopkeeper who sells tobacco and cigarettes as side-lines, and keeps his stock of them in a small space of 4 or 5 feet square that he can easily partition off. But second-hand car dealers who may have from six to fifteen cars for sale consider it very unfair that they should be called upon to fence them off after 6 p.m. on ordinary days, and 1 p.m. on Saturdays. I have no doubt that the responsible Minister is not aware of the situation that has arisen. It should be sufficient if the price labels are removed from the second-hand cars. Surely it can be understood that it is a matter of impossibility for a second-hand dealer to comply with the law in this respect. I consider that the provisions should be suspended so as to allow the Minister to make the necessary inquiries in order that the grievance should be removed. The prospective purchaser of a second-hand motor car is very often a person who is working from 9 a.m. to 6 p.m., and has no possible chance of looking at a car in those hours. The average worker cannot purchase an expensive new car, and hopes to obtain one from a second-hand dealer for about £100 or £150. If such a person had an opportunity on a Saturday afternoon to give a likely car a trial, the position would not be so bad.

Mr. Jewell.
Again, under the Second-hand Dealers Act a motor car cannot be sold except on the premises of the dealer, whereas new cars can be taken to any place in the State, a deposit obtained, and the car virtually sold at the purchaser’s home. The prospective purchaser of a second-hand car may have to travel 50 miles to a second-hand dealer’s garage, and he must complete the purchase on the premises. Some provision should be made to enable second-hand dealers to sell their cars with as much facility as new cars are sold. In regard to the sale of new cars, there has been formed an organization called the Motor Car, Motor Cycle, and Cycle Association. New vehicle sellers contribute to the funds, which are largely used to provide a car together with petrol and oil for the police to use for the purpose of harassing second-hand dealers on Saturday afternoons, and the association gives to the police the names of the second-hand dealers who it desires should be called on. Surely there is no necessity for an unofficial department outside the Police Department. If revenue from taxation is not sufficient to provide all the funds necessary to carry on the work of the Police Department the remedy is obvious. The tactics of the Motor Car, Motor Cycle, and Cycle Association in supplying funds for the purpose I have mentioned are greatly to be deplored. I have in my possession the names of persons who supply funds to carry on these harassing tactics. I have known this organization to spend on the average about £2 a week on petrol and oil so that the police can catch second-hand dealers who trade after 6 p.m. on ordinary days and 1 p.m. on Saturdays. It is extraordinary that an organization outside the Police Department can control that Department in this respect. The system was first adopted when Sir Thomas Blamey was Chief Commissioner, and has continued in operation ever since. What right has the Police Department to accept any consideration from one trading section of the community in order to harass another section? The legislative provisions which allow these things to occur should be suspended for the time being so that the Chief Secretary can investigate the position. I consider that none of our policemen should adopt unfair tactics, nor should the Department accept any consideration from outside sources in order to harass a certain section of the motor car trade.

There is another point which needs consideration. Suppose a motor car breaks down a few miles from a garage on a Saturday afternoon or Sunday, the motorist cannot obtain any part that he may require unless first of all he goes to the garage and gets the engineer to inspect the car to ensure that it requires attention. Perhaps some of the lights have failed, and in that case the motorist cannot ask the owner of a passing vehicle to bring new globes from the garage, because the retailer of the globes would be liable under the legislation. It would be necessary to get the garageman to go out to the car, wherever it might be, to make certain that the lights had actually failed. Only in that way is he permitted to sell the globes. The practice is not right. I have had my petrol run out 10 miles from a garage, and have got another car to go to the garage and bring me back 2 gallons of petrol. To-day that is not permissible because the man who is selling the petrol has to go to the car and ascertain whether the man who is buying it actually needs it. I do not think the Chief Secretary intended that the law should operate in that way, and that people should be hassled as they are.

Why should not second-hand traders be able to advertise in the newspapers? The inference is that if they advertise on a Saturday morning they are trying to do business on Saturday afternoon. I was formerly in the estate agency business, and I always advertised on Saturdays because people read advertisements during the week-ends. The Police Department should take the view that these men are in business to do the best they can in the interests of themselves and their businesses. I hope the Minister will go into the matter, and not allow an organization outside the Police Department to take control of that Department. He should make a thorough inquiry into the facts, and see whether something can be done to avoid harassing people as they are harassed at present. It is important and necessary that a remedy should be found. The Minister should play the game, and the only way to play the game is to give the dealers some liberty in the conduct...
of their businesses. I hope that the harassing tactics of the past will cease, and that steps will be taken to prevent one portion of the motor industry from harassing another portion. If I had been left in charge of a business when I was nineteen years of age, and had succeeded in selling a motor car, I should have thought I had done a fine thing. Also, it should not be necessary for the traders to lock the cars away after hours as they now have to do. It should be sufficient to remove the price labels from the cars. They are not even permitted to put up a fence that can be removed every day, but must erect a fixed partition.

Mr. MACFARLAN (Brighton).—I desire, through the Minister at the table, to draw the attention of the Treasurer and the Minister of Public Works to an anomaly which exists in the method of allocating the cost of the awful structure known as the Spencer-street bridge between the 26 municipalities who are to pay for it. The Act authorizing the construction of the bridge was passed in 1927, when it was decided that the contributions of the 26 municipalities should be made in accordance with the then valuations in those municipalities. The estimated cost of the bridge was £200,000, and the actual cost has been £159,300. No wonder the cost has been less than the estimate, considering the eyesore of a bridge that has been erected. For different reasons in the different municipalities, valuations have altered in the ten years since the contract was entered into. In some of the municipalities there has been a decrease in valuations since 1927, and in others—the bulk of them—there has been a substantial increase, amounting to as much, in the case of the City of Camberwell, as £177,000. I have received a letter from the town clerk of the City of Sandringham drawing attention to the matter, and urging that the allocation of the contributions should be based on municipal valuations at the time of the completion of the bridge. In the City of Sandringham valuations have decreased in ten years by approximately £25,000; and in the City of Essendon there has been an even greater decrease.

Mr. OLDHAM.—The allocation is based on the valuations that existed when the contract was made.

Mr. MACFARLAN.—There was no contract so far as the municipalities were concerned. There was an Act of Parliament which said they must contribute. The benefit of the bridge to Sandringham is highly problematical. The municipalities were dragged in by the scruff of the neck under an Act of Parliament, and were told that they had to pay certain amounts.

Mr. OLDHAM.—Why should Camberwell have to pay more now than it agreed to pay when the contract was made?

Mr. MACFARLAN. — Because the total valuations in Camberwell have increased by £177,000, and whether that is due to the bridge or not, it is a fact that since 1927 the valuations in that city have increased by that amount, while the valuations in Sandringham have decreased by £25,000. I suggest that a fair method of computation would be on the basis of municipal valuations at the time of the completion of the bridge.

I do not want to go into the reasons why valuations in certain municipalities have decreased, except to say that from time to time I have drawn attention to the excessive railway fares operating in outer-suburban areas. I shall do so again in detail when a proper opportunity offers, and I merely say now that there is not the slightest doubt that the decreased valuations in the City of Sandringham, where one would naturally expect increases of at least £100,000, are due to the fact that people are being driven out of the city by the positively excessive railway fares. I know Sandringham as well as I know this Chamber; it is a young city which has much vacant land, and it should be showing an increase in its municipal valuations. A large portion of the City of Sandringham, particularly the Sandringham, Black Rock, and Beaumaris wards, which are farther from the City of Melbourne than the Hampton ward, is becoming a home for elderly people who visit Melbourne once a week or less frequently, and for people who can afford motor cars. It is rare to find young couples who have children, or young couples about to marry, going to Sandringham to build a home and settle down. There is a large community of retired people living in Sandringham; the bowling greens are
crowded, but there are very few members of that younger section of the community whom we should like to see settle in that healthy district and bring up families. Sandringham has an excellent train service so far as speed, comfort, and regularity are concerned, but the cost of train travelling is prohibitive. That is the one reason for the failure of the City of Sandringham to enjoy what one would naturally expect—an increase of valuation, instead of a decrease.

I undertake to say that, in spite of the excellent train service, the internal transport service in the City of Sandringham is the worst in the metropolis. An electric tramway controlled by the Railway Department operates between Sandringham and Black Rock. The service can only be described as awful. I think that at certain periods every second or third train at Sandringham station is met by a tram. At night the tram service is carried on by one-man trams—the motor man having to collect fares. As trains arrive at Sandringham station passengers congregate waiting to board a tram. As I said, every second or third train is met by a tram, and that means that passengers have to wait a considerable time for a tram. Then the motor man has to collect the fares as the passengers enter the tram, and the people have to form a queue while waiting to pay their fares.

Mr. CAIN.—They have to stand in the rain until the tram arrives.

Mr. MACFARLAN.—They can wait in the station building, but they have to stand on the roadway until their turn comes to pay their fares and enter the tram. If tram passengers are travelling farther than Black Rock they have to alight from the tram there, and take a bus to reach Beaumaris or Mentone. There is no shelter provided for them while they are waiting for the bus. Passengers travelling towards Melbourne have to alight from the bus at Black Rock, take a tram, and travel by it to Sandringham. Frequently when they reach Sandringham station they see the tail end of the train leaving for Melbourne, and they have to wait a quarter of an hour or longer for the next train. The whole system seems to be designed to cause as much inconvenience and dis-

comfort as possible. Last year an application was made to the Transport Regulation Board for a licence permitting the Mentone bus service to be continued from Black Rock to the Sandringham station along Beach-road. I may point out that the tramway route is some distance inland from Beach-road.

Mr. HOGAN.—Does the tram miss the train on every trip at Sandringham station?

Mr. MACFARLAN.—I do not travel often on the tram, but I have missed the train on occasions when I have done so, and other people have told me they have had the same experience. The continuation of the bus service to Sandringham station would be of great convenience to people living in Mentone and Beaumaris; and to those residents of Sandringham and Black Rock who live close to Beach-road, the tramway route being from a quarter of a mile to three-quarters of a mile inland from Beach-road. The Transport Regulation Board granted a licence for the extended bus service, but the Government, under the authority of the amended Transport Regulation Act, refused to confirm the decision of the Board. I understand that another application is to be made to the Board, and in the event of the Board granting it, as is not improbable, I hope that the Government, having regard to the utter inadequacy of the tramway service, will permit the Mentone bus service to be extended to Sandringham station.

Mr. HOGAN.—Or provide a better tram service.

Mr. MACFARLAN.—It will have to be a much better service. When the application was made for the extension of the bus service, Mr. Clapp, Chairman of the Railways Commissioners, told the people that if they got the extended bus service he would knock off the tram service. The answer of the residents to that threat was—"Knock off your blanky tram."

Mr. HOGAN.—The tramway system cost a lot of money.

Mr. MACFARLAN.—It did, and it is just about paying. The section which did not pay was closed.

Mr. CREMEAN.—It had done what it was designed to do.

Mr. MACFARLAN.—It was designed to open up land for building between
Black Rock and Beaumaris, but through the depression subdivisional sales fell off. But for that, I think that section of the tramway service would have paid.

Mr. Hogan.—Is the tram service inadequate at night only, or both night and day?

Mr. Macfarlan.—I am informed that the trams miss the train at Sandringham station both in the day and at night.

Mr. Hogan.—Do the bus people provide a shelter where the bus service joins the tramway service?

Mr. Macfarlan.—I do not think so. They could not provide a shelter without the consent of the municipality. When one surveys the transport services in the City of Sandringham one would think that instead of being 10 to 12 miles from the centre of Melbourne, Sandringham was an isolated country centre 100 miles from Melbourne. This growing city is being crippled in its development by the excessive rail fares and the virtual prohibition of adequate internal transport.

I desire to refer to another matter, and in doing so I am pleased to note that the Government is giving consideration to means of combating the scourge of infantile paralysis. I direct the Government's attention to the state of affairs prevailing in portion of my electorate and in portions of the electorates of Collingwood, Carlton, and Fitzroy. Whether or not it has caused that disease. I am not an expert, and cannot say whether or not that is the case. Whether or not it has caused that particular complaint, it is capable of causing ill-health among the school children who pass near it. I noticed a statement in a local paper that during the frosty mornings, when the stagnant pools were covered with ice, children went down and played with the ice and licked it. It must be remembered that the water is filthy. If that does not cause the children to have infantile paralysis it might give them some other disease. There is only one way to deal with the menace. Honorable members representing Clifton Hill, Collingwood, Carlton, and Fitzroy will recall what was known as the Riley-street drain, which years ago ran through some of the northern suburbs. It was an open drain for a great portion of its course, and was filthy. The Melbourne and Metropolitan Board of Works has enclosed the drain, and the result is that the menace to the very congested population in those suburbs has been removed.

It is no good frittering away money on the Elwood drain, nor is it any good metalling it or cleaning it periodically. As a matter of fact, it is not cleaned when it should be. The drain should be covered over, especially in its upper regions. I suppose that it is 15 to 20
yards wide at the outlet into the bay, and there it takes on the appearance of a canal, but in the thickly-populated areas many good houses stand only a few feet from the edge of the canal. Even as the Riley-street drain was covered up, so this drain must be; but that work will cost money.

I suggest that as the Railways Commissioners, the State Rivers and Water Supply Commission and other bodies have received huge grants from the Unemployment Relief Fund, there should be made available out of that fund money for necessary and vital work of this description. The work is necessary in the cause of public health and safety, and the money should be advanced to enable the drain to be enclosed. It is the very class of work for the unemployed. I am sure that if the Government had a list of jobs to be undertaken in the public interest, this particular job would be entitled to a high place on that list. I do not know how the drain came to be called a canal, for it is a drain, and not a creek or a canal. It drains large areas of the surrounding country in the same way as the Riley-street drain drains large portions of Carlton, Collingwood, Fitzroy, Clifton Hill, and other suburbs. The Riley-street drain has been covered in until it reaches the Yarra, and that is the only point where it is open. For miles back from the sea the so-called Elwood canal is always a menace to the large population in the various districts through which it runs. I know that the Melbourne and Metropolitan Board of Works is willing to do the work, but it is a question of money. The Board will not get enough money from the proposed 1d. rate under the Melbourne and Metropolitan Board of Works Bill, if that measure becomes law. A grant will have to be made. If the Board is to carry out work of this important character, I wish to know in what different position it is from that of the other bodies I have mentioned.

Mr. Hogan.—Where do you say the canal should be covered in?

Mr. Macfarlan.—I am not familiar with the higher regions, because it goes a long way beyond my constituency. Shopkeepers in Gardenvale, which is in the constituency of St. Kilda, are periodically flooded out. I can show the Minister photographs of floods.

Mr. Hogan.—If the drain were covered in it would not prevent the shopkeepers from being flooded out.

Mr. Macfarlan.—It would: The flood waters come from the drain. When the Minister of Public Works visited the locality last year there was a couple of feet of water in the street.

Mr. Hogan.—But what would happen if the drain was covered in?

Mr. Macfarlan.—The water would be kept in the drain. What about the Riley-street drain? In Elwood, near where the canal runs into the sea, there is a fine residential area where expensive houses have been erected, but they are periodically flooded out too. The present position can hardly be allowed to continue.

Mr. Hogan.—Where do you suggest the drain should be covered in?

Mr. Macfarlan.—The honorable member for Dandenong knows about this drain before it reaches my constituency, and he can tell the Minister of the conditions further out, but it should be closed in from East Brighton to the outlet. Probably the honorable member for Dandenong will say that the drain should be closed in from Carnegie and East Oakleigh. This drain becomes the repository of rubbish of all kinds, and also a cemetery for dead cats and dogs, and it is a danger to the school children. Near the Gardenvale school the structure is 9 or 10 feet deep. I do not say that that is the depth of the water, which at this time of the year is stagnant.

Mr. Hogan.—Who is responsible for the drain?

Mr. Macfarlan.—It is a main drain for which the Melbourne and Metropolitan Board of Works is responsible, but it has not the money to do the proposed work.

Mr. Hogan.—I suppose if we had the money we could fix everything in the world.

Mr. Macfarlan.—I do not pretend to be a judge, but the drain is said to be the cause of the outbreak of infantile paralysis, which is occurring in its vicinity. In the circumstances it would be worth while to see whether the Government could furnish the funds to enclose the drain as far back as the experts consider necessary.
Mr. CAMERON (Kara Kara and Borung).—I desire to bring under notice the position obtaining in many country centres in connexion with the provision of work for the unemployed. The Employment Council has, from time to time, made funds available to the Railway Department for the purpose of reconditioning railway lines in various parts of the State. Several months ago a grant was made to the Department to deal with the line between Murtoa and Warracknabeal; the portion between Warracknabeal and Hopetoun had been reconditioned last year. A condition attaching to such grants is that, of the men employed, 70 per cent. must come from the metropolitan area and 30 per cent. from the district in which the work is being carried out. I do not say that the unemployed in Melbourne should not receive every assistance, but I consider that the proportion for the metropolis is altogether too high. Prior to this year, the percentages were 60 and 40 respectively. The present basis may be all right in respect of districts where there are very few local unemployed, but it is not fair in other cases. For example, when the railway line between Donald and Woomelang was reconditioned last year, it was found that the number of unemployed in the district was very small, and, as a result, about 80 per cent. of the men required for the job had to be drawn from the metropolitan area.

I have no objection to that being done when local men are not available; but there are a large number of unemployed in Murtoa, Minyip, and Warracknabeal, and, on the present basis, it has not been possible to employ all the local men available. It appears to be rather poor economy to transport men 180 miles to do a job when local men are available. Practically all the local unemployed in the district were engaged last year on similar work; therefore, they have had experience in what is required of them.

My second complaint is that, after giving efficient service for eight weeks, the local men engaged on the Murtoa-Warracknabeal job were dispensed with, while those brought from Melbourne are still there and have had twelve weeks' work. That is extremely irritating to the local men. I am pleased to notice that the Minister of Transport is in the Chamber. I hope he will bring the matter before Cabinet, and that serious consideration will be given to the question whether the 70-30 basis of allotment of work is fair and equitable. I suggest that when men are available in the country the percentage of country men employed should be increased. A moment ago I said it was poor economy to bring men 180 miles to do a job when local men were available. I would also point out that men brought from Melbourne to carry out work in a country district are given a camping allowance, which is not paid to local men; so the services of the latter are slightly cheaper than those of the metropolitan unemployed. The Minister of Labour might also look into the question, because when the men are put off they go back to sustenance, which is the last thing desired. The men themselves are anxious to obtain full-time work. I trust the Government will endeavour to remove the disadvantage under which the country unemployed are labouring at the present time.

I desire to refer to the assistance given by the Government towards the sewerage of country towns. The Government advances funds to the extent of 15 per cent. of the total cost of a project. I understand that consideration is being given to the question of increasing the grant, and it is scarcely necessary for me to point out that the assistance extended at present is not sufficient to enable a country town of any size to undertake a sewerage scheme. In New South Wales I am told, the State advances one-third of the cost, and the Commonwealth one-third, and the municipality finds the balance. It would appear that the treatment accorded Victoria, in the matter of the extent of assistance given by the Commonwealth for such work, is detrimental to the interests of the State. Whether this is due to the rotten formula adopted in connexion with the apportionment of loan money as between the various States I am not in a position to say; but the fact remains that country towns in New South Wales receive far greater assistance than Victorian towns in the carrying out of sewerage projects.

Mr. HAYES (Melbourne).—I wish to refer to the new regulations that have been issued in connexion with the Police Force, and I feel sure that honorable
members generally will accept my remarks in the spirit in which they are made. I am not a critic of the Police Department or of the Government, so far as the regulations are concerned; but as a member representing a metropolitan electorate, I desire to bring under the notice of the Government a serious anomaly, and to direct attention to the discontent and unrest existing in the Force to-day, due very largely to the regulations recently framed. As the Chief Secretary will realize, those regulations were introduced with the object of increasing the efficiency of the Police Force. I realize that efficiency is absolutely necessary, and I raise no objections in that connexion. I should like, if possible, to make the Force more efficient than it is at the moment; it is not possible to obtain greater efficiency if we allow the present discontent to continue. Therefore, I would ask the Chief Secretary to see if something can be done to remove the causes. While I realize that some of the new reforms and regulations are a considerable improvement, I wish to direct particular attention to the matter of promotions. If I read a paragraph which appeared in the press recently it will explain the position. That paragraph states, *inter alia*—

Sergeants not to be promoted to sub-inspector unless likely to reach the rank of superintendent, and inspectors not to be made superintendents unless they have prospect of holding that rank for approximately three years.

That may be all very well, and perhaps to a very large extent it will improve the position of the Force as time goes on. Now, however, as the result of this regulation, certain men, who joined the Force many years ago and passed all the examinations and were promoted to positions of sub-inspectors and inspectors, are due for appointment to the position of superintendent, but they find that they are debarred because they have not the prospect of holding the rank for three years. In view of the fact that they have passed the necessary examinations, the Chief Secretary's Department should have arranged for the regulation to be framed in such a way that it would not interfere with any member of the Force. The regulations could easily have been postponed to give the men concerned, all of whom are definitely due for promotion after many years of faithful service, the rights to which they are justly entitled. Those men will continue in the rank they now hold until they leave the Force, in something less than the three-year period mentioned in the regulations.

It has been said that in some cases the condition regarding the three-year period has not been given effect. As will be noticed, a definite three-year term is not specified; reference is made to a period of "approximately three years." Under that provision, inspectors whose terms of service in the Force will cease, say, in two years and ten months, could be appointed as superintendents, whereas those whose terms of service will end in, say, two years and eight months, might not be promoted, although both periods are "approximately three years." If it is right to appoint a man as a superintendent in the one case, it should also be done in the other. If the Police Department proposes to carry out this system of promotion it will mean that eight or ten young men can be appointed superintendents, and that would automatically stop all promotions in subordinate ranks for perhaps ten years or longer. The new superintendents would hold that rank until they retired, and there would be no promotion in the lower ranks except to vacancies caused by deaths. The younger men would have no incentive to work for promotion. I am sure that it was never intended by the regulations to penalize members of the Force. Their operation means that a sub-inspector or an inspector whose service in the Force will end within a certain time will be deprived of something to which he is justly entitled. The position is becoming more serious every day.

I do not know how long the regulation concerning appeals has been gazetted, but the position is that when an officer is dissatisfied with a decision affecting his promotion he can appeal to a Board. If that body allows the appeal, the Chief Commissioner of Police retains the right not to recommend the officer concerned to the Governor in Council for appointment to the higher rank. In such circumstances it is a waste of time to have an appeal Board.
It will be seen that discontent could easily arise among members of the Police Force because of the regulations with which I have dealt. Again, let us take the case of a police officer who is charged before a departmental Board and punished for a certain offence, and let us say, for argument's sake, that he is fined £1. Despite the punishment so inflicted, the Chief Commissioner can take upon himself, under the regulations, the right to dismiss that man. I hold that the decisions of Boards whose function it is to hear charges and decide appeals, should be final. The appeal Board is apparently only a Board in name; the Chief Commissioner of Police has the right to come to decisions on his own account. We have been told that the purpose is to reach 100 per cent. efficiency in the Force, but if present conditions are allowed to continue very little advance will be made so far as efficiency is concerned. The Chief Secretary should make inquiries to see if it is not possible to arrange for the re-drafting of the regulations, which in their operation mete out injustice to a large number of men.

Mr. Gray.—Did not the old promotion system imply that the superintendents had to be elderly men?

Mr. Hayes.—The members of the Force desire that promotion should be according to seniority. If they are to be deprived of promotion it is easy to imagine what will take place.

Mr. Gray.—Has it not been the practice that officers achieve superintendent rank within 12 or 18 months of retirement, and is it not a fact that the status is required for pension purposes?

Mr. Hayes.—If that is so they are entitled to it.

Mr. Michaelis.—It is not good for the Force to have constant changes.

Mr. Hayes.—Present conditions will bring about discontent and will not promote efficiency. The men join the Force under certain conditions, and they pass examinations for appointment as sub-inspectors and inspectors. Later, a regulation is brought in which says that they cannot be made inspectors.

Mr. Michaelis.—Both the Chief Commissioner of Police and his predecessor have complained that the present system is had for the discipline of the Force.

Mr. Hayes.—I do not know whether the Chief Commissioners complained, but the question of redrafting the regulations should be given consideration, and an independent appeal Board should be appointed. If the Chief Commissioner has power to overrule decisions of the appeal Board it is futile to have an appeal Board; it is a waste of time. I ask the Minister not to take my remarks as a criticism of the Force. I recognize that it is necessary to have an efficient Police Force, but if present conditions are allowed to continue the Force will be discontented rather than efficient.

Mr. Cumming (Hampden).—I wish on the present occasion to say a few words about the outbreak of infantile paralysis. There was an outbreak at Camperdown a few years ago. When cases began to come in plentifully, prompt action taken by the shire president, Councillor F. C. Russell, and his fellow councillors, in adopting every precaution known to science, prevented, I believe, a considerable increase in the number of cases. Let me briefly outline the attitude of the shire at that time. Dr. J. Macnamara, a great, if not the leading, authority on the disease in Victoria, was sent for, and she lived in the district for a considerable period. She made investigations with the object of discovering the source of the disease. She was given unlimited authority to carry on her investigations and to make arrangements to try to cope with the outbreak. After consultation with the Walter and Eliza Hall Institute, it was decided to set up a complete laboratory, with necessary equipment and animals for experimental purposes. The laboratory was under the charge of Dr. Keogh, and it was designed to investigate every form of paralysis occurring in animals and human beings. It takes a long while for an investigation like that to show results, but in talking to Dr. Macnamara recently I learned that results are likely to be achieved. At that time, also, the shire council engaged a masseuse to act as physio-therapist. When the patients became convalescent she was supplied with a car and attended to them daily at their homes. She is still in the district. She has been there for two years, and is likely to be there for another year. She is doing
wonderful work, and I am glad to say that many of the patients are getting better, although some very slowly. I have the greatest horror of the disease since my Camperdown experience. I am sure that if the Hampden Shire Council can make available any knowledge it has gained over the period referred to it will gladly do so.

I think much can be done to prevent the spread of the disease by avoiding overcrowding of children in schools and elsewhere. I mention that because I have been asked to look at a school in a returned soldier settlement at Mount Bute. I was so impressed by the overcrowded condition of the school, after inspecting it, that I wrote to the Department pointing out that it was shockingly overcrowded and urging that an immediate inspection should be made. Nothing was done except that a letter was written back stating that regulations were being complied with. I got in touch with Colonel Street, a member of the Commonwealth Parliament, and he wrote to me—

YOUR NOTE re THE MOUNT BUTE SCHOOL.

As regards the school, it seems all wrong that there should be even 34 (and that is the lowest figure the Department gives) in one room under two teachers. Personally, I feel that if there is a regulation regarding the amount of space per child, there should also be regulation as to the size of the rooms, and so limit the number of pupils in one class. I cannot see that a teacher can do justice, either to himself or his pupils, if he has to teach classes of over 40 of all ages.

I was amazed at the conditions existing there. The next thing was a letter from the Education Department under date the 20th of April, 1937, stating—

I have to inform you that the present accommodation at this school provides for 42 pupils at twelve square feet per pupil.

I am not concerned about the square feet per pupil, but I am concerned about the disgraceful conditions existing in that school in a much too small area—the conditions with respect to food, coats, hats, and possibly a stray dog wandering in. The letter proceeds—

The average daily attendance for the quarter ended 31st March, 1937, was only 39 pupils, and the District Inspector reports that the prospects of this school do not justify the extension of the building. It appears that there will be a probable steady decline in enrolment during the next five years, falling to 34 pupils in 1942.

I arranged for Dr. G. Maurice Davis, health inspector for the district, to make an inspection, and this is his report:—

I found the school in excellent state of repair and situated in ideal surroundings and very clean.

There were 45 scholars occupying an area of 25 feet x 20 feet, less 15 feet for various corner cupboards, fireplace, &c.

The porch appeared to be of insufficient size—clothes lying on the floor, due to insufficient hooks for clothes—lunches were lying on the floor open to contamination, owing to the fact that there are no shelves to place food baskets or parcels on.

There are insufficient desks, necessitating as many as three pupils sitting at one desk.

There are eight grades being taught in the one room, and in my opinion it is impossible for two teachers to be able to teach 45 children of eight different grades in this space.

I therefore recommend—

1. Enlargement of porch with additional hooks for coats and hats, and shelves for food.

2. The addition of another room to reduce congestion. This, I think, is absolutely essential.

To make quite sure that I was on safe ground in making my complaints, I asked the Hampden shire health inspector to have a look at the school. He reported as follows to the shire council—

The school consists of one room of about 25 x 20 feet. In all, 45 children are attending this school, which allows about eleven square feet for each scholar.

There appeared to be congestion. In several instances three children were occupying desks that usually seat two. It was also noted that a number of the scholars are children in years only. A number could almost be classed as adults.

I would suggest that this school is definitely overcrowded.

Those are two reports which I thought, coupled with my observations, would justify something being done to reduce the overcrowding. I was surprised to receive this letter, much on the lines of his previous letter, under date the 9th of June, from the Secretary to the Education Department—

With reference to your representation on behalf of the Shire of Hampden, regarding the accommodation provided at the Mount Bute school, I have to inform you that the present accommodation at this school provides for 42 pupils, at 12 square feet per pupil. The average daily attendance for the quarter ended the 31st of March, 1937, was only 39 pupils, and the district inspector reports that the prospects of this school do not justify an extension of the building.
I direct particular attention to the next statement in the letter—

It appears that there will be a probable steady decline in the enrolment during the next five years.

He is a bold man who would attempt to forecast the future population of a district of that size. A man who can say how many children will be born in the next five years, or how many people will settle in the district in that time, ought to be taken the greatest care of by the Government. He ought to be put in a glass case and sent round the State for exhibition. The letter proceeded—

Under the circumstances, therefore, it is regretted that the Department is unable to approve of an extension to the school building. Arrangements have been made to transfer some desks from Inverleigh State school to the Mount Bute district.

I think honorable members will agree, when they examine this case, that the fair thing is not being done to this district. The children are the greatest asset the State has, and I appeal to the Government to see that the fair thing is done to the parents and children in the Mount Bute district. I am sure honorable members will agree that the main responsibility of any Government is care for and protection of the child life of the State concerned. No authority has a greater responsibility than the welfare of the growing child.

Mr. Murphy (Port Melbourne).—

A deputation waited on the Minister of Labour earlier in the week and placed before him certain claims for the unemployed. The Minister, who, from my experience, is a sympathetic and fair man, expressed the hope—and so do I—that the dole would be done away with, and permanent employment given to the unemployed. That is the keen desire of every man in the Labour movement. Unfortunately, the dole cannot be done away with yet, and we shall have to put up with it for some time. According to the report of the deputation in the Herald, the Minister said that the position of the unemployed to-day is better than it has ever been. If the Minister made that statement, it is one which cannot be borne out by facts. The unemployed are receiving the same amount of money as they received twelve months ago, but they are working shorter hours for the money they receive. They do not want shorter hours. They want the equivalent of the amount that they received twelve months ago to enable them to purchase the same quantity of goods as they could purchase then. No member can deny the fact that the cost of living has increased. House rents, and the price of every commodity that the unemployed man and his family consume have risen as a result of the increase in the basic wage by 6s. per week. The purchasing power of the money which the unemployed receive now—the rate being the same as twelve months ago—has decreased by 20 per cent.; consequently the position of the unemployed is not as good as it was twelve months ago.

Another hardship is the present limit of permissible income. I have known cases in which unemployed men have been taken off sustenance because one of the children went to work, and the income of the home then exceeded by 6d., 1s., or 2s. a week the limit of permissible income fixed by the regulation. That regulation should be reviewed by the Government, and the conditions made more liberal in the interests of the unemployed. One means by which the regulation should be made less rigid would be the deduction, when assessing the family income, of the ordinary expenses of the child or children earning money. Suppose the young daughter of an unemployed man living in Port Melbourne, South Melbourne, or North Melbourne, obtained employment in the city. She spends 3s. or 4s. a week in tram fares travelling between her home and her place of employment. She has also to be provided with suitable clothing; consequently her earnings of, say, 10s. or 12s. a week are reduced for the purposes of the family by 3s. or 4s. However, those expenses are not taken into consideration when the income of the family is assessed to ascertain whether it exceeds the permissible income fixed by the regulation. I understand that the same hardship was felt in Great Britain, but the authorities realized the injustice inflicted on the unemployed, and they are now making allowance for the ordinary expenses of the children who are earning. A similar change should be made here in justice to the unemployed.

I shall illustrate the need for another alteration in the sustenance regulations.
This morning I met a young man who is looking for work. He told me that he had not been able to obtain work for twelve months. His mother draws the old-age pension of 19s. a week, and she has to support him. Because of this he cannot obtain sustenance. That is a most unjust state of affairs, and it should be remedied.

The problem of unemployed youth is a tragic one. Thousands of young men, who were 17 or 18 years of age when the depression started, have since been unable to get employment. They have turned to the right and to the left, seeking relief from their tragic position. They have not received any assistance from the State Parliaments, or the Commonwealth Parliament, and I am not surprised when I hear that many of these young men have joined the ranks of organizations which many people condemn. They have joined the Communists, thinking that they can provide the only harbor of refuge. I heard a man in a high position say, when speaking about the tragedy of youth, "If I were a young man, situated as they are, probably I should do the same as they have done." There are people who consider that because these young men have drifted into the ranks of the Communists they should be condemned; but we should be condemned. It is our responsibility to do something for the men. I do not blame the State Governments so much as I do the Commonwealth Government. That Government has sat sedately, and has done nothing, comparatively speaking, to relieve unemployment. It has thrown on the State Governments the whole responsibility of providing sustenance for the workless, and at the same time it has collected large sums in taxation and has spent them ad libitum. The Commonwealth Government can find millions of pounds for military purposes, but it is wanting in its duty to do something for the unemployed. Unemployment is a national matter, and the national Government should take charge of this problem altogether. However, it is not doing so, but is throwing the whole onus on the State Governments, whose ambit of taxation has been greatly decreased by the actions of the Commonwealth Government. I hope that the people of this State will see that more is done for the unfortunate men who are without jobs. More should be done to provide work in order to do away with the dole, which is one of the greatest curses. Reputable men and women have lost responsible positions, not through any fault of their own, but through economic circumstances beyond their control, and they have been compelled to draw sustenance. While the Minister of Labour, who is in charge of sustenance, was absent from the Chamber I referred to something that occurred at a deputation a couple of days ago. I quoted from a report in the Herald to the effect that the honorable gentleman had said that the unemployed were now better off than they were before. I commented that I did not know whether or not that report was correct. I took it as correct, and built up an argument that they were not in the same position.

Mr. Mackrell.—I qualified the statement.

Mr. Murphy.—That is the reason I have repeated my comment. I did not wish to do the Minister an injustice. I mentioned that I had had sympathetic treatment from him; but sympathy does not fill the stomachs of the poor—it takes more than sympathy to do that. The claims made by the unemployed are just and cannot be discounted. The Government will recognize, as well as I do, that when we take into consideration the cost of food, clothes, and rent, the purchasing power of money is now 20 per cent. less than it was twelve months ago.

I trust that the information the Minister of Labour obtained in New Zealand concerning the unemployed youth movement will be helpful to this State. Its value will be assessed by the number of youths placed in employment. Many men were seventeen and eighteen years of age at the beginning of the depression. The great majority of them have been unemployed ever since, and they despair of getting work. Is it any wonder that they have joined the ranks of a section that various classes condemn? It is undoubtedly the duty of every Government, so far as it can, to do more than has been done for the unemployed youths.

(At 12.55 p.m. the sitting was suspended until 2.9 p.m.)

Colonel Harold Cohen (Caulfield).—I desire to refer to a matter which I hope the Premier will take into consideration.
when framing the Budget for this year. The problem any Treasurer has to face, I know, is what he can afford, rather than what he desires to spend. In a year when the Budget is in equilibrium and he has more money available than is usual, the pressure exerted by those who are anxious to share in its disbursement increases proportionately. Even so, I trust the Premier will favorably consider an increase in the grant to the University. When that institution was opened in 1850, it was receiving proportionately twice as much as it actually obtains in these times when, of course, the uses of the University and the advantages which accrue therefrom are very largely increased. Actually, not only in Victoria but throughout Australia, less is spent on higher education than was spent 25 years ago—that is, comparing the percentage of that expenditure with the total cost. Not only does our University play an important part in the cultural education of the community, with its concomitant advantages, but it plays a very important part in relation to trade and commerce. Some private companies, with one of which I was associated, have recently made substantial gifts to our University, not merely as a matter of making a kindly gift, but because they believed that their contributions would be returned in value to themselves by the better training of those persons who would later be in their service, and because they believed that University research and investigation into subjects with which the companies were concerned had a real value. If that applies to a private organization, it surely applies with added force to the State. In bad times we had to be cheese-paring to a greater degree than may have appeared to be reasonable. One of the first things that in these better times a Treasurer should be able to take into consideration is the provision of a larger grant for the University—one which I should say, in the result, would not be considerable.

Mr. LIND.—We increased the grant by £20,000 last year.

Colonel HAROLD COHEN.—That is so, but the sum is still £20,000 or £30,000 below what should be the minimum allowance. If we were to proceed on the basis of capitation, taking into consideration the number of people educated in the University, and if we compared the figures to-day with those of 1923—which seemed to be the starting-point for arriving at the basis of the grant—the allowance would be increased this year by something like £30,000. Neither in Australia as a whole, nor in this State particularly, is there accomplished in that direction so much as other communities achieve. One striking comparison can be found in Southern Ireland. There was quoted last night, in connexion with constitutional reform, the new Constitution of the Southern Irish State. Southern Ireland, with a smaller population than we have, and with no great riches in the way of natural advantages, makes a grant of £200,000 a year to its University. When we compare that with what we feel we are able to afford, it must be agreed that we pay very little. I think that the whole of the grants to the universities of Australia combined do not reach the Irish figure.

Mr. LIND.—I think that in our case the amount is about £40,000.

Colonel HAROLD COHEN.—Yes; it is something under £50,000. Nothing less than £200,000 could be excessive for grants to the universities throughout Australia. I do not desire to labour the point, as I feel sure it will commend itself to the Premier and the other members of the Cabinet.

Mr. CAIN.—And ultimately to the taxpayers.

Colonel HAROLD COHEN.—I think the taxpayers will get as good a return for that kind of expenditure as may be had from many other forms of indirect expenditure the State has to meet.

Mr. CAIN.—Unfortunately, most of those who are trained at the University later take part in a campaign to reduce taxation.

Colonel HAROLD COHEN.—The honorable member may have that view, but my experience is that nowadays there is more forward thought, and more advanced social opinion, among the young people at the University than there has been for a long time.

Mr. CAIN.—When they get a little older they lose that.

Colonel HAROLD COHEN.—The honorable member for Northcote becomes more moderate as he gets older; that is a peculiarity of old age. Although I do not agree with many of the views these young
people express, I am glad that there is the freedom of expression and thought which obtains at the University; it is all for the good of the community as a whole.

There has been some discussion in this House about infantile paralysis, the outbreak of which has been a matter of anxiety. I do not know whether the Government has considered, or can have available for it to consider, the use which can be made of the Kenny clinic, as it has been known at the hospital at North Shore, Sydney, and at the hospital originally started by Sister Kenny at Brisbane. Some people with whom I have discussed the matter have a high opinion of the advantages to be obtained from the form of treatment practised there. As the Government is proceeding to investigate the matter of the outbreak, I would urge that the information which can readily be obtained from the centres I have mentioned should be before the Government when it is dealing with the subject.

Mr. Cotter (Richmond).—The matter I wish to bring before the Government relates to its attitude towards the search for oil in the Gippsland Lakes district. There is a feeling among persons outside the House that the Government is not doing so much as could be expected in the interests of the oil industry in Gippsland. The opinion is held that if there were brought to the notice of the Government a gold-mining undertaking having anything like the prospects offered by oil companies, the Government would find the money required and would be active in the interests of the undertaking. It appears to me that the Government is not doing very much in regard to the oil search in Gippsland. Gold mining was for 20 or 30 years a dead letter, and as a result the Mines Department itself practically died. The Director of Geological Survey is a competent man, particularly in connexion with gold mining, but I am afraid there is no one in the Department who has any knowledge of oil. It seems a pity to keep a man of Mr. Baragwanath's ability sitting inside an office when, possibly, a clerk could be detailed to relieve him of a good deal of work so that he would be available for outside duties.

Persons resident in my electorate have put a bore down at Pelican Point, in the Gippsland Lakes district, but they have been rather unfortunate. When the bore had reached a depth of 2,600 feet, funds ran out. Naturally, they did not proceed any further for the time being, with the result that from about 1,600 feet downwards a sand drift practically ruined the bore. The bore had been cased, but the casing gave way. It has gone so far out of alignment that the bore does not now exist below 1,600 feet. The persons interested in the undertaking exhibited some of the contents of the core to the Mines Department, and it was shown to them that there was an American oil trust, which takes care that Victoria shall not produce oil in payable quantity and at a reasonable price. The residents at Lakes Entrance are quite certain that there is oil there. For every £10 Australian Governments, are spending to get the oil, American oil interests are spending £12 so that it shall not be obtained. The result is that the venture is not getting the fair treatment it deserves. The bore has been sunk to a depth of 2,600 feet, and the people concerned are satisfied that if they could sink it to 3,000 feet they would get oil. What is needed is a grant of about £5,000 to test the proposition finally. If the venture is successful, the result will be handsome. The profits would be sufficient to pay off the national debt and the debt on the railways in a very short period. I have introduced two deputations to the Minister of Mines. Although the members of the second deputation were hard-headed business men, when they got into the Minister's room they did not seem to have any idea of what they wanted. The Minister also did not know, and so nothing was achieved.

There seems to be a general silence observed by members of Parliament from Gippsland, in both this House and another place. I have never heard in the House, or at public gatherings, nor have I read in the press or in Hansard, that any one of those members has ever sought assistance to prove whether oil exists in payable quantities in Gippsland. They are as silent as the grave on the subject. The only instance I can recall was an
occasion last year, when the question was brought up in the House and cold water was thrown on it.

Mr. Lind.—I am afraid the honorable member does not know so much about the Lekes Entrance oil movement as he thinks he knows. I would ask him to be quite sure before he makes statements of that kind.

Mr. Cotter.—I have been here long enough not to be bluffed by an interjection of that kind. The Minister will probably find, before I have finished, that I know more about the subject than he thinks. I would contrast the inaction of representatives in both Houses of the area covered by the Gippsland province with the action taken by the honorable member for Wonthaggi when he discovered recently that there was a definite end to the life of the State Coal Mine. He commenced an agitation; he shouted his views from the housetops; he enlisted the support of business people, the press, and the Government, with the result that a railway is now being put down to open up another mine, which will be worked when the present mine ceases to exist.

Mr. Lind.—The honorable member is wrong again. We are not building a railway line.

Mr. Cotter.—The Gippsland members are as silent as the tomb.

Mr. Lind.—You are wrong again.

Mr. Cotter.—We have not heard one word from them. They have never attempted to give the movement any assistance.

Mr. Lind.—If we had said the things that you have said, we should have killed the venture absolutely. Your statements are all foreign to the truth.

Mr. Cotter.—I am not in the habit of making statements that are foreign to the truth. My record in Parliament will compare favorably with that of the Minister.

Mr. Lind.—Your statement about the railway is wrong; it is not being built.

Mr. Cotter.—I may be sometimes wrong, but the Minister is always wrong. I am not allowing the Minister to bluff me. He can have his opportunity afterwards to tell the House where I am wrong.

Mr. Lind.—Members of the House know you are wrong.

Mr. Cotter.—They know me better than they know the Minister. I am not going to be turned off my point. I want to give my opinion in my own way. I did not rise to have a "box-on" with the Minister of Lands.

Mr. Lind.—I only want to put you right.

Mr. Cotter.—When I want the Minister to put me right, I will ask him. I have received a letter from the Mines Department, portion of which reads—

There is no fund provided by the State for the purpose of rendering financial assistance to companies engaged in the search for oil, but boring operations are being carried out in the East Gippsland district by two Government boring plants, which are each working three shifts. They are following a definite locality programme in regard to bore sites, and representative cores are being regularly forwarded for examination by the Commonwealth Palaeontologist. The cost of this work is being met to the extent of £5,000 by this State Government and to a similar extent by the Commonwealth Government.

The letter says that there is no fund to provide for a search for oil. I want to wake the Minister up to the necessity for a fund. If there were a gold mine showing the prospects that I maintain this oil bore is showing, and a request for assistance were made to the Department, the money would be readily obtained. I think the Minister himself has had an unpleasant experience in an oil venture. It would be as well if he told the House how he got on.

Mr. Lind.—You ought to be very careful in making statements such as you have made. Evidently you do not know so much about the subject as I know; otherwise you would not say what you have said.

Mr. Cotter.—The honorable gentleman has kept his knowledge to himself. He has never told the House, or the country, that he knows anything about it. The Mines Department ought to send an expert there. The Minister may retort that experts have been sent there. That is so, but there has always been an American twang with them. In Melbourne, or in Adelaide, it should be possible to find an expert with Australian sentiments who would give an unbiased report on the prospects, without coming under the claws of the American oil trusts.
The company operating at Pelican Point has a plant there, but it has stopped working because of lack of funds. I noted in the press the other day that the Mines Department, in conjunction with the Commonwealth Government, proposes to import a boring plant from the United States of America, at a cost of £3,500. I understand that the Department has not yet decided whether it will use the plant itself to put down bores, or will permit a private company to use it. It will be twelve months before the plant is received in Victoria, and it seems to me extraordinary on the part of the Government to send £3,500 to the United States of America for the new plant, when one of the companies now operating in Victoria could expend that amount in further testing country which shows indications of oil in payable quantities. Then the money would be circulated in Australia. If a company claims that it could test country and obtain a definite result with an expenditure of £3,500, why send that amount of money abroad for a new plant?

The company operating at Pelican Point has put its bore down a certain distance, and experts who have examined the results declare that the core is equal to those on the best oilfields. It is contended that a layer of rock is holding the oil down, and that when the rock is bored through oil will be found in payable quantities. I understand that the Government proposes to put a bore down at a point a few miles distant from the place where the bore has been sunk by the company operating at Pelican Point. It would cost only £5,000, at the most, to test thoroughly the field at Pelican Point, and the present indications are that further boring would reveal the presence of oil in payable quantities. The company has a plant on the spot, and it is capable of doing the job if a grant of £5,000 were made to it. The Government could safeguard itself by attaching conditions to the grant, and the expenditure of the money would decide the question whether there is oil in payable quantities at Lakes Entrance.

Mr. LIND (Minister of Lands).—The question raised by the honorable member for Richmond is one which, in some of its phases, concerns the Minister of Mines; he will deal with those phases. The honorable member went out of his way to make what I regard as a personal attack on the members representing the Gippsland electorates, and I take this opportunity to prove to him that there is a lot he does not know about the district to which he referred. He accused members representing Gippsland electorates of failing to voice in the House the claims of Gippsland, so far as concerns the search for oil. I can say for myself, and for the other members, that we think there is a more practical way of dealing with the subject than by airing our views on Grievance Day; that is by getting in touch with the Department controlling the activity. The honorable member referred to a bore which was put down at Pelican Point. That place is in the electorate of the honorable member for Gippsland North. I know the area, and I can say, without fear of contradiction by the honorable member for Gippsland North, that whatever was done by the Government at Pelican Point was carried out as the result of my representations. I took Mr. Baragwanath, the Director of Geological Survey, to the bore at Pelican Point. We observed the crude method being adopted by the company boring there, and we realized that if they continued boring operations in that way, the people who had invested money in the company would be sure to lose it. Mr. Baragwanath gave the company's representatives good advice, and I think they improved their method. The trouble was, not that the casing of the bore had shifted and prevented further boring, but that the plant was not sufficiently strong for proper boring. It was the machinery, and not the country being bored, which was at fault.

Mr. Cotter.—Their experts did not say that.

Mr. LIND.—I am not concerned with that. The honorable member claimed that the Government has not done anything to assist the oil search in that district. When the first bore was put down at Bunga Creek, east of Lakes Entrance, I interested myself materially in the venture. I asked Mr. Baragwanath to inspect the site, and he made an inspection and furnished a report. I am sure that if the honorable member for Richmond examined the report he would not be eager to criticize those who have been trying to protect citizens with money to
Mr. Conner.—How many times has that happened in connexion with gold mining?

Mr. Lind.—These are things that I wish the House to know. Only the other day I had a letter from a man who had been working at Lakes Entrance, asking me to find a job for him. He pointed out that he had failed to collect £60 due to him for wages for work done in boring operations at Lakes Entrance. It is our duty as members of Parliament to protect the people of this State.

Mr. Conner.—Your virtue does you credit.

Mr. Lind.—There is oil at Lakes Entrance. Thousands of gallons of oil have been obtained in that area. Take the case of the McCulloch bore, to the north of the township, which has been a huge success. Thousands of gallons of oil have been got from that bore, and the party has had no Government assistance, but has done the job itself, and paid its way.

Mr. Barry.—Is the bore still being worked?

Mr. Lind.—Mr. McCulloch died only recently, and the operations have been held up. Mr. Lightner is controlling certain operations at Lakes Entrance. I have the highest regard for him, and those associated with him in the work. I maintain that there is a risk in applauding the work of anybody who may be boring for oil in that district. I have been inundated by people at the door of this House for assistance, and I have had to refuse them. I have not stated this before in Parliament, but I had to refuse some of them because I did not think they were honest. The honorable member for Richmond has said that this Government has done nothing to assist these oil operations. He will find on record in Hansard that I raised my voice on this subject when the present Leader of the Opposition was Premier. Apparently the honorable member has not seen the report of what I said, but on that occasion I appealed to the then Premier and asked him to accept the £5,000 made available by the Commonwealth Government to assist boring operations in Victoria. I recall that there were difficulties, and the then Premier advanced reasons why he could not accept the money. When this Government assumed office I immediately made representations to the Minister of Mines to claim the £5,000 from the Commonwealth Government and to make another £5,000 available towards boring for oil in this State.

Mr. Hogan.—Hear, hear!

Mr. Lind.—That was done on my representation.

Mr. Old.—Yes.

Mr. Conner (to Mr. Lind).—George Washington has nothing on you.

Mr. Lind.—The Minister of Mines confirms my statement. The sum of £5,000 was made available by the State Government, and £5,000 was obtained from the Commonwealth Government, and the work is now in operation. That is something that the honorable member for Richmond did not know.

Mr. Hogan.—We have two plants going.

Mr. Conner.—I introduced a deputation to the Minister of Mines while the Minister of Lands was asleep.
Mr. Hogan.—The deputation was introduced in the daytime. I have no evidence that the Minister of Lands was asleep then.

Mr. Lind.—The Minister of Mines informs me that the honorable member for Richmond introduced a deputation after the work was done. The honorable member generally runs a little late. It does not matter so much so far as the honorable member is concerned, but for the information of the House I wish to say that every effort is being made to ensure that the investigations for oil at Lakes Entrance, and at any other part of the State, achieve the best results. We are also trying to protect the people of this State from being taken down by those who would take them down.

Mr. Cotter.—We did not take you down; it was South Australians.

Mr. Lind.—Nobody took me down personally, and I will not allow anybody to take other people down if I can prevent it. The Government is going on with its job so far as the search for oil is concerned. This Administration has done more than any other Government in this matter. It has not only made money available, but it also brought down legislation which the House was good enough to pass, and which was designed to make it possible for people animated by sincerity of purpose to proceed with their job. In future, it would be a fair thing for the honorable member to go to people who know something about the subject before he makes statements such as he made to-day.

Mr. Allan McK. McDonald (Polwarth).—I wish to draw the attention of the Ministry to the unsatisfactory state of affairs prevailing in Beech Forest at the present time. The Government is aware that recently a big water scheme was adopted, and that water is being drawn from the Otway Ranges, near Wyealanta, where an area of land has been resumed, and the settlers have been bought out. I wish to congratulate the Minister of Water Supply on the expeditious and satisfactory manner in which the work was completed. He went personally into every claim, and the result is that the settlers are completely satisfied. Recently there was submitted to the settlers in the Otway district a plan upon which was indicated an area that may be required for future water conservation purposes. It comprises some of the most fertile land in the district, and its resumption would affect possibly 70 or 80 settlers. While they would not be adverse to making that land available, upon being paid adequate compensation, they have been told that 50 years or even longer may elapse before it is required. There is, at present, no scheme in view that would necessitate the resumption of the area, but honorable members will appreciate the very undesirable effect the possibility of resumption has had on the district. It would be impossible for any land holder in the area concerned to dispose of his farm if he wished to do so. No prospective buyer would be willing to purchase when he knew there was a likelihood of the land being resumed by the Government. I, therefore, suggest that the time is ripe to repair some of the damage caused by the opening up of land that should never have been made available for settlement. It is no use crying over spilt milk. Every one will admit that the throwing open for settlement of that beautiful timbered country was a tragedy. As a result, hundreds of thousands of pounds’ worth of timber was destroyed, and settlers struggled there for years without roads upon which to get their produce to market. It will be generally admitted that a mistake was made by past Governments.

Mr. Hogan.—A long time past.

Mr. Allan McK. McDonald (Polwarth).—That is so. I am not condemning the present Government, but a grave injustice is being done to a number of settlers who feel that a sword is being held over their heads. They have no incentive to improve their blocks. The Minister of Water Supply and the Minister of Lands are acquainted with the area and with many of the improvements effected by settlers, and I am sure they will realize that the position is impossible and cannot be allowed to remain as at present. I, therefore, ask them to meet a deputation of local settlers and discuss with them the best means of overcoming the difficulty. The land it is proposed to resume will be a wonderful asset to the Western District for water conservation purposes. It will eventually be worth ten times the amount
of compensation that would require to be paid at present. The least that could be done for these people would be to compensate them adequately for years of work on land which possibly was not the most suitable for settlement, but on which they have done a wonderful job, despite the difficulties with which they had to contend. If the Government could make provision during the present financial year for the purchase outright of the land to be reserved, it would regain an asset that would be immensely valuable to the State in future years. Now is the time to act. The longer the matter is delayed, the more expensive it will become to purchase the land and the more unfair and unjust will be the position of the people who now hold it.

Mr. BARRY (Carlton).—For some time past, many honorable members, particularly in the Ministerial corner, have complained of difficulties arising in their dealings with the Labour Department and the Sustenance Branch; and, in view of the desire, particularly on the Opposition side of the House—as disclosed in the debate on the Address-in-Reply—for a reduction of the unemployment relief tax because of a reduction in unemployment figures—

Mr. DILLON.—We are not unanimous on this (the Opposition) side about that.

Mr. BARRY.—I am not referring to members in the Opposition corner, and I shall certainly exclude the honorable member who has interjected, because I believe he does not support a reduction of the unemployment relief tax. I am referring particularly to a number of members on the Opposition side who represent Conservative interests.

Mr. ALLAN McK. MCDONALD (Polwarth).—Members on the Ministerial side of the House advocated a reduction of that tax, too; for instance, the mover and seconder of the motion for the adoption of the Address-in-Reply did so.

Mr. BARRY.—The honorable member can stake his life on it that no one in this (the Ministerial) corner did so. At any rate, the honorable member was one of the three blind mice last night, and he may do anything.

Mr. ALLAN McK. MCDONALD (Polwarth).—It was better to be a blind mouse than a tame cat.

Mr. BARRY.—The honorable member has said he has no criticism of the Government to offer at all; so he is a tame cat to-day.

Mr. ALLAN MCK. MCDONALD (Polwarth).—I did not say that.

Mr. BARRY.—I am happy to see that the Minister of Labour has entered the Chamber, as I have to-day received a letter from the secretary of the Bairnsdale branch of the Australian Labour party, in which he states:—

There are some facts that have come under my notice over the week-end that I think are deplorable and should be discussed in the House, and I am sending them to you to use as you think best.

The first case is, briefly, this: Two young chaps called on me as president of St. Vincent de Paul Society on Sunday night, and asked if we could give them any assistance. Our meeting resolved to give them a night's lodging with tea and breakfast, and see then what else we could do for them. They refused the bed on account of the expense, but said they would be very pleased to get something to eat, which we gave. On Monday morning I went to the police station with them to see if they could register for work, and was told by the sergeant that the police had instructions last February not to register any more single men, and to strike off all those who were then registered, and we feel that it is by this means that the Government is able to show a reduction in the unemployed figures, which is entirely false.

It further prevents a single man from getting any of the work that is offering except for the little they may pick up from the farmers and, of course, the wages are always pretty light, but to cap the lot there is a rather wealthy sort of "cooky" at Wyung who had one chap working for him for a fortnight cutting ferns and digging out rabbits, and refused to pay any wages whatever, and on account of the Government's policy the unfortunate was compelled either to work for it or beg or steal.

The writer of the letter, Mr. A. Ainsworth, then gives the name of the farmer referred to, and suggests that I ask the Minister of Lands, who represents that district, whether he knows this man. I understand that he does. The letter continues:—

That is the name of the one that did this shabby trick. You can use my name in connexion with this if you wish to.

We know that what is stated in the letter is true, and we know also that a regulation was issued by the Labour Department to the effect that the single men in the country were not to be registered for work. I hold that, when we quote figures
area. Seeing that we have had nearly a week of talk about the rights of democracy and of the forgotten man, it is nearly time the people living in that district were given some consideration. I am pleased that the Minister of Agriculture is at the table, because he happened to be a member of the Cabinet sub-committee, and I am glad that the Minister of Transport has just entered the House, because it was upon him that the deputation waited, and it was he who promised, if the *Age* report is correct, to give them the maximum number of days. I want the Minister to consider seriously the whole of the circumstances surrounding the Newmarket sale yards before the Government agrees even to the temporary transfer of the pig cow sales to the area provided.

The Melbourne City Council did not provide that area and spend all the money it has spent on it without having some inside knowledge that it would not be prevented from carrying the project through.

Mr. Holland.—Can you understand why the Health Department granted a clear bill of health in the matter?

Mr. Dillon.—No, nor can any one else unless an understanding had been reached some time previously.

I wish also to refer to the congestion of traffic in Melbourne streets, and to put my fingers on at least one of the causes. I ask the Ministry to give careful thought to what I am going to say. The Melbourne City Council has, I understand, the right in certain streets to charge for car parking in the centre of the streets. The charge is 1s. a day, and there is also a weekly rate. I say, quite definitely, that the Melbourne City Council is accepting parking fees far in excess of the parking spaces available. The result is that weekly customers—and I refer now more particularly to the area in Queen-street, but not exclusively to that—do not receive fair treatment. A number of people who park in the centre of the street in the first instance, and who drive out and come back again, often find the spaces their cars previously occupied now occupied by other cars. Their cars are then permitted to be parked at the kerb under the supervision of council officers.

Last Saturday morning in Queen-street, between Lonsdale-street and Flinders-street, there were 156 cars parked at the kerb, and of that number only five had been marked by council officers, suggesting that only those five did not have the exclusive right to occupy the spaces they were standing in. If we are going to have our kerbs throughout the City of Melbourne make revenue-producing parking areas, it will be no wonder if cars have to be parked in all sorts of prohibited areas to enable people to carry on their legitimate businesses.

Mr. Hogan.—Is it any wonder that there is traffic congestion?

Mr. Dillon.—No.

Mr. Hogan.—I have seen cars parked two deep in Collins-street.

Mr. Dillon. — A man who has to park his car alongside a car parked at the kerb in any street in which there is a parking area is compelled to do that, because the owners of the cars occupying the kerb space have paid parking fees. That being the case, the Melbourne City Council is making money out of traffic congestion. A large number of the private garages which are available for parking have still a good deal of space unoccupied every day. It is said that there are between 20 and 30 privately-owned parking areas in the city, and, on the average, only 20 or 30 spaces are occupied each day. If a man by paying a parking fee to the Melbourne City Council can avail himself of kerb space near his destination, is it likely that there is going to be a free flow of traffic and space left at the kerb in front of shopkeepers' premises? I take it that nobody objects to a man who occupies premises in the city being allowed to park his car in the street as close as possible to his premises. At the present time some of the shopkeepers in Elizabeth-street have to park their cars in Queen-street, in the parking spaces in the centre of the road. The cars occupy the parking space throughout the day. Commercial travellers and other persons who drive the cars about the city during the day and park intermittently are compelled to draw into the kerb under the supervision of inspectors of the Melbourne City Council, and cars already parked at the kerb are pushed about to make room for them. I think the Melbourne City Council is taking fees when parking space is not available for cars, and that what might be termed the overflow cars should be parked in private garages.
Mr. CAIN (Northcote).—The information at my disposal does not permit me to deal as fully as I should like with a certain important matter. I refer to the coroner's finding at an inquest on a man who was killed in a recent motor fatality in Bluff-road, Hampton. The coroner's finding was reported in the Herald last night, and in the morning newspapers to-day. The evidence, as reported by the newspapers, is so astounding that I consider that in the public interest I should ask for the inquest depositions to be made available before I go into the matter more fully. I think, after reading the evidence and the coroner's finding, I am justified in making that request. The evidence as reported in the newspapers seems to be conflicting. According to the evidence of a constable who arrived at the scene of the fatality soon after it occurred, it appears that the man responsible for the accident said he did not know that his car had struck the man who was killed, but at another stage he said that he saw the man step back two paces before the car struck him. I ask the Premier, through the Chief Secretary, to make available the whole of the depositions, so that honorable members and the community will be able to examine the evidence more thoroughly than can be done by means of the more or less garbled reports which appear in the newspapers. The reports in each paper are slightly different. The Age gives a lengthy report of the coroner's finding, and the reports in the Argus and Herald are not so full. Without putting a question on the Notice Paper, I ask the Premier to make the inquest depositions available to the House.

There are other matters which I should like to discuss, but I do not wish to delay the House. I shall, however, refer to the question raised by the honorable member for Essendon concerning the proposal to establish a pig and cow market at Kensington swamp. I hope that it will be the subject of discussion in the House or elsewhere before finality is reached. In 1935, a Royal Commission investigated certain aspects of this proposal. The powers of the Commission were limited, but the Chairman, Mr. Eugene Gorman, K.C., stated at one stage of his report that before the matter was finally decided the appropriate authority should investigate it more fully. I am not sure what Mr. Gorman meant by the appropriate authority, but I presume he meant Parliament or the Government. I hope this House will have an opportunity of examining the question more fully before a decision is arrived at on a policy which might ultimately lead to the expenditure of a large sum of money on a work which will have to be scrapped after a few years. The metropolis is developing rapidly, and if we do not take care we shall be in the same position in a few years with our stock markets as we are now in with our public hospitals. It is proposed to scrap a hospital building which was erected only 30 years ago, at a cost of nearly £1,000,000, and build a new hospital on another site at a cost of £1,500,000. I am afraid that we shall have to do the same thing with our pig and cattle markets in at least twenty years' time if we do not adopt a far-sighted policy. Therefore, the wisest course is to look sufficiently far ahead and see what will be the effect in the next few years of any plan suggested. I hope that before this question is settled the Government will give the House the opportunity of going into the matter thoroughly. If the Government or Parliament is not qualified to investigate and decide the question, it should be referred to an authority qualified to do so. Now that it is proposed to shift a market which has been within a mile of the General Post Office for about half a century, we should not remove it to another spot only a mile further out. The market and its allied industries will continue to be a distinct menace to a great part of the metropolitan area. I trust, therefore, that the Government will favorably consider Mr. Gorman's suggestion that an appropriate authority should investigate the subject before finality is reached.

I could, with justification, support the remarks of the honorable member for Brighton on the question of transport, but other opportunities will present themselves, and as other members wish to speak now I shall refrain.

Mr. GROVES (Dandenong).—I desire to support the sentiments expressed by the honorable member for Brighton in regard to the application made by a bus proprietor to extend his service from the
purporting to show a decrease of unemployment, we should be frank about the matter, and realize that we are lying when we claim that the figures are correct. The Minister of Labour can do nothing but admit that that is the case. The only reply that could be made is that during certain seasons men are able to obtain work at certain country centres. At the Maffra beet sugar factory a number of persons obtain employment at certain periods, and as a result the State reaps a handsome profit of between £50,000 and £60,000 every year. That State undertaking is one the profits from which are not made the subject of boasting. At the same time, those who are employed at the factory are for the greater part of the year out of work. They come from the surrounding districts, mainly from Maffra, Stratford, and Bairnsdale. There are any number of men who would take jobs at that factory if they were able to get them. I have made application on behalf of several, and have found that all the jobs are booked in advance from year to year.

It is wrong to allow the young men of this country to remain idle, or to force them to work for farmers who will not pay wages, or compel them to starve, and in some cases commit crimes and go to gaol. There are many young men who are in our gaols because of the lack of consideration on the part of Governments which have done nothing to provide those men with employment, or to relieve their distress while they were out of work. If we ascertained the number of such persons who are serving sentences as first offenders for petty larceny, we should be compelled to realize that ours is the responsibility for their present plight. The legislation definitely lays down that an unemployed person is entitled to food, clothing, and shelter, and I regard it as a crime for a Government by regulation to defeat the intention of the Act, as is being done at present through the medium of the Labour Department. I have said a great deal on this subject. I realize how useless it is to attempt to grieve on Grievance Day, and expect any one to take any notice. Although I have been a member of this House for a comparatively brief period, I have already learned that it is useless to harp on the problem of unemployment relief. I have come to the conclusion that all Governments which have had control of the Treasury of this State have made the unemployed the butt of their attacks.

Last week, when speaking on the Address-in-Reply to the Lieutenant-Governor's Speech, I referred to the recent Melbourne City Council elections and to the inquiry proposed to be held by that council. I suggested that the time had arrived when the Government should take action in the direction of reforming the Melbourne City Council and modifying its rights and privileges. I went on to refer to the system adopted at elections for that body. I pointed out how useless it was, and how ridiculous it was, that any body should be allowed to conduct elections in that way. As the result of my statement, the Herald next day published a story. In the first place, the newspaper said that there were ten people for whom the police were looking. It was reported that there were also two policemen engaged in the matter, so that there in truth we have the twelve disciples. It seems that they are looking for one another, and no one can find the missing link. No one knows just where the others have flown, and the man in the street knows as much about the matter as the Town Clerk of Melbourne. That official said first of all that the Herald was correct. I had referred to a ballot-box being taken outside a building in order to oblige a sick person who was there in a motor car. Evidently ballot-box, ballot-papers, and staff were sent to the car, which was at a spot directly opposite a cemetery. If the job had been done thoroughly, the ballot-box would have been taken over the cemetery fence, where, I have no doubt, there could have been found voters who would have helped to elect a candidate in the same way as most of the councillors of the City of Melbourne have been elected in the past. In that respect I am talking generally. I can remember that when the matter came up for discussion in the Melbourne City Council, on one occasion, the alderman who was in control of the election said, "What is the use of our talking; we all know that the golden rule of this council is to vote early and vote often." What does the Herald suggest the Town Clerk said? It was this: "The box did not leave the car." That is
indicated in a sub-heading used in the article. All I want to know is where in the holy week of Moses was the car, because, if we examine the report further, we find that the Town Clerk said that no ballot-box had ever left any polling booth in the Victoria Ward elections. The newspaper report proceeds—

"As an act of courtesy to an invalid voter, a ballot-box was taken to the door of a booth by a council officer, who stood in the doorway with the box in his hand to allow the invalid to lean out of his car and place his vote," said Mr. Wootton. "The whole incident was witnessed by scrutineers of both candidates and a police officer."

"It might be said that a technical mistake had been made, but the action was taken with the concurrence of the scrutineers and purely as an act of kindness."

The Town Clerk, by referring to the woman voter as "he," showed how little he knew about the subject.

If the ballot-box did not leave the booth the ballot-paper must have left the building, and all these irregularities are only technicalities in the great City of Melbourne. The policeman concerned and one of the scrutineers have made declarations to me that the ballot-box did leave the building. If the policeman is called upon by those who are looking for the ten missing voters, he will be able to inform them that the box left the building. It does not concern me much what happened to the box—not in the City of Melbourne—but it does concern me what happened to the ballot-paper, and what would happen to voters who find when they go there to vote that all the officials have gone for a walk. In referring to this matter I do not blame the Town Clerk of Melbourne. He has been goaded to make some sort of explanation after all the fuss that has been made by a certain section of the Melbourne City Council, which has been allowed, as a result of its entry into municipal politics, to pull down beautiful homes that housed families in Carlton and to build in their places sweat shops in which they employ many of the little girls of Melbourne under the worst of sweating conditions. These people have unfortunately placed the Town Clerk of Melbourne, who was not present, who, I believe, is quite a decent person, and who would not be a party to anything dishonest, in an invidious position. Clearly he does not know whether the person concerned was a male or a female, or whether the box went into the motor car or stayed in the polling-booth. After the investigation I have made, the whole thing boils down to just a little technical breach and a courtesy shown to assist some one to vote.

Mr. DILLON (Essendon).—It is not often that I inflict myself on the House on Grievance Day, and I am not sure that I am altogether wise in doing so to-day, because the subject I wish to refer to is much too serious to be dealt with adequately at this hour on this day. I have a cutting from to-day's issue of the Age which tells the public of Melbourne that not only has a sub-committee of the Cabinet inspected the suggested site for a pig market and cow sale yards, but that also the Minister of Transport has received a deputation on the same subject. The Cabinet sub-committee was informed by one gentleman, Councillor Cockbill, who also happens to be chairman of the sub-committee of the Melbourne City Council controlling that area, that the big flood that occurred there was not at any time higher than his shoulders. Councillor Cockbill is far from being a weakling, and I do not know how the poor pigs will get on if another flood up to his shoulders occurs there. Quantities of filling have been put in, and possibly, on a nice day like yesterday, the sub-committee of the Cabinet might be impressed with the possibilities of the area. But later the picture may be quite different, unless the Government takes more serious notice of the matter than it has done up to the present. The Newmarket sale yards are an awful inconvenience to the district. Honorable members may know that a few weeks ago a bullock broke away from a mob and nearly caused serious trouble in the midst of Melbourne. It was suggested by Councillor Cockbill’s deputation that two sales a week at Newmarket were not now sufficient, and that three would be required at an early date. The sale yards cannot handle properly the number of sheep sent there.

I suppose that if three sale days are agreed to, and the metropolis continues to grow, we shall soon have four, five, or six sale days. There will not then be any population in the surrounding district. It is almost impossible on sale days, and on days preceding and following sale days, to drive through the...
Black Rock terminus, along Beach-road to the Sandringham railway station. The honorable member for Brighton has mentioned the inconvenience suffered by Beaumaris residents who travel from Melbourne to Sandringham by train, and have to transfer to a tram and subsequently to a bus before they get home. Beaumaris is 13 or 14 miles from Melbourne, and the journey occupies about an hour.

Mr. Hogan.—They could go from Mentone by train.

Mr. Groves.—It takes the people a full hour to reach Beaumaris; it might take them even longer in some circumstances. They have to wait for a tram, and sometimes for a bus. If the licence were granted to enable the bus to travel between Sandringham railway station and Mentone, passengers could leave the train at Sandringham and be taken along the Beach-road to Beaumaris and Mentone. The alternative is to travel to the Mentone railway station, and even then Beaumaris people are still a good distance from their homes.

Mr. Hogan.—Was there not a big local move to get the tramway constructed to Beaumaris?

Mr. Groves.—There was a big agitation for the extension of the tramway to Beaumaris. It was built, but it is only a little while ago that the Railway Department scrapped it. It was built at the request of a large number of land grabbers, who subdivided areas and then got away with the cash, and the purchasers were left with the land. The people residing at Beaumaris are entitled to transport to meet their requirements. I understand that the Government turned down the proposal for the bus licence after the Transport Regulation Board had agreed to it. This is an anomaly that should not be tolerated. The Board has been created to do a certain job, and when it comes to a decision the Cabinet sub-committee disagrees with it. I understand that an application for the licence will be made again to the Transport Regulation Board, and I hope that the Government will review its decision.

Mr. Bussau.—I have not refused to receive any deputation.

Mr. Groves.—I do not want the bus service.

Mr. Groves.—People who have motor cars do not want it, but the great majority of industrial people living in the district wish to get to Melbourne with greater convenience.

Mr. Bussau.—There are two sides to the question.

Mr. Groves.—There is the side that the man with a motor car does not care whether or not the trams stop at Black Rock, which is about 2 miles from Beaumaris, and about 1½ miles from Sandringham. Passengers from Melbourne to Beaumaris have to get out of the train, wait for a tram, and afterwards transfer to a bus.

Mr. Hogan.—The trouble could be remedied by the tram connecting properly with the train.

Mr. Groves.—The honorable member for Brighton told the House how tram travellers reach the Sandringham station just in time to see a train going away.

Mr. Hogan.—If you are advocating that that position should be remedied, that is all right.

Mr. Groves.—I do not wish to reiterate the statements made by the honorable member for Brighton, but the people of Beaumaris are not provided with adequate means of communication with the city, and there is justification for the application for a bus licence being dealt with more favorably.

There is also the question of fares. A conference has been held by various municipalities, and it has decided to form a deputation to wait on the Government. I understand that the Minister of Transport is agreeable to receive the deputation, but it wishes to see the Premier at the same time. A large number of the municipalities are interested in the question of reduced railway fares for suburban areas. I do not blame the Minister of Transport, because the deputation has not yet been arranged.

Mr. Bussau.—I have not refused to receive any deputation.

Mr. Groves.—I appreciate that, but the request of the municipalities is not only to the Minister of Transport. As financial obligations are involved they wish to see the Premier also. I trust that the Minister of Transport will do his best to accede to the request of the municipalities, all of which are interested in this question, which is also bound up in
the matter of the abolition of slums. We wish to encourage people to settle in the outer suburbs. If the concessions to be sought are granted, they will assist the Government in removing the slums now existing in the inner suburbs.

Mr. ELLIS (Prahran).—As the Minister of Agriculture is present, I wish to speak of a matter affecting the milk supply. The Malvern-road State school, Prahran, has nearly 1,200 scholars. Nearby there is a shopkeeper who prepares hot lunches for the children at nominal prices. He has a refrigerator, in which he keeps food and milk. He has made application for a licence so that he may sell milk to school children. For some considerable time, a beneficent citizen has bought milk and furnished it to him to give to children in necessitous circumstances. I trust it will be possible for this man to get a licence.

Mr. Hogan.—What is his name?

Mr. ELLIS.—Mr. Kelly. I understand that he has made two applications for a licence, but both have been rejected. He provides a very essential service, inasmuch as children in their lunch time can call at his shop and get a glass of milk. He, however, desires to trade in milk and make a charge of, perhaps, 1d. per glass.

Mr. Hogan.—Do you know that the Milk Board, as well as the Agriculture Department, comes into this?

Mr. ELLIS.—I am aware of that, but I assume the Minister has some say in the operations of the Milk Board.

Mr. Hogan.—I have a say.

Mr. ELLIS.—I hope the Minister will be able to assist this man to obtain a licence. It is at least two or three years since I first applied to the Education Department for the provision of better heating equipment at the State school in Hornby-street, Windsor. Several years ago various classrooms at the school were altered, some rooms about 50 feet long by 25 feet wide being divided into two. The fireplace was in the centre of the room between two doors, and the division of the room was effected by erecting a partition down the centre, leaving a passageway about 6 feet wide in front of the fireplace, which is still the only means of heating both portions of the room. But the position is farcical, because the draught from the two doors robs the room of any increased temperature a fire may give it. Several applications have been made to the Department for the installation of central heating in the school. It is not right that children should sit in those rooms almost perishing with cold, as they have done during the severe wintry conditions that have existed for the past two months. I trust that the Minister of Water Supply, who is at the table, will see that the Department is urged to push ahead with the work. I appreciate the fact that there are many jobs to be done throughout the State, but the provision of heating at this school is urgent, and has been on the Department's books for a number of years.

My next complaint comes, I think, within the jurisdiction of the Government, because the Minister of Public Works has, I understand, the last word in connexion with the operation of bus services. For many years certain parts of the City of Prahran had no transport service at all. Applications made to the tramways Board for travelling facilities were ignored. About two years ago a private firm applied to the Hackney Carriage Committee of the Melbourne City Council for permission to operate a light bus service from the corner of Malvern-road and Williams-road, via Como Park and Alexandra-avenue to Prince's-bridge. Authority was granted to operate seven-passenger vehicles. The service became so popular that the buses were always overcrowded, and it would appear that tramways Board officials drew the attention of the police to the fact.

Mr. Groves.—Trams are overcrowded. You need only go to a football match to see that.

Mr. ELLIS.—Tramways Board buses can take as many passengers as they like, but police watch the privately-owned buses all the time. The bus service to which I have referred became so popular that at last the proprietors asked the Motor Omnibus Advisory Committee to declare the route a bus route, which was eventually done. This enabled fifteen-seater buses to be operated, and the question then was who should obtain the
licence. As I considered it only fair that the people who had pioneered the route should receive the licence, I interviewed the Minister in support of their application, and a licence was granted, subject to an alteration in the route. The applicants had no alternative but to accept the licence in that form, and the service now runs from Prince's-bridge, via Alexandra-avenue, Como Park, and Bruce-street, to Grange-road, and does not come within a quarter of a mile of Toorak-road. Many people who formerly used it are now unable to do so, and a petition has been signed by 500 residents asking that the former route, which terminated at Malvern-road, be again authorized. I understand the objection against that route was that it competed with the trams, but the tramways Board did not see fit to give the people a service, so why should it now be studied? I trust this matter will be placed before the Minister of Public Works, and that the buses will be permitted to run to Malvern-road as formerly.

About a month ago I read in the Herald an intimation that the Labour party would wait upon the Government with a request that the recommendations of the Select Committee which last session investigated a proposal for the payment of pensions to widows should be acted upon. This committee was representative of all parties. I do not wish to create a wrong impression, but I feel that if the Labour party was sincere in its desire to introduce pensions for widows, especially those with young children, it should have availed itself of the assistance of the members of the committee or the various parties represented upon it, so that a united request could be submitted to the Government.

Mr. CREMEAN.—That was the result of a resolution by the annual conference of the Labour party.

Mr. ELLIS.—I do not know what it was, but I understand the deputation is to be representative of the Labour party only. I consider that the various parties which participated in the inquiry should also have been approached. I should have thought that if the Labour party had been sincere, and had really desired to give the people the benefit of the recommendations, advantage would have been taken of assistance from all in the House who were interested in those recommendations.

Mr. OLD (Minister of Water Supply).—As I have not been in the House all the day, owing to important business elsewhere, I have not heard all the representations made by various honorable members. But copious notes have been taken of the various cases, and I undertake to bring every matter that has been mentioned before the Ministers concerned.

Mr. CREMEAN.—Will they give consideration to them?

Mr. OLD.—I shall ask that they give them their personal consideration, and reply to honorable members direct. If we adopt that practice in regard to questions raised in the House on Grievance Day, the members concerned will be able to pass along to the persons interested the information obtained, so that they can determine what further action, if any, should be taken.

Mr. McKENZIE (Wonthaggi).—I desire to direct attention to the amounts allowed in certain cases by the Children's Welfare Department. I do not wish to suggest that the Department is not very sympathetically administered. On the contrary, I believe that in Mr. Henry, the secretary, we have a very efficient officer.

Mr. ZWAR.—Who is not allowed sufficient.

Mr. McKENZIE.—Whether he is restricted in that way, or not, I cannot say. Last Monday I discussed a number of cases with an honorary official. Incidentally, I do not think any one realizes how much honorary work is being done by philanthropic persons—mostly women—in our country districts. Without fee or reward of any kind they investigate the cases that arise, and they also issue the monthly payments. I am glad to be able to pay a tribute to them. The fact is, however, that there are several cases which ought to be the subject of revision, and in which the lowest amount—8s. a week—is being allowed for each child. As there is no system of widows' pensions, it must be realized that a great proportion of the small payment made by the Children's Welfare Department has to be taken and used by the mother for her maintenance. She really lives on the allowance made for the children, and must do so. If she has three or four
children under her care it is impossible for her to engage in charring or other work. I have the details of ten cases, but shall refer to only three or four to illustrate my point. In one case there are two children, for each of whom the allowance is 6s. a week. The father, who is practically dying from a disease following injuries received in a mine, receives a pension of 19s. a week. The total income is, therefore, 31s. a week, out of which 11s. has to be paid for rent. That leaves £1 a week for the woman to keep herself, her husband, and two children—a sheer impossibility. The result is that charitably minded persons have had to come to the rescue.

In another case there are two children, for each of whom the Department makes an allowance of 6s. a week. Another girl in the family has been in hospital for ten months, and needs all the care that she can get. The income for the woman concerned is 12s. a week, with which she has to support herself and three children. There is another case in which there is a boy aged fourteen years, who cannot obtain work, and a younger child for whom an allowance of 6s. a week is made. The woman concerned is trying to keep herself, the boy who is out of work, and the other child who is boarded out, on 6s. a week.

Mr. Old. — Are the women in the last two cases you mention widows?

Mr. McKenzie. — Yes. Without complaining against the Children's Welfare Department, I have mentioned the matter with a view to the Government making an inquiry into the cases in which the lowest payments are made. Even if the higher rate of 9s. a week were paid that would be little enough, but where the lowest allowance is made it is impossible for the families to carry on. In yet another case there are four children, and the woman concerned is the widow of an Italian. Out of the 24s. a week she receives she has to pay rent of about 10s., leaving 14s. with which she has to struggle to keep her children and herself. This sort of thing leads to severe hardship, and I hope that the Government will endeavour to see that in such cases the allowance is increased.

Mr. Prendergast (Footscray). — Last year I raised the question of the paucity of accommodation in our public hospitals. The position is nothing short of scandalous, and from time to time we read in the press about persons who are unable to gain admittance to those institutions. Not the slightest attention seems to be paid to the necessities of such people, when there ought to be a sincere endeavour to ensure that those who are suffering from illness receive immediate attention. I suggested last year a way of easing the situation, but I have not heard of anything being done. What I proposed was that when the accommodation at our public hospitals was overtaxed the Government should make arrangements with some of the private hospitals, and pay them for the care of the patients. In this way the tension in our public hospitals would be relieved. The Government could easily find at least half a dozen private hospitals where there are almost palatial rooms capable of accommodating several sick persons. I am sure that those institutions would receive patients for a reasonable sum. Private hospital charges run up to £6 a week. One or two of them take patients for £4 a week. The Premier could go to the private hospitals and suggest an arrangement whereby some of the patients who are unable to obtain attention at the public hospitals could be provided with beds in the private hospitals. The Government could even commandeer the beds, and of course pay for them. It would be a good and charitable act on the part of the Government. I can count in my memory six private hospitals in East Melbourne where there is room for more patients. Heavy expenditure is taking place in an endeavour to combat the present outbreak of infantile paralysis. There may be many more cases of that disease, and if there is no room for the sufferers in the public hospitals the Government ought to seek accommodation for them in the private hospitals.

There is delay that is scandalous in extending the present accommodation in public hospitals. Very little seems to be done in that connexion, although we frequently see paragraphs in the newspapers stating that the hospitals are unable to take more patients. The other day a paragraph appeared directing attention to the congestion in both the out-
patients' and in-patients' departments. It was brought under notice by the honorable member for Carlton. No adequate provision is made for treating contagious diseases. There is an infectious diseases hospital which is always full, and contagious cases are taken to the Children's Hospital because there is no room for them where they should go. The overcrowding of public hospitals is a scandalous state of affairs, and the victims of it are mostly poverty-stricken people from poverty-stricken neighbourhoods. It should be a Cabinet matter, and the Premier should explain how he will deal with the problem. People are practically dying in the streets because they are not receiving proper hospital treatment. The Government should hold out a helping hand to them instead of merely talking about the subject through the newspapers. Afflicted people are entitled to decent treatment by the community.

The motion for the House to resolve itself into Committee of Supply was negatived.

The House adjourned, at 4.6 p.m., until Tuesday, July 27.

LEGISLATIVE ASSEMBLY.
Tuesday, July 27, 1937.

The Speaker (the Hon. W. H. Everard) took the chair at 4.43 p.m., and read the prayer.

POLICE DEPARTMENT.

DISMISSAL OF FIRST CONSTABLE P. L. Sloan.—APPOINTMENT OF LEGAL ADVISER TO CHIEF COMMISSIONER OF POLICE.

For Mr. CREMEAN (Clifton Hill), Mr. Cain asked the Chief Secretary—

If he will lay on the table of the Library all papers connected with the dismissal from the Police Force of First Constable P. L. Sloan, formerly stationed at Auburn?

Mr. BAILEY (Chief Secretary).—The nature of the file is such that it is not considered to be in the public interest to place it on the table of the Library. The file is, however, in my possession, and will be made available for the perusal of the honorable member should he so desire.

Mr. OLDHAM (Boroondara) asked the Chief Secretary—

1. What person or persons selected the recently-appointed legal adviser to the Chief Commissioner of Police?
2. Why were applicants limited to the Public Service?
3. If his appointment was recommended by the Crown Solicitor?
4. What qualifications were advertised for the position?
5. Whether the legal adviser will be expected to advise the Chief Commissioner on intricate questions of law affecting police administration?
6. How long the legal adviser has been qualified as a lawyer?
7. What are the main Acts administered by this Department?
8. What experience as prosecutor has the legal adviser had in connexion with any, and which of these Acts?
9. If he has ever conducted a prosecution in connexion with the licensing and/or gaming laws; if so, when?
10. What particular laws Mr. Duncan in his report on the police indicated as those in which he desired assistance from a legal adviser?
11. On what branches of the law will the legal adviser be expected to lecture members of the police?
12. What experience he has had as a lecturer in such subjects?
13. What qualifications lie possesses entitling him to judge of the merits of members of the force seeking promotion?
14. Whether he has ever been on a Board concerned with the promotion of men?
15. In what way is he deemed specially familiar with police administration?
16. If it is the policy of the Chief Secretary or of the Government to appoint the best-qualified persons to Government positions irrespective of any other consideration?

Mr. BAILEY (Chief Secretary).—The answers are—

1. The Public Service Commissioner, after consultation with the Secretary to the Law Department, the Crown Solicitor, and the Chief Commissioner of Police, nominated this officer. The appointment was made subject to the officer satisfactorily completing a probationary period of six months.
2. Section 37 of the Public Service Act provides that all appointments in the Professional Division shall be made by the Governor in Council upon a certificate from the Commissioner naming some person already in the Public Service who is duly qualified for such an appointment; after, in the opinion of the Commissioner, there is no such person then the Governor in Council may appoint some person outside the Public Service.

In view of these provisions, the Public Service Commissioner, after considering the
applications received from officers of the Public Service, was unable to certify that there was no person in the Public Service who was qualified for appointment to the position.

3. As indicated in the reply to Question No. 1, the Public Service Commissioner, under the provisions of the Public Service Act, has the sole right of nomination. The Crown Solicitor was consulted by the Commissioner and considered that the officer nominated was the most suitable of all applicants.

4. Qualifications advertised were:
   To be a barrister and solicitor of the Supreme Court;
   To have had experience as counsel in criminal or quasi-criminal cases;
   To be possessed of tact, judgment, and personality.

5. Yes, subject to reference when necessary to the Crown Solicitor.

6. The officer appointed obtained his LL.B. degree in 1934, and was admitted to practice on the 1st May, 1935.

7. The principal Acts administered by the Police Department are the Crimes, Police Offences, Licensing, and Motor Car Acts. Members of the Force are required to assist in enforcing the laws of the State, by the breach of which laws offences are committed.

8. The successful applicant has had some twelve years' experience in the Public Service, ten of them in the Law Department. He has conducted over 200 prosecutions and has also had considerable experience in assisting Royal Commissions.

9. No. In the very great majority of cases these prosecutions have been conducted by members of the Police Force. On comparatively rare occasions leading counsel have been briefed, and the officer the subject of these inquiries has, during the past four years, been responsible for preparing the instructions to counsel and instructing them in the Courts.

10. Licensing, gaming, and criminal laws.

11. On any branch of the law affecting police duties which may be from time to time determined by the Chief Commissioner of Police.

12. None.

13. Natural ability, supplemented by twelve years' experience in departmental administration, a legal training, and a fairly close association, as an officer of the Law Department, with the work of the Police Force.

14. No.

15. No such claim has been made.

16. The Government must obey the requirements of the Public Service Act, and within its provisions the policy of the Government is that indicated by the honorable member.

PROPOSED CHANGE IN CALENDAR.

Mr. PRENDERGAST (Footscray) asked the Premier—

1. If his attention has been drawn to a proposed change in the perpetual calendar for our present Gregorian calendar, which is now being considered by the League of Nations?

2. Whether he will see that complete information is supplied to the House upon this subject?

Mr. A. A. DUNSTAN (Premier and Treasurer).—The answer to each of the questions asked by the honorable member is "Yes."

MENTAL HYGIENE DEPARTMENT.

OVERCROWDING IN MENTAL HOSPITALS—ABOLITION OF KEW MENTAL HOSPITAL.

Mr. OLDHAM (Boroondara) asked the Chief Secretary—

1. What steps have been taken by the Government to put an end to the overcrowding in the State mental hospitals?

2. If the Government is definitely proposing to abolish the Kew Mental Hospital?

3. Whether it is true that Doctor W. E. Jones has stated in one of his reports that the Kew Mental Hospital "can be modernized or at any rate, made very suitable for certain classes of patients; particularly if a few well-constructed sanitary blocks are provided, additional or larger windows placed in certain wards and galleries, and alternative exits made from two cul-de-sac wards."

4. If the State mental hospitals at Ararat and Beechworth are built on very similar lines to the Kew State Mental Hospital, and whether it is proposed to abolish these?

5. What the Government proposes to do with the boys' home and the girls' home at the Kew Mental Hospital, which were built in 1925 and 1937, and which cost £8,000 and £11,000 respectively?

Mr. BAILEY (Chief Secretary).—The answers are—

1. Since the 2nd of April, 1935, the date the Government assumed office, the following accommodation has been provided, and will be put into use at an early date:

<table>
<thead>
<tr>
<th></th>
<th>Male</th>
<th>Female</th>
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<tbody>
<tr>
<td>Ararat</td>
<td>120</td>
<td></td>
</tr>
<tr>
<td>Beechworth</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>Janefield</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Wards building at present at Mont Park</td>
<td>30</td>
<td>40</td>
</tr>
<tr>
<td>Additional accommodation at Beechworth when the nurses' hostel (completed) is occupied</td>
<td>40</td>
<td></td>
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<tr>
<td>Total</td>
<td>160</td>
<td>260</td>
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</tbody>
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A contract for a new ward at Ballarat has been accepted, and will give accommodation for 50 male patients. Plans are being drawn up for a hospital ward at Beechworth which will accommodate 30 male and 30 female patients, and plans are also being prepared for a ward at Janefield for 50 female patients. All these buildings should be completed and occupied within the next twelve months, and represent a total of 550 beds. They are the first measures taken in the evacuation of Kew.
In addition, an infectious diseases block for twenty patients, and occupational therapy rooms have been provided and are in use at Mont Park, and new dining accommodation at Sunbury. Janefield works have been delayed owing to the difficulties of the water supply, but this problem is at present the subject of conference between the Metropolitan Board of Works and the Public Works Department, and it is anticipated will be solved at an early date.

2. Yes. Parliament has already passed a Loan Bill authorizing the expenditure of £350,000 to finance its replacement, and a plan of a new institution has been prepared by the Public Works Department, but the problem of water supply has delayed progress with any decision as to building at Sunbury. Furthermore, in consequence of my recent visit to New Zealand, and of information obtained from England as to modern development in the planning of buildings for the care of the mentally afflicted, the question of the adoption of the villa system as preferable to the concentration of patients in one large institution is being investigated.

3. Yes. The extract is from a report by Dr. W. Ernest Jones for the year 1928—nine years ago. The statement made at that time was that Kew could be made suitable for certain classes of patients. As a mental hospital, Kew is hopelessly out of date, and could not be altered so as to treat recent cases on modern lines. This is what is needed so urgently. Dr. Jones evidently had in mind that, owing to the existing overcrowding, it was imperative to make alterations to lessen objectionable conditions, but even with such alterations the best that could be provided would be accommodation suitable for incurable and benevolent types of cases.

Dr. Jones stated that in 1906 the Bent Ministry gave an instruction that nothing further was to be spent on the Kew institution, but since that time approximately £100,000 has been spent. Nevertheless, in 1925, Dr. Jones estimated that another £80,000 was still necessary for further alterations, but even if these alterations were effected, Kew could not be classed as a modern hospital. If it were considered out of date and unsuitable as a hospital in 1906, it is not likely that it can be regarded in any other light in 1937.

4. The main buildings at Ararat and Beechworth are built on lines somewhat similar to Kew. These three institutions were designed and erected within a few years of each other. At Ararat and Beechworth, however, a cottage system was added, and their main buildings are not on so large a scale as those at Kew. The cottages still serve a very useful purpose, and are in the main occupied by a better type of patient, who has far more liberty than can be given at Kew. In addition, modern wards have been added to these institutions, kitchens and laundries reorganized, and sanitary blocks provided, so that for the particular type of patient accommodated in these institutions, the conditions are far superior to those obtaining at Kew. For these reasons, extensions on modern lines will be continued at Ararat and Beechworth, and it is not proposed to close either of these institutions.

5. No construction has taken place at the Kew Mental Hospital in the year 1937. In 1925, a ward to accommodate 60 male patients was erected at the children's cottages, and in 1927, a ward for females was completed at the same institution. These wards will eventually provide temporary male accommodation, and so lessen the pressure on the main building until such time as the Kew institution is replaced. As the sale of land has been authorized by Parliament, these structures will finally pass out of the control of the Mental Hygiene Department, and the disposal of the buildings will then be a matter for decision by the Government.

The building erected in 1935 accommodates 60 out of 257 male patients. The building erected in 1927 accommodates 55 out of a total of 272 female patients. They form only part of the children's cottages, accommodating 115 out of a total population of 529 patients.

CORONATION OF KING GEORGE VI. AND QUEEN ELIZABETH.

Mr. A. A. DUNSTAN (Premier and Treasurer) presented the following message from His Excellency the Lieutenant-Governor:—

The Lieutenant-Governor informs the Legislative Assembly that the following telegraphic despatch has been received from the Right Honorable the Secretary of State for Dominion Affairs, London, viz.—

"I have laid before the King your telegram of the 13th July, communicating a message from the Legislative Council and the Legislative Assembly of Victoria on the occasion of Their Majesties' Coronation.

The King has commanded that you will convey to the Parliament of Victoria through the President of the Legislative Council and the Speaker of the Legislative Assembly, the deep appreciation with which His Majesty has received this message of congratulation and good wishes."

Government Offices,
Melbourne, 23rd July, 1937.

RETIREMENT OF THE CLERK OF THE PARLIAMENTS AND CLERK OF THE LEGISLATIVE ASSEMBLY.

Mr. A. A. DUNSTAN (Premier and Treasurer).—Before proceeding with the business of the House, work which may necessitate a rather long sitting to-day, I feel that I should direct the attention of all honorable members to the fact that this is the last occasion on which we shall have our esteemed friend, Mr. Alexander,
at the table as Clerk of the Legislative Assembly. Therefore, I consider that all honorable members would like to place on record their appreciation of the splendid services which have been rendered by Mr. Alexander, not only to Parliament in his capacity as Clerk of the Parliaments and Clerk of the Legislative Assembly, but also to individual members of this House, to whom he has been of great assistance. By leave, I move—

That this House places on record its high appreciation of the valuable services rendered to it and to the State of Victoria by William Robert Alexander, Esquire, C.B.E., J.P., as Clerk of the Parliaments and Clerk of the Legislative Assembly, and in the many other important offices held by him during his forty-eight years of public service, of which forty-one years were spent as an officer of Parliament, and its acknowledgment of the zeal, ability, and courtesy uniformly displayed by him in the discharge of his duties.

I feel sure that I am only echoing the sentiments of all honorable members when I say that by the retirement of Mr. Alexander we are losing not only a most capable, remarkably efficient, and very conscientious officer, but a good and faithful friend. For 41 years Mr. Alexander has been associated with the work of this Parliament. That constitutes a wonderful record of public service. His advice and assistance has been at the disposal of all. He has treated every one alike. He has been most obliging and most courteous to all, and he has been extremely fair and impartial in his judgments. In his very long and meritorious career, he has solved, or helped to solve, many knotty problems that have arisen. He has been at the table of this House during stormy times, and on all occasions his judgments have been fair, and any recommendations or decisions that he has made have never been successfully challenged. I am sure that all honorable members regret exceedingly his retirement, not only because of his outstanding qualifications, which I have mentioned, but also because of his personal charm.

I can only add that I hope that both he and his good wife will long be spared to enjoy health and happiness and the very best that this world can bestow upon them.

Sir STANLEY ARGYLE (Toorak).—
On behalf of all the members of this (the Opposition) side, I desire to second the motion and support the remarks of the Premier. During the seventeen years for which I have been a member of this House I have been associated intimately in parliamentary work with Mr. Alexander; and I simply want to reiterate what the Premier has said, that Mr. Alexander has always been a friend to every member of the House who has been in difficulties over matters of procedure, and has always been ready, at great personal sacrifice at times, to assist any member of any party at any time. I have often watched the work that he has done during all-night sittings, when the House has continued in session sometimes for more than 24 hours, and I have been afraid for him. I know that the strenuous nature of his work must have made inroads upon his health. But I feel sure of one thing: While I am glad for his sake that he is now going to have a rest, I am very sorry for our sakes that he is leaving us. The long-earned rest to which he has been entitled will come to him, and I hope he will be able to recuperate and enjoy good health. He will always be able to look back, after he has laid down the reins of his office, with the knowledge that he possesses the goodwill, friendship, and respect of every member of this House who is in it to-day or has been in it during his period of service.

Mr. TUNNECLIFFE (Collingwood).—On behalf of the party which I have the honour to represent, I join most heartily in the expressions of goodwill that have fallen from the lips of the Premier and the Leader of the Opposition in regard to the value and unselfishness of the service rendered to this House by the retiring Clerk of the Parliaments and of the Legislative Assembly, Mr. Alexander. I have been here longer than either the Premier or the Leader of the Opposition, I regret to say. I first came into the House in 1903. I have seen Clerks of the Parliaments come and go; I have had an opportunity of judging the manner in which the business of the House has been conducted, and I can say without reflecting on any previous Clerk, that nobody has ever set a higher standard of public service than that set by the present
Clerk of the Parliaments. In our confidential moments Mr. Alexander has told me that he is a nervous man in the execution of some of his duties. But whether he has been nervous or not, I feel sure that nobody has ever had the slightest indication of it from him. At all times he has fearlessly and forcefully defined his attitude on any issue that has been raised in the House, and his judgment has never been faulted. I cannot speak too highly of the services he has rendered. Always he has been conscientious and helpful. To the raw recruits who have come into Parliament he has been a tower of strength, but he has been even a mightier citadel of strength to new Premiers and new Ministers who have had to rely on him for advice and guidance during intricate periods.

The Leader of the Opposition referred to 24-hour sittings of this House. I remember one occasion when the House sat, I think, for four days and three nights.

Mr. Hogan.—Not as long as that?

Mr. TUNNECLIFFE.—The honorable gentleman was not well on that occasion, and was not present. But we sat for a very long time. One by one, the strong men on both sides of the House fell by the way; but Mr. Alexander was bright and smiling at the last as on the first day, and the business of the House never flagged. I join most heartily in echoing the appreciation of the services that have been rendered by Mr. Alexander.

Mr. MACFARLAN (Brighton).—It is with mingled regret and pleasure that I rise to support the motion—with regret at the loss which every member of the House is feeling that he is going to sustain, and with pleasure in that Mr. Alexander is about to have a well-cared for rest. Mr. Alexander told me, when going home in my company the other night, that, after he had moved his home to Hampton, in an occasional fit of absent-mindedness, he would go out to his old home in the eastern suburbs. Who knows but that in another of those fits of absent-mindedness Mr. Alexander will be turning up here again in the course of one of our all-night sittings and taking his old place at the table?

Mr. Slater.—He might be here as the new member for Brighton!

Mr. MACFARLAN.—He might be. I would not attribute his great ability and influence in the conduct of this House to the fact that he is a constituent of mine, but I am very proud of him. Mr. Alexander has often told me that in the old days, in that period when Sir Thomas Bent was Premier—and he, I may add, was the member for Brighton—when there were all-night sittings they did not go home in motor cars, but would journey behind an old jogging cab horse along Point Nepean-road. In these days Mr. Alexander has been going home in a motor car, and he has had the honour of driving me home with him. I feel, with all honorable members, that we owe the greatest debt to Mr. Alexander. Ever since I have been here he has been a constant help to me whenever I have sought his advice with respect to forms and procedure. Like all other members, I shall always feel that I am under a debt of gratitude to him.

May I mention, in closing, Mrs. Alexander, whom I have had the pleasure of knowing? If Mr. Alexander has been here for 41 years we can imagine the times through which his wife has passed. But she, like Mr. Alexander, has borne up under it all, and to-day enjoys excellent health. I am sure that we all wish both Mr. Alexander and his wife the greatest happiness and comfort in the future.

Mr. PRENDERGAST (Footscray).—It is my duty, as the oldest member of this House and one who was here three years or so before Mr. Alexander took a position in Parliament House, to say that for uniform courtesy and full knowledge of the work he has had to do, he could not have been excelled in this or any other Parliament. I have never asked him a question, desiring information, when it has not been given me in the most courteous manner; and, as far as I recollect, there has never been one word said against his courtesy to all members. From the point of view of information it may be said that he has been a perfectly safe man on all knotty points arising in the House.
I thank him personally for the many favours that he has shown me since I began my parliamentary life about 44 years ago. In the whole of that period I have never heard of his being inconsiderate to any member of the House, and that is an interesting fact considering the opportunities that arise for a man to get back a little on those who are not particular concerning what they sometimes say about others. I have not always been particular myself. Mr. Alexander has always been polite in imparting information, which has proved invaluable to me and other members. I have profited from what he has told me, and I acknowledge his courtesy and capacity during the period that he has occupied the position of Clerk of the Legislative Assembly. I hope that he will live long and enjoy himself, and will never forget the friendships formed during the years he has acted as Clerk of the Legislative Assembly and Clerk of the Parliaments of Victoria.

The SPEAKER (the Hon. W. H. Everard).—Before putting the motion, I should like to add my tribute to those already expressed by honorable members. I owe a deep debt of gratitude to Mr. Alexander. I look on him as a walking encyclopedia of parliamentary law and practice, and consider that he is a perfect officer. Through his retirement we lose one who has made many friends and is held in the highest esteem, not only in this Chamber, but in all parts of the State. He has been wonderfully efficient in what might be described as the routine part of his duties, and he is also fully qualified to talk plainly on the subject of the principles of parliamentary practice. Even when we have been feeling the strain of all-night sittings Mr. Alexander has never lost his remarkable charm of manner. I really think that no words of mine can better express my sentiments than the motion moved by the Premier, which I now submit to the House.

The motion was agreed to unanimously.

The SPEAKER (the Hon. W. H. Everard).—As it is not in accordance with parliamentary practice for the Clerk to address the House personally, Mr. Alexander has addressed the following letter to me:—

Legislative Assembly, Victoria.

Dear Mr. Speaker,

I beg to tender to you, and through you to the members of this honorable House, my sincere thanks for the resolution in appreciation of my humble services which the Assembly has been so good as to pass on the occasion of my retirement.

In saying farewell to the House may I be permitted to express to you, Sir, and to all honorable members my grateful sense of the unvarying kindness, consideration, and appreciation which I have received during the 35 years I have been connected with the table. The pride I feel in having attained to the high and honorable offices of Clerk of the Parliaments and Clerk of the Legislative Assembly, will endure for the remainder of my life.

I am,

Your obedient servant,

W. R. ALEXANDER.

STATE COAL MINE ROYAL COMMISSION.

Mr. BAILEY (Chief Secretary).—I move—

That the maximum expenditure of the Royal Commission appointed to inquire into certain matters relating to the State Coal Mine, Won-thangri, be fixed at £700, being an addition of £320 to the amount fixed by the Governor in Council on the 27th of April, 1937.

For the information of honorable members, I may say that the estimated expenditure is made up as follows:—

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrister assisting Commission</td>
<td>£320</td>
</tr>
<tr>
<td>Transcript of evidence</td>
<td>£160</td>
</tr>
<tr>
<td>Stores, travelling expenses, &amp;c</td>
<td>£40</td>
</tr>
<tr>
<td>Witnesses</td>
<td>£180</td>
</tr>
<tr>
<td></td>
<td>£700</td>
</tr>
</tbody>
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The motion was agreed to.

CONSTITUTION (REFORM) BILL.

The House went into Committee for the further consideration of this Bill.

Discussion was resumed on clause 2—

(1) For section thirty-seven of the principal Act there shall be substituted the following section:—

"37. (1) If any Bill is passed by the Assembly in two successive sessions (and notwithstanding that those sessions are not of the same Parliament) and having been transmitted to the Council at least one month before the end of the session, is rejected by the Council in each of those ses-
sions, that Bill shall on its rejection in
the second of those sessions by the Council
unless the Assembly directs to the contrary,
be presented to the Governor and become an
Act of Parliament on the Royal assent being
signified thereto, notwithstanding that the
Council has not consented to the Bill:
Provided that this sub-section shall not take
effect unless—
(a) nine months have elapsed between the
date of the second reading in the first
of those sessions of the Bill in the
Assembly and the date on which it
passes the Assembly in the second of
those sessions; and
(b) before such Bill is introduced in the
Assembly in the second of those
sessions the Assembly is dissolved
by the Governor by a proclamation
declaring such dissolution to be
granted in consequence of a dis
agreement between the two Houses
as to such Bill: Provided that the
Assembly shall not be dissolved by
proclamation as aforesaid later than
six months before the date of the
expiry of the Assembly by effluxion
of time.
(2) When a Bill is presented to the
Governor for assent in pursuance of the
provisions of this section there shall be endorsed
on the Bill the certificate of the Speaker of
the Assembly signed by him that the pro-
visions of this section have been duly com
plied with.
(3) A Bill shall be deemed to be re
jected by the Council if—
(a) it is not passed by the Council; or
(b) (where the case so requires) the
second and third readings are not
passed with the concurrence of an
absolute majority of the whole
number of the members of the
Council
in the sessions in which it is transmitted
the Council, either without amendment
or with such amendments only as may be agreed
to by both Houses (and for the purposes of
this and the next succeeding sub-section any
omission or amendment suggested by the
Council pursuant to the last preceding
section shall be deemed to be an amendment
made by the Council).
(4) A Bill shall be deemed to be the same
Bill as a former Bill transmitted to the
Council in the preceding session if, when it
is transmitted to the Council, it is identical
with the former Bill or contains only such
alterations as are certified by the Speaker
of the Assembly to be necessary owing to the
time which has elapsed since the date of the
former Bill, or to represent any amendments
which have been made by the Council in the
former Bill in the preceding session, and any
amendments which are certified by the
Speaker to have been made by the Council
in the second session and agreed to by the
Assembly shall be inserted in the Bill as
presented to the Governor for His Majesty's
assent in pursuance of this section:
Provided that the Assembly may, if it
thinks fit, on the passage of such a Bill
through the House in the second session, sug
gest any further amendments without in
serting the amendments in the Bill, and any
suggested amendments shall be considered
by the Council, and, if agreed to by the
Council, shall be treated as amendments made
by the Council and agreed to by the
Assembly, but the exercise of this power by
the Assembly shall not affect the operation
of this section in the event of the Bill being
rejected by the Council.
(5) A certificate by the Speaker of the
Assembly given under this section shall be
conclusive for all purposes and shall not be
questioned in any court of law.
(6) (a) In every Bill presented to the
Governor under the preceding provisions of
this section the words of enactment shall
be as follows (that is to say): —
"Be it enacted by the King's Most Ex
cellent Majesty by and with the advice and
consent of the Legislative Assembly of Vic
toria in this present Parliament assembled,
in accordance with the provisions of section
thirty-seven of The Constitution Act Amend
ment Act 1928 as re-enacted by section two
of the Constitution (Reform) Act 1937, and
by the authority of, the same as follows
(that is to say): —
(b) Any alteration of a Bill necessary to
give effect to this sub-section shall not be
decided to be an amendment of the Bill.
(7) Any Bill providing for the abolition
of the Council or by which an alteration
may be made in schedule D to The Con
stitution Act or amending or repealing this
sub-section shall not be within the opera
tion of the foregoing provisions of this
section.
(2) Nothing in the preceding sub-section
shall in any way affect any amendment here
before made in section sixty-one of The Con
stitution Act.
(3) The Acts mentioned in the schedule
to this Act to the extent to which the same are
in and by the said schedule expressed to be
amended are hereby amended accordingly.

MR. A. A. DUNSTAN (Premier and Treasurer).—Before the Committee pro
ceeds with a general discussion on clause 2, I desire to point out that, in order to
give effect to the full intention of the
Government, a slight alteration will be
necessary in sub-section (7)—the exempt
ion sub-section—of proposed new section
37 of the principal Act. Representatives
of the Government have consistently
stated that under the terms of the
measures, the Legislative Council can never
be abolished unless the Council votes for
its own abolition. The necessary safe
guard is contained in sub-section (7) of
proposed new section 37. The Govern
ment has also emphasized the point that,
in the event of a deadlock or disagreement
between the two Houses, the Assembly
must first be dissolved in order to ascertain the will of the people before the next step is taken. The procedure regarding a dissolution is set out in clause 2. The Government desires that the whole of such procedure shall remain permanent, and it is therefore necessary that the exemption provision as set out in proposed new sub-section (7) shall be widened so that it shall apply not only to that sub-section, but to the whole of clause 2. The only alteration that will be necessary in order to give effect to the intention of the Government is the deletion in proposed new sub-section (7) of the prefix “sub” before the word “section.” If this correction is made, it will mean that no alteration or amendment can be made in any part of clause 2 after the Bill becomes law without the consent of the Legislative Council. The prefix “sub” was inserted inadvertently in proposed new sub-section (7). I shall move later, at the appropriate time, that the word “sub-section” be omitted and the word “section” substituted. I thought it fair to honorable members to explain this matter before the Committee commenced the discussion of clause 2.

Sir STANLEY ARGYLE (Toorak).—The explanation of the Premier regarding sub-section (7) of proposed new section 37 of the principal Act is very interesting to me, but I take this opportunity of pointing out that, because of the undue haste in proceeding with the Bill in Committee and the complexity of the measure, it has not been possible for me and the members of my party to have important amendments printed and circulated for the information of honorable members. It was not possible for me to submit the proposed amendments to my party until this afternoon. The result is that I shall be compelled reluctantly to distribute typewritten copies of the amendments unless printed copies arrive from the Government Printing Office. With regard to the Premier’s explanation of his intention to move for the deletion of the prefix “sub,” honorable members will be interested to learn that it is one of the amendments intended to be moved on behalf of the Opposition, and the honorable member for Brighton was to move it.

Mr. A. A. DUNSTAN (Korong and Eaglemawh).—Then we are entirely in agreement.

Sir STANLEY ARGYLE.—If it had not been for representations made, the provision would have gone through with the word “sub-section” included.

Mr. A. A. DUNSTAN (Korong and Eaglehawk).—No.

Sir STANLEY ARGYLE.—That would have occurred. There was no mention when a similar Bill was before the House last year that there was any idea of removing the prefix “sub”. The proposal is clearly new. The main point now is that it will not be possible at a future date for an extreme Government, if there can be such a thing in this State, to manipulate the safeguards contained in the earlier part of the clause. There are several amendments to be moved. Apart from machinery provisions, the clause is the Bill. When several amendments to a clause are to be moved, and they clash with one another, it is sometimes difficult to decide which amendment comes first.

At this stage I shall deal only with the clause as a whole. It provides, as the Bill as a whole does, for settling difficulties between the Houses. As printed, it provides that if a Bill is passed by the Assembly in two successive sessions, not necessarily in one Parliament, and has been transmitted to the Council at the proper time, so that the Council is given time to deal with it—the proper time being at least one month before the end of the session—and if the Bill is rejected by the Council in each of those sessions, “that Bill shall on its rejection in the second of those sessions by the Council, unless the Assembly directs to the contrary” simply become law on the assent of the Governor being obtained. There are certain provisos which govern that clause. First of all, nine months must have elapsed “between the date of the second reading in the first of those sessions of the Bill in the Assembly and the date on which it passes the Assembly in the second of those sessions.” I intend to move an amendment later to that part of the clause, but I understand there is another amendment which will take precedence of mine. Then there is the question of Bills to amend the Constitution, which will have to be dealt with under this clause. There is no distinction between a Bill which alters the Constitution of the Council and one which
alters the Constitution of the Assembly, and either may be subjected to the machinery created in this clause. On that point, also, I propose to move an amendment after my first amendment has been dealt with. The Bill goes on to explain the circumstances in which a Bill will be deemed to be the same Bill after a certificate has been given by the Speaker, and what the word "rejected" means. If the Legislative Council has a Bill in its care for three months after it has been passed by the Assembly, and has not dealt with it, that is equivalent to the rejection of that Bill. In such an event the Assembly behaves, under the machinery of the Bill now before us, as if the Council had laid the Bill aside, or had refused to agree to its second or third reading.

Sub-section (7) of proposed new section 37, as printed, provides for preventing, by means of the machinery of the clause, the direct abolition of the Council, and directs that the machinery of the clause shall not be applied to any measure designed to repeal the safeguarding provision. But, as explained in my second-reading speech, there are two ways of getting rid of an opponent. You may knock him on the head with a hammer and abolish him in that way, or you may so emasculate him that he is unable to do any work. It is proposed to make the Council an effete body, a sort of debating society, a collection of gentlemen who get together to have a friendly debate on subjects with which they have no power to deal. I remind honorable members again, particularly those who sit behind the Government, that the Bill, in addition to making provision for altering the Constitution of the Council, also makes provision for altering the Constitution of the Assembly. With the machinery of the Bill in operation, it would be possible for the Assembly to do many things. It could alter social laws, and could practically prolong the life of a Government for years longer than is provided for in the Constitution, without the consent of anybody except the voters at a general election, where all sorts of side issues would be dragged in. The reference to any alteration of section 61 of the Constitution Act in sub-clause (2) of clause 2, simply protects amendments that have been made before, and sub-clause (3) deals with various amendments made in the schedule to the Bill. I should like to ask you, Mr. Chairman, whether I would be in order in moving two separate amendments, or whether it will be ruled that I have spoken already.

The CHAIRMAN (Mr. Coyle).—The honorable member has given notice of an amendment that takes priority.

Sir STANLEY ARGYLE.—I thought there was an amendment ahead of mine.

The CHAIRMAN.—The honorable member can move his first amendment.

Sir STANLEY ARGYLE.—The amendment I shall move will be similar to the one I moved when the House was dealing with a similar Bill last session. I move—

That in paragraph (a) of the proviso to sub-section (1) of proposed new section 37 the word "nine" be omitted with the view of inserting the word "eighteen".

Mr. Cain.—Why not make it three years?

Sir STANLEY ARGYLE.—The honorable member who has interjected, and the Premier, have both said that the present Bill is based on the Imperial Parliament Act. May I remind honorable members that, before the provisions of the Parliament Act can operate, the House of Commons must pass the measure in dispute three times and the House of Lords must reject it three times in a period of two years?

Mr. Slater.—The only difference is that there is a five-year Parliament in England as against a three-year Parliament here.

Mr. A. A. Dunstan (Korong and Eaglehawk) (to Sir Stanley Argyle).—I guarantee you would not like the provisions of the Parliament Act to be substituted for those of the Bill.

Sir STANLEY ARGYLE.—Possibly not. I am not for one moment approving of the conditions contained in the Parliament Act, which is governed very largely by the method of its passing and also by its preamble, which I read to honorable members last week. The passing of that Act was the beginning of a movement to reform the House of Lords, by substituting an elective body for an hereditary body. It was passed primarily to make possible the enactment
of certain financial and other measures which the House of Lords was definitely obstructing. While the Parliament Act provides for three passings of a measure by the House of Commons and for three rejections of that measure by the House of Lords in two years, the Government are proposing that everything may be done in nine months, whether in one or two Parliaments. By a little manipulation it would be possible to do it in that time. The main principle to be observed is the provision of such delay as would enable the will of the nation to be obtained. I maintain that the will of the nation can not be ascertained by an ordinary general election, with its side issues, personal claims of all kinds, and local claims, which influence much more than broad general lines of policy the result of an election in any particular constituency. If they are honest, honorable members will recognize that that is so. While there are some constituencies in which policy probably regulates the result, in the great majority of cases other elements come into the picture, and it is practically impossible to obtain a direct assertion of the people's will on any single question at a general election. An election may result in a general endorsement of the policy of the Government, which may be approved in every respect except the one on which the Government was sent to the country. I, therefore, maintain that it is practically impossible to obtain anything like a definite decision at a general election. I consider that nine months is not sufficient to enable any question in dispute to be properly explained to and understood by the people and their will ascertained upon it. Further, owing to the many difficulties in parliamentary procedure it is not possible for Parliament in that time thoroughly to understand the position. A period of nine months is therefore altogether too short.

Mr. A. A. DUNSTAN (Premier and Treasurer).—I hope the Committee will not agree to the amendment. I do not know that there is any particular virtue in the words “eighteen months.” The Government gave very lengthy consideration to the clause and is strongly of the view that a period of nine months is quite sufficient for the purpose. The will of the people could easily be ascertained within that time, and it is absolutely un-
necessary to extend it. Mention has been made of the Imperial Parliament Act of 1911, but that Act, of course, is based upon very different lines from those on which the Bill is based. It provides that a Bill passed by the House of Commons and rejected by the House of Lords in three successive sessions may become law, and is much more far-reaching than the very modest measure of reform represented by the Bill before the Committee.

Mr. McKENZIE.—It is rather too modest.

Mr. A. A. DUNSTAN (Premier and Treasurer).—At any rate, I would say that it is not much use the Leader of the Opposition quoting the Parliament Act in support of his amendment unless he is also prepared to accept some of the drastic provisions embodied in that Act. The matter has been given very full consideration by the Government, and, although it was in the first place thought that a lesser period than nine months would be sufficient for all purposes, the Government, with its usual generosity, met the position by prescribing this period.

The amendment was negatived.

Sir STANLEY ARGYLE (Toorak).—I move—

That paragraph (b) of the proviso to subsection (1) of proposed new section 37 be omitted with the view of inserting the following new paragraph;—

“(b) before such Bill is introduced in the Assembly in the second of those sessions—

(i) in any case in which the second and third readings of any such Bill are not required to be passed with the concurrence of an absolute majority of the whole number of the members of the Council and Assembly respectively the Assembly is dissolved by the Governor by proclamation as aforesaid in consequence of a disagreement between the two Houses as to such Bill. Provided that the Assembly shall not be dissolved by proclamation as aforesaid later than six months before the date of the expiry of the Assembly by effluxion of time; or

(ii) in any case in which the second and third readings of any such Bill are required to be passed with the concurrence of an absolute majority of the whole number of the members of the Council and of the Assembly respectively such Bill is submitted to a referendum and is approved by a majority of the electors voting thereat.”
In plain English, the amendment means that if the Bill in dispute is a Bill to amend the constitution of either the Assembly or the Council, a referendum must be taken before the provisions of this measure will apply.

Mr. A. A. DUNSTAN (Korong and Eaglehawk).—Will it mean a referendum and a dissolution?

Sir STANLEY ARGYLE.—No. It means a referendum in the event only of a dispute in respect of a Bill providing for an alteration of the constitution of either the Assembly or the Council. I have further amendments of a consequential nature which I shall move if the amendment is adopted.

Mr. GRAY.—The provision for a dissolution in the event of a dispute upon an ordinary Bill remains.

Sir STANLEY ARGYLE.—Yes; I am dealing now only with Bills that alter the constitution of the Assembly or the Council. The proposal to obtain the opinion of the electors upon such an important matter as an alteration of the constitution of either the Assembly or the Council by a general election granted by the Governor because of a disagreement on a Bill for that purpose may be so far-reaching in its possibilities that I appeal to members of all parties to agree to the amendment. I can understand that course of action in a quarrel between the two Houses with regard to, say, a money Bill, or some other measure; but, speaking for myself, I think that the amendment goes a very short way, because I can conceive of Bills of a very disastrous character, though not to amend the Constitution, being brought forward. However, I am simply moving to the effect that, where the measure in dispute proposes to amend the constitution of either Chamber, there shall be a referendum to ascertain reliably the will of the people. I would remind honorable members that the Constitution of Victoria does not belong to members of Parliament, but does definitely belong to the people. Under it they live and have their being, and every elector is entitled to say whether he wants the Constitution altered or not. If the Government takes upon itself the privilege because of a temporary majority in this House—a temporary combination of parties—of deciding that it will alter the Constitution, and all there is as a safeguard is a general election with all its conflicting issues, then I tell my friends who represent country constituencies that they will be taking a horrible risk. In saying that I am not aiming at any particular party, because there can be extremists in all parties, whether on this (the Opposition) side of the House or on the Ministerial side. It is conceivable that there will be in power some day an extreme Government, and honorable members are now welding the machinery that will enable such a Government to alter the Constitution.

Sir STANLEY ARGYLE.—It could be either the one or the other. It could be a party which for some reason had a majority in this House only, and it could decide that, subject to the rather poor safeguard of a general election, it would alter the Constitution, and thus alter the aegis under which the people live and are governed. I consider this is a very serious matter. It is pretty well accepted by parties in all parts of the world that an alteration of a Constitution should be a matter on which the people's will must definitely be obtained. If there is a referendum it is a clear-cut issue.—"Do you want a change in the Constitution, or do you not?" There may, of course, be cited the instance of the referendums recently conducted in the Commonwealth sphere, and it may be declared that the people did not understand the issues, and so on. I do not believe that the people did not understand the issues. What I consider is that the people did not want to give the Commonwealth Government any more power, and possibly they were right. If one believed in the federal principle, then one might have said, "The Commonwealth Government has, perhaps, in some matters, almost exceeded the powers that were intended to be given to it under the Constitution, and I am not going to give it any further power." I do not say that the people were right. I might differ with them, but I feel that we have to obey the people in a matter such as that which we are now discussing. I think I voted for both propositions in the
Commonwealth sphere. That indicated my personal view.

Mr. Cairns.—You did not sing out too loudly about it.

Sir STANLEY ARGYLE.—From what I did say, there was no mistaking where I stood; but I was not campaigning. I appeal to all honorable members to be careful what they do on this question relating to constitutional matters only. I hope that they will not consider merely voting with their parties, but remember that they have a personal responsibility towards those whom they represent. I ask Ministerialists, “Are you prepared to take the risk?” I am not, and I have moved the amendment only with the view that matters connected with an alteration of the Constitution should be the subject of a referendum before they are finally decided. I shall quote from an authority who has put the case, perhaps, in better language than I can. The Earl of Selborne said—

“In my own judgment the path of safety undoubtedly lies with the referendum. I would far rather argue before the electors who themselves were about to give a vote on a definite concrete proposal, however predatory in character, than I would argue to a tyrannical majority in a single Chamber dominated by a caucus.

We must consider the possibility of a single-Chamber Government dominated by a caucus.

Mr. Kent Hughes.—Two caucuses.

Sir STANLEY ARGYLE.—I am referring to only one caucus, although I understand that, in parliamentary language, the singular imports the plural. The machine can take charge of this State, and when once it takes charge it abolishes personal liberties. My friends in the Ministerial corner talk democracy at the top of their voices, but in this particular matter they deny the very first principle of democracy—that the people themselves should be the arbiters on the laws under which they should be governed.

Mr. Tunnecliffe.—It is so interesting listening to you as an exponent of democracy.

Sir STANLEY ARGYLE.—I am, and always have been, a believer in democracy. The question on which the honorable member and I probably would quarrel is what we mean by “democracy.” His meaning of it is “ruled by the party”—the party to which he belongs—“and the minority can go hang.”

Mr. Tunnecliffe.—A slight misinterpretation, that is all.

Sir STANLEY ARGYLE.—The honorable member has the idea that minorities have no rights so long as he is in the majority. But what about it when he is the minority? However, I do not think I need bother to argue with the honorable member as to our relative interpretations of the term “democracy.” I believe in a democracy which means rule by the people, but I do not see that we shall get the will of the people by the machinery which is provided in the Bill, if it is proposed to alter the very essential upon which government rests. Therefore, I appeal to the members of all parties who believe in personal liberty not to take the risk of handing over that personal liberty to some body which approaches very nearly to an oligarchy that could easily become a dictatorship.

Mr. A. A. DUNSTAN (Premier and Treasurer).—I am sorry that the Government cannot accept the amendment submitted by the Leader of the Opposition. I regret that I cannot oblige him. The amendment he has moved provides that any Bill relating to an alteration of the Constitution shall be dealt with in a different way from that which is to apply in the case of ordinary public Bills. The honorable member suggests that the fate of a Bill relating to any alteration of the Constitution should be determined by the people upon a referendum being taken, and that, he says, is the only way in which such a question should be decided. At the same time the Leader of the Opposition appears to have come half way by his amendment in saying that the method proposed by the Government, namely, a dissolution of the Legislative Assembly, is good enough to determine the fate of ordinary Bills. Why should there be an exception in the case of proposed constitutional alterations? It has been said that important constitutional amendments may be proposed. There may be amendments of a major nature or of a very minor character; but whether they happen to be major or minor, important or unimportant, the Leader of the Opposition
says that the only way in which such questions shall be determined must be by means of a referendum.

Mr. Michaelis.—Only if there has been a disagreement between the Houses.

Mr. A. A. Dunstan (Premier and Treasurer).—I realize that.

Mr. Hollway.—You did not say so.

Mr. A. A. Dunstan (Premier and Treasurer).—The purpose of the clause is to overcome disagreements and deadlock. Therefore, honorable members will appreciate the fact that I was dealing with that particular aspect. At times Parliament has to deal with very important measures which I may describe as ordinary public Bills; in that classification I would place the financial emergency legislation. I can put my point in this way, that we have been called upon to deal with some ordinary public Bills that have been more important than certain minor measures designed for the alteration of the Constitution.

Mr. Kent Hughes.—You do not suggest that a Government would go to the people on a proposed minor alteration of the Constitution?

Mr. A. A. Dunstan (Premier and Treasurer).—No! This is what I suggest: There might be a Government which was prepared to take the line of least resistance, saying, “The fate of the Government will not be at issue and will not hang in the balance if we submit this matter in dispute between the Houses to the people by referendum. We shall have nothing to lose; and, in any case, the procedure will be simply the carrying out of the will of Parliament.”

Mr. Groves.—But only on a constitutional question.

Mr. A. A. Dunstan (Premier and Treasurer).—I appreciate that. I have pointed out that some constitutional questions may be of a very minor and indifferent nature, yet it would not be possible to bring about an alteration of the Constitution unless the method proposed by the Leader of the Opposition were adopted. The Leader of the Opposition is working on the assumption that, because a proposal might happen to involve only a minor amendment of the Constitution, the Upper House would accede to the desire of the Government and accept the proposal. But that is by no means certain. We should adopt a uniform method of dealing with all disputes and disagreements. We should not have one method of dealing with constitutional measures and another method in regard to what I may term ordinary public Bills. In connexion with the proposals now before the House, the Government has provided that the provisions relating to the abolition of the Council or a dissolution of the Assembly may not be altered in any way or repealed by the procedure of appealing to the people, but that they can be altered only with the consent of the Council. In the opinion of certain members of this House, however, that does not go far enough. They desire that some alteration should be made in the direction of discriminating between constitutional and other Bills. If a Government desires to amend the Constitution it should face the people on the issue. There is this consideration, too, that a proposed constitutional alteration would be very largely of a legal nature; perhaps the people would not properly understand it unless it were put before them in a complete manner, and they had an opportunity of questioning candidates in regard to all its pros and cons. If a question—especially a legal question—were submitted to the people by means of a referendum, only a small proportion of the people would have an opportunity of making themselves familiar with it. They would have no such opportunity as would be accorded by the questioning of parliamentary candidates who were seeking election.

Mr. Hollway.—They would have a chance of reading the newspapers.

Mr. A. A. Dunstan (Premier and Treasurer).—They might have an opportunity to do that, but I am doubtful if it would be availed of. There would be no opportunity for the electors to question candidates on the matter at issue. For that reason I do not desire that the people should be called upon to vote only on the question; they should be afforded an opportunity of determining by their votes what candidates shall represent them in relation to that question. The Government’s proposal will give them that opportunity. When the
Mr. MACFARLAN (Brighton).—As I understand the amendment, it accepts the Government scheme for settling deadlocks so far as ordinary general Bills are concerned, but endeavours to substitute, in relation to constitutional Bills, a referendum for a dissolution. I think there is a great deal of merit in the amendment. The Constitution already recognizes the difference between constitutional measures and measures other than those dealing with the Constitution. A constitutional Bill cannot become law, for instance, unless the second and third readings have been carried by an absolute majority in both Houses. So the law has recognized the difference between the two classes of Bills. The one class is so important—alterations to the Constitution are so vital and far-reaching—that provision has been made in the Constitution that alterations can be brought about only in a much more difficult manner than in the case of other kinds of Acts. While it is true that there can be unimportant constitutional alterations—as, for example, one proposing to alter the age qualification of candidates for the Council by reducing the age from 30 years to 25 or 21 years—it is a fact that we can be called upon to deal with very important non-constitutional Bills, such as the financial emergency measures. Yet I do not think that is very relevant to the discussion. No Government would take a referendum on such a comparatively trifling thing as a proposal for the reduction of the age qualification of candidates for the Council. As I mentioned in my second-reading speech, we could get minor constitutional Bills and also very important major general Bills as subjects in dispute between the two Houses, but I do not think that is relevant to the present discussion. The really relevant point is: What is the best method of settling far-reaching disputes as to vital Bills? I shall show why I am particularly in favour of the referendum proposal. I have been in touch with the Chief Electoral Officer and have found the state of affairs that has obtained at the last five general elections of the Legislative Assembly. In 1924 there were twenty uncontested seats, and the number of electors in the constituencies concerned was 274,469. At that time the number of electors enrolled in the
State was 850,000. Honorable members will see that on that occasion more than one-fourth of the electors did not vote.

Mr. A. A. Dunstan (Korong and Eaglehawk).—That shows the necessity for contests. There would be more contests if an important matter was referred to the people.

Mr. Macfarlan.—At a referendum all the electors in the State have the right to vote and are compelled to vote. In 1927 there were six uncontested constituencies with a total of 142,727 electors, and the number of electors in the contested constituencies with a total of 142,727 electors, and the number of electors enrolled in Victoria was 993,000. In 1929 there were twenty uncontested constituencies covering 346,089 electors, and the total number of electors enrolled in Victoria was 1,092,170. In 1932 there were 21 uncontested constituencies affecting 325,069 electors, and then the total number of electors was 1,055,301. In 1935 there were twelve uncontested constituencies covering 195,060 electors and the total number of electors enrolled in Victoria was 1,090,251. If we take the figures affecting the last five general elections, we find that there is an average of sixteen uncontested constituencies for which there is an average of 257,041 electors. That does not seem right to me. As the present provision has obtained for 30 years, any vital and far-reaching amendment of the law that we make will obtain for just as long. We must remember that this provision will not be altered without the consent of the Legislative Council. If a decision is to be obtained through a dissolution of Parliament, it is not right, as we have seen from the average of the last five general elections, that a quarter of the electors should not have any say in the matter. That point seems to be so strong as to be unanswerable. I hope that the Government recognizes that if there is a dissolution of the Legislative Assembly a quarter of the electors will be denied a voice on any important proposal submitted, owing to the fact that in the uncontested electorates those enrolled will not have a chance to vote. I think that in view of what has happened at the last five general elections this House should give all the people a chance to express themselves on any measure in dispute involving the question whether or not the Constitution should be amended.

Mr. Cain.—What about the 700,000 people who are disfranchised so far as the Legislative Council is concerned?

Mr. Macfarlan.—I am not responsible for the Constitution nor for the fact that certain people have not votes for the other place. If I had my way I dare say I should make a lot of alterations. Now I am only dealing with a suggested change, and I am trying to point out that unless the Government submits proposed constitutional alterations to a referendum a quarter of the electors in Victoria will not have any say in framing their own Constitution. If the Premier can give a satisfactory reply to that point, I shall agree that the referendum is not the better method of settling these disputes between the two Houses. The Premier has made a legitimate reply. He believes that if a dissolution was occasioned by a disagreement between the two Houses, and the Governor’s proclamation stated the exact Bill in dispute there would be excitement and there would be a contest in many more electorates than there have been at the last five general elections. Nevertheless that is very problematical. In the last five general elections the average number of uncontested seats has been sixteen. Supposing the Premier is right, and the number of uncontested seats is brought down to eight, we shall still find that more than 100,000 electors, through no fault of their own, will have no say in the matter in dispute, and they will be disfranchised on a vital proposal such as an amendment of the Constitution. I think that is an unanswerable point, and that the Government might well take the step of making constitutional alterations the subject of a referendum. Even now it is not too late for the Government to do so.

Mr. A. A. Dunstan (Premier and Treasurer).—I wish to say a word or two in reply to the honorable member for Brighton. I shall follow along the lines of an interjection that I made when he was speaking. If a question is of sufficient importance to justify a dissolution of the Legislative Assembly I venture to say that we shall not find the number of uncontested seats that he has indicated. If there is an election on a specific issue, then the interest of the people will be aroused and there will be very few walkovers.
Mr. Vinton Smith.—Who would contest the constituency of Collingwood, Footscray, or Toorak?

Mr. A. A. Dunstan (Premier and Treasurer).—If the majority of the electors in Collingwood, or any other constituency, are in favour of what their representative is doing, then there is no necessity for a contest. The will of the majority should prevail, and it would prevail and would be expressed by the fact that the electors did not bring out a candidate to contest that seat.

Sir Stanley Argyle.—Is that why at the last Legislative Council elections you did not get more than eleven contests in the seventeen provinces?

Mr. A. A. DUNSTAN (Premier and Treasurer).—The Leader of the Opposition knows that it is difficult at any time to arouse public interest in Legislative Council elections.

Sir Stanley Argyle.—You claimed a mandate.

Mr. Cain.—Few men possess the necessary property qualifications to enable them to stand for the Legislative Council.

Mr. A. A. DUNSTAN (Premier and Treasurer).—The very fact that the Government succeeded in winning three additional seats at the recent Legislative Council election cannot be taken other than as a mandate of the people on this question. If the party led by the Leader of the Opposition had won three seats on that occasion I know what he would have claimed. He would have claimed in the most emphatic way that it was a mandate.

Sir Stanley Argyle.—Where you had a straight-out contest we gave you a hiding.

Mr. Cain.—Test that out.

The Chairman (Mr. Coyle).—I have had to call for order four or five times. It is not the usual practice to call for order more than twice, and I should be glad if honorable members would kindly respect the command for order.

Mr. A. A. DUNSTAN (Premier and Treasurer).—The Leader of the Opposition said that when there was a straight-out contest between his party and my party, his party was successful. In the Northern Province there was a straight-out contest between a member of the Country party and a candidate endorsed by the United Australia party, and the electors returned the former candidate, showing that they were in favour of this Bill as submitted by the Government. The same result occurred in the election for the Gippsland Province.

Sir Stanley Argyle.—What about the election for the South-Eastern Province?

Mr. A. A. DUNSTAN (Premier and Treasurer).—If one goes across to the Legislative Council when it is sitting next week one will see that a big alteration has taken place in its personnel as compared with the personnel of that House last year. The number of United Australia party members has decreased, and there has been a considerable increase in the number of Country party members. The result of the recent Council election can be taken as a mandate from the people in favour of this measure. I have been diverted somewhat from the matter under discussion, and I desire to say that there should be no difference in the mode of settlement of disputes between the two Houses, whether the dispute is on a constitutional measure or an ordinary public Bill. I think we ought to encourage the people to take an interest in public affairs, and the best way to do that is by an election, which gives the electors the opportunity of questioning candidates and voting, not only on the issue at stake, but as to who should represent them in this House.

Mr. Kent Hughes (Kew).—I had an amendment printed in the same language as one which I moved when the Bill of last year was in Committee, and the amendment provided for the insertion of the following paragraph:

"(e) Before any Bill by which an alteration may be made in the constitution of the Council or the Assembly or in Schedule D to The Constitution Act is introduced in the Assembly in the second of those sessions such alteration has been submitted to the electors of the Assembly, by means of a referendum."

I did not circulate my proposed amendment because the amendment which the Leader of the Opposition proposed to move to-night expressed in better language what I intended to propose. I also learned that the honorable member for
Brighton intended to move an amendment which would be the same as the amendment which the Premier has announced he will move in sub-section (7) of proposed new section 37. The debate so far as it has proceeded has been on a different level from that of the debate which ensued when I submitted my amendment last session. On that occasion the honorable member for Dundas said that he considered that, at first glance, my proposal had considerable merit, but after investigating it thoroughly he had decided not to vote for it. The honorable member for Northcote went so far as to say that he felt he could not trust the people at a referendum, and the much better method was a general election. I do not know what has given rise to the argument that the people cannot be trusted at a referendum, unless it is the result of the recent Commonwealth referenda when many city electors voted in a more intelligent way than many country electors.

Mr. McLACHLAN.—Do you think that either a referendum or a general election is required?

Mr. KENT HUGHES.—It is claimed that the constitution of the Legislative Council has got out of date, and my view is that if we are going to alter that constitution, we should not make a patchwork job, but alter it in the best way possible. If the people are to be the final arbiters on a question affecting the Constitution, the only proper method of obtaining the people’s view is by means of a referendum. We know what happens at general elections. All sorts of cross currents intrude. During the recent Legislative Council election campaign I challenged the then Acting Premier, the Minister of Water Supply, to prove that the safeguards embodied in the reform Bill of last year were sufficient. He did not accept the challenge.

Mr. OLD.—You preached your gospel and I preached mine, and the electors accepted mine. It was nearer the truth.

Mr. KENT HUGHES.—Now the honorable gentleman agrees with the Premier that further safeguards are necessary, and amendments embodying those safeguards, of which I approve, have been inserted in this Bill. Of course, it may be said that some members would not understand the question at issue sufficiently well to place it before the people, and in that case it would not be the people’s fault. If there had been a referendum on this reform measure, the people would not have approved of it. How can it be said that an election is a better method than a referendum of deciding a question in dispute when we consider the result of the last Council election? The Premier himself admitted that the people are told any old thing from the election platform. Certainly at the last general election of this House the present Premier told the people any old thing from the platform at Maryborough.

(At 6.30 p.m. the sitting was suspended until 7.38 p.m.).

Mr. KENT HUGHES.—When the House adjourned for dinner I was discussing the amendment of the Leader of the Opposition in which a proposal is made that a referendum should be held on matters relating to the alteration of the Constitution, leaving deadlocks on other public Bills to be settled by the machinery proposed in the Bill, namely, a dissolution followed by a general election of the Assembly. The Premier, replying to the proposal of the Leader of the Opposition, said that by means of a referendum one would not obtain a mandate from the people, because so few people would understand what the referendum was about. His argument was very hesitant, and really very feeble, because he had just previously claimed that the verdict of a very small number of voters in a small number of electorates of the Legislative Council was a mandate from the people to proceed with this Bill. Without arguing whether it was or was not a mandate, it is perfectly obvious that if what he said about a referendum was true, then what he said about a mandate having been given at the Legislative Council election was not true. He cannot have it both ways, and use the same argument to prove two different points. That, in effect, was what the Premier was trying to do. Although the Government may say, “No, we will not accept this amendment,” it is very evident that it cannot find any logical argument upon which to base its decision not to accept the amendment with respect to
proposed alterations of the Constitution. The reason why the Government prefers a Legislative Assembly election to a referendum is not very obvious, but to those who remember the speeches made by the Premier and some of his colleagues at the last general election, it will be perfectly obvious that from such an election you cannot obtain from the people a verdict upon a matter that may be the subject of a deadlock between the two Houses. To show how many cross-currents and side-issues arise at a general election, I shall read an extract from a speech made by the Premier at Maryborough in support of the Country party candidate at the last general election.

Mr. HOLLWAY.—This is an extract of beef!

Mr. KENT HUGHES.—I do not know whether there is any beef in it; it is more like tripe.

Mr. DILLON.—Surely there was not a Country party candidate at Maryborough!

Mr. KENT HUGHES.—Yes, there was. On that occasion the Premier said—

Mr. Tunneccliffe, in his policy speech, said he would grant certain exemptions in the income tax, abolish the land tax, reduce railway freights and fares, abolish all education fees, and give full time to everybody at full award rates. In fact, added Mr. Dunstan, it was what might be called "a full hand, joker and all." (Laughter.)

Mr. Tunneccliffe would be a clever conjurer, a most obliging chap, dealing out millions, not from an empty exchequer, but by "the national use of the credit of the nation." It was all too funny for words, but it was going down with a few... Could any man have made a bigger mess of things than did Mr. Tunneccliffe when Mr. Hogan was away in England on a health trip... .

Mr. CAIN.—Shall I send for the Leader of my party?

Mr. KENT HUGHES.—No; I think he has nothing to answer for in this matter at all. The Premier continued—yet he had the effrontery to speak as he is now doing.

Mr. DILLON.—Are those the words of the candidate or the Premier?

Mr. KENT HUGHES.—The present Premier. This indicates what could happen at a general election where it was desired to obtain a decision from the people upon a matter the subject of a deadlock between the two Houses.

Mr. CAIN.—It shows how far composite Governments will go.

Mr. KENT HUGHES.—I agree entirely with the honorable member for Northcote; it shows how unreliable speeches made during a general election campaign may be when it is desired to obtain from the people a decision upon a specific matter.

Mr. BARRY.—They said that about you when you opposed the United Australia party candidate at Kew.

Mr. KENT HUGHES.—They may have done so, but I cannot help that.

Mr. CAIN.—Some people still think it.

Mr. KENT HUGHES.—I cannot help that. I have never failed to answer a question, and I hope I never shall do so.

Mr. BARRY.—It shows what a difference a good jockey makes.

Mr. KENT HUGHES.—Sometimes a jockey makes a difference in the running of a horse. Now I shall read the most interesting part of the Premier's remarks at Maryborough:

Although the Argyle Government had done as much as was humanly possible under adverse conditions, he freely admitted there still remained much to be done. Immediately after making those remarks, and asking the electors to give their decision in favour of a Government which had "done as much as was humanly possible," he moved a motion of want of confidence in the Government. In support of the motion, the Premier said—

We have to admit that the methods which have been in force for a considerable time regarding the provision of works upon which loan money has been expended have been entirely unsatisfactory. He added that the sustenance system also was unsatisfactory, and that there should be full time work for everybody at award rates. But previously when the Leader of the Labour party voiced similar views, he described them as being too funny for words.

Mr. LAMB.—But a lot had happened in the meantime.

Mr. KENT HUGHES.—A lot may have happened in a short time, but that does not alter the fact that it would be utterly useless to endeavour to obtain a decision from the electors on a specific
question by means of an Assembly election, if we carried on in that fashion. A referendum would be infinitely preferable, because, by that means, there would be at least a straight vote upon a specific issue. If the people do not understand the question put to them, it is the fault of those who submit it. I do not know why honorable members should say, when a proposal put to the electors by means of a referendum is not agreed to, that the electors do not understand the question.

Mr. CAIn.—At how many meetings during the last referendum campaign did you explain the Commonwealth Government's proposals to the public?

Mr. KENT HUGHES.—I happened to be in Sydney at the time, and spoke at three meetings there. Before leaving Melbourne, I set out my views on the question in a letter to the local press, which is distributed to practically every household in Kew. If the honorable member for Northcote did as much, I should be pleased to hear it.

Mr. LEMMON.—Did your views agree with those of the honorable member for Oakleigh and the honorable member for Boroondara?

Mr. KENT HUGHES.—I do not know. In my letter, I said that I was in favour of the acceptance of the referendum proposals. Although the submission of matters in dispute to a referendum may be the policy of a party, members of that party—as, for example, the Labour party in respect of the last referendum—may not be prepared always publicly to support it, which would show that the feeling in that party was not strongly in favour of a referendum on that particular question. If that were so, I should not blame any one, but we should not say the electors did not understand the question when they voted against it. The same argument applies with regard to the holding of a referendum upon a constitutional matter. Will any honorable member explain how we could obtain a fairer decision from the people upon a constitutional difference between the two Houses than by means of a referendum? Is there any fairer or more democratic way of achieving that result?

Mr. Bussau.—Yes; by facing the electors ourselves.

Mr. KENT HUGHES.—How could we obtain a better decision in that way? The electors could be told what the Premier and other speakers told them at the last election, or they could also be told what the then Acting Premier told them at the recent Legislative Council elections, namely, that the Constitution (Reform) Bill introduced by the Government last session, plus the amendment submitted by Sir John Harris in the Legislative Council, provided all the safeguards required. Yet, in spite of that, the Premier has agreed to-night that another safeguard is necessary. I do not suggest that the Acting Premier believed at the time he made that statement that it was not correct. He merely did not know. However, I shall come to that later. In two specific cases certain things were put to the electors which were entirely opposite to what turned out to be the case within a month or six weeks after the event. It all goes to prove very strongly and conclusively that you cannot get a genuine decision on a specific issue by means of a general election of the Assembly. The Government knows that very well, but for some reason or other is not prepared to admit it, and agree to the amendment. The Labour party knows it also, but for some reason will not admit it. Its members say, in effect, "No. We want the tub-thumping, the limelight, and all the excitement of a general election rather than a cool, calm, and collected decision on a specific issue, without a general election."

Mr. Lamn.—The sooner the better, if it is to be a general election.

Mr. KENT HUGHES.—The honorable member for Lowan is very brave at the moment, and I do not know what has caused that bravery on his part.

Mr. Cotter.—He is whistling to keep up his courage.

Mr. KENT HUGHES.—I do not want to pass any remarks on that. I have never heard a Lamb whistling; it would be rather interesting. I think I have explained fully why a referendum is desirable, and I shall be interested to hear replies to the speeches made on this (the Opposition) side of the Chamber, by the honorable member for Brighton and the Leader of the Opposition in favour of the proposal. All the Premier did was to
refute his own previous argument that he had received a mandate at the last Legislative Council election. He says that it is the line of least resistance to have a referendum. But if it is a major constitutional matter, it is not the line of least resistance that is wanted, but the fairest possible way to obtain a verdict. If my knowledge of electricity is what it used to be, it tells me that if there is more resistance, more heat is generated. Probably what the Government actually wants is the heat and excitement of a Legislative Assembly election rather than a cool, calm, and collected decision at a referendum. Therefore, I hope the Committee will give the matter more serious consideration than one was led to expect it would receive by the reply of the Premier; because if the arguments with regard to fairness and democracy cannot be answered, what other reason is there for demanding that there should be a general election of the Assembly? After all, the Premier in his second-reading speech said nothing else than that modern democracy demands this, that modern democracy demands that, and so on. He declared that the Bill took its root in the first principle of democratic government. His speech was democracy, democracy, democracy, all the way through. That again is a lot of drapery around the outside, instead of the real flesh and blood, if he is not going to agree to a referendum, but is going to insist on a general election. Was he sincere in what he said about the needs of modern democracy? If so, can he say why he will not agree to a referendum on major constitutional matters?

Mr. Lamb.—You cannot arouse the interest of the electors.

Mr. Kent Hughes.—And why is that?

Mr. Lamb.—It is because, in certain instances, the personal appeal is stronger than the actual issue.

Mr. Kent Hughes.—Evidently the honorable member does not want any specific issues decided; he wants a personal appeal. Apparently it does not matter whether the electors are told again what the Premier said at the last election. The cry seems to be, "Let us have the personal appeal, not the deadlock."

Mr. Cain.—You are not suggesting that the Premier should tell them your story at the next election?

Mr. Kent Hughes.—I shall tell it on every possible occasion just to show how much faith and confidence the Premier places in the people at a general election. There cannot be any justifiable argument against using the referendum instead of a general election, and therefore against accepting the amendment which has been proposed by the Leader of the Opposition.

Mr. Oldham (Boroondara).—To my mind the main question to be discussed in considering the amendment is whether if this House has passed a Bill which has been rejected by the Legislative Council the decision of the people who elected this House is then to be taken by means of a general election of this Assembly or by means of a referendum. If we had a fairly distributed voting power in this State I would not have so strong an objection to an expression of the opinion of the people on the Bill in dispute being obtained by a general election of the Assembly. But if we are democrats at all I am sure that we must agree upon one matter, and that is that so far as electoral power for this House is concerned, the voting strength of electors in Carlton, Toorak, Ouyen, or Gippsland should be the same. If we are democrats, I will challenge any member of this Chamber, no matter on which side he sits, to deny that. I know the arguments which are frequently used in this House against redistribution of seats. I know the claims about the difficulty of giving attention to country electorates, and the like, but those questions and arguments, to my mind, do not enter this discussion, because what we seek under this proposal is an expression of the opinion of the electorate of the Legislative Assembly. That expression of opinion seems to me to be obtainable with an equal voting power throughout the State by means of a referendum, and until there is a redistribution of seats for the Legislative Assembly it is not obtainable by means of an Assembly election.

If honorable members will permit me to display to them a rather crude graph which I have had prepared, I will show to them the exact disparity of the electoral
voting power, so far as every one of the electorates which comprise the Legislative Assembly is concerned. Although the plan is not a work of art, it is absolutely correct from the point of view of a representation of electoral strength. It will be noticed that the colours red and green are merely used for better emphasis. Alongside the electorate of Albert Park is a green line showing the electorate of Allandale, and there is represented the relative voting power in Legislative Assembly elections of a man who lives in Albert Park and of one who lives in Allandale. On another part of the plan will be seen a small red line which represents the voting power of an elector living in Oakleigh compared with that of one who lives in Ouyen. I suggest that the Government's real objection to the proposal for a referendum arises from the fact that it is a Country party Government, and it knows that those who are directly behind it will, by means of an Assembly election, have a very much greater voting power than they would if a constitutional question was decided by means of a referendum. I say that without heat, because I believe that no member of the Government, and none of those who sit directly behind the Government, can controvert my argument. When I stood for election I expressed myself in favour of a redistribution of seats to bring the electoral strength of this House into line. But if members on this (the Opposition) side are for ever to have their arguments in favour of some fairer distribution of seats controverted by certain old historical romances we shall be getting nowhere. I challenge the Government and those members of the House behind the Government to advance one fair reason why a person in Ouyen should have almost four times the voting strength of somebody living in Oakleigh when the electors are called upon to decide a matter of constitutional importance that has created a disagreement between the two Houses.

Mr. J. G. B. McDONALD (Goulburn Valley).—What if we all decided to live in Oakleigh?

Mr. OLDHAM.—That interjection illustrates a particular point of view, and I grant that I see it; but when it comes to deciding some matter of constitutional importance there is no reason why somebody who lives in the Goulburn Valley should have almost three times the voting strength of somebody else—a perfectly honest and honourable citizen—who happens to live in Foysmary. I challenge honorable members on the Ministerial side to give me a fair reason.

Mr. J. G. B. McDONALD (Goulburn Valley).—They are deserving people who live in the Goulburn Valley and are keeping the State going.

Mr. OLDHAM.—That is not a democratic argument. If members on the Ministerial side are democrats and do not merely pay lip service to the ideals of democracy, they will reconsider their attitude and allow a person, wherever he may reside, to have equal voting power with any other citizen. I challenge those members who do not approve of the procedure of a referendum to give me some fair answer to my questions. We are told that referendums do not always bring about satisfactory results. They may not do so from the point of view of those people who desire the results to be in a certain direction; but at least a referendum gives a fair expression of the opinions of the people, and if an appeal to the people does not result in the way we may desire we should be fair and democratic enough to accept the verdict. There is a lot of unfair criticism of the method of the referendum. Too often members of Parliament do not go to the trouble of giving the electors an opportunity of hearing both sides of a case. During the last Commonwealth referendum campaign the honorable member for Oakleigh and I held and expressed different views on one of the questions placed before the people. We represent adjoining districts, and we decided to hire a hall in East Malvern to give electors of the neighbourhood the benefit of an expression of opinion on both sides of the marketing issue. Our surprise was tremendous when, on arriving, we found the hall crowded out. There was a huge crowd also in the street, so we held the meeting on a vacant block of land nearby. Those electors, having heard both sides of the case, were able to sum it up on its merits. They found against me, I may add, and in favour of the views expounded by the honorable member for
Oakleigh. They gave, however, an informed decision, and I accept it.

Despite all the talk that I have heard about members on this (the Opposition) side being Conservatives and Tories, I am sufficiently democratic to possess views such as I have been putting forward this evening. I would remind honorable members on the Ministerial side that it is characteristic of Tories that they are not afraid of the people, and that nearly every advance that has been made in electoral reform in Great Britain has been brought about by Tory Governments. I challenge honorable members who say they trust the people—and I am speaking now apart altogether from the aspect of the need for a redistribution—to decide in favour of the holding of a referendum. In that way, and in that way only, shall we have electoral equality so far as each individual elector is concerned.

Mr. McLachlan (Gippsland North).—In connexion with the matter before the Committee, I desire to allude to the position of the National Parliament. I up to the present I have not heard any adverse comment with respect to the basis on which elections for the Senate are held every three years. Yet it is well recognized that Western Australia, which has a considerably smaller population than Victoria, has equal voting power in the Senate with this State. Tasmania and Western Australia have very much smaller populations than New South Wales and Queensland, yet the smaller States—speaking from the aspect of population—have the same voting power as is possessed by the larger States. Despite that situation, no attempt has ever been made either by supporters of the National Parliament, or by the Parliament itself, or by the press to alter conditions. With respect to a redistribution of Assembly seats in Victoria, I may say that if the honorable member for Boroondara were six or twelve months in one of the Gippsland constituencies his opinions would be considerably altered. Probably he can get around his own electorate in half a day, or in a day, at the longest. The electorate represented by the Minister of Lands would take from three months to six months to cover if it had to be traversed thoroughly.

If a State Parliament stands for anything at all it stands for domestic or local legislation; in that respect it is totally different from the National institution, and quite the opposite arguments to those that have been used by the honorable member for Boroondara were used to bring about Federation. No metropolitan member can understand the difficulties that are presented to a member representing such a constituency as Gippsland East, which embraces about one-fifth of the total area of the State. Energetic as is the honorable gentleman representing that electorate, it would be impossible for him to visit every part of his constituency within a reasonable period. The same thing applies to my own electorate which, except at certain times, is more easily capable of being traversed than is Gippsland East. My comments as to the difficulty of getting about those electorates apply also to that of Gippsland South. In the development of the States, and in the course of the progress of Australia, such inequalities as exist between the electorates to-day must continue to exist, if the States are to make headway. After all, Parliament holds the fate of Victoria in its hands, and the constitution of Parliament depends on how the people cast their votes. During the discussion that has taken place here to-day, we have heard the Leader of the Opposition, who has been Premier of the State. He has had considerable experience on the public platform, and is a thoughtful man, able to size up a position fairly well. He has declared that we cannot get the true opinion of the people at a general election. I admit that we cannot get a clear opinion from the electors as a whole because a fair percentage of them have not been politically educated. They are different from members of this House and from many people outside who take an active part in political propaganda.

Mr. Lamb.—Many of the people are not politically minded.

Mr. McLachlan.—They should be. I notice that a great amount of space is devoted in the press to sport. The press is giving the people what they ask for. Their training is in the direction of sport rather than that of politics. The Premier said that he wanted a general election, at which the people could question the
candidates. Then he declared that few people would understand what a referendum was about. I ask, who are to educate the people concerning the issue at a referendum? I intend to support the Government's proposal in regard to a general election. I do not think that any particular party can gain full control of the affairs of this country, and consequently we must resort to a combination of parties. The State is progressing under a combination of certain parties. Apparently we are preparing for a period when one party hopes to hold the reins of government in this State; but what party will it be? How will one party hold the reins when 40 per cent. of the people are uneducated? It is a good thing that the people will not give any party a monopoly of political power.

The honorable member for Kew has spoken. He has had a good deal of experience, and is a capable man intellectually. He is a Rhodes scholar, and speaks after much reading and consideration. He says that we cannot get a genuine decision of the people at a general election. What happens at a general election? The parties prepare for their campaign, and announce their public meetings. I do not know what the experience is in the city, but in the country those meetings are attended by very few of the electors; generally, the attendances are poor. Who is responsible for that condition of affairs? It is not those who are directing the political campaigns. They are doing their best to try to drill the people into thinking that they should support this or that candidate. Some people seem to have come to the conclusion that, as the parties have issued their policies, they will not go to public meetings. Others say that they do not understand politics, and that they have not had an opportunity of doing so. They will have that opportunity only when the State agrees that the subject of politics shall be included in the curriculum at the schools.

The press does its best to stimulate public opinion at election time. The newspapers value the institution of Parliament, and recognize what it stands for. The press made great efforts at the Commonwealth marketing referendum to induce the people to vote "Yes," but apparently its arguments were not read, just as the leading articles are not read to-day. The leading articles in the metropolitan journals should be read in the schools, so that the pupils would get at least some information to help them to perform the very important act of recording their votes when they attain the age of 21 years. It is because of the inability of the people to understand what Parliament and the parties stand for that we have not a true democracy. As I have said before, we have not government of the people, by the people, for the people; on the contrary, we have government of the people by and for the party. Every party is making efforts to secure its own supremacy in Parliament. It is well known that members who are outside parties have no chance of a position on any Committee appointed by the House, or of becoming Ministers. Those appointments are fixed by parties. There is too much party government. Where do parties come in so far as the question of poverty is concerned? As a matter of fact, all parties and sections should be working so as to minimize poverty. As I said last week, the electors return parties opposed to one another instead of sending in parties that will work together.

The Government believes that this Bill is necessary. It is, perhaps, a small measure of reform. Like every other institution, the Legislative Council should be subject to some reform, just as this House should be. It is not right that the political machine should stand still. We are in a position to make that machine more progressive if we desire to do so. We can agree to measures that will achieve some advance, but we do not agree to them. We shall never get a true democracy from this House. We must look to people outside Parliament to bring about essential reforms. One essential thing is that serious attention should be given to the youth of both sexes to see that, when they reach manhood and womanhood, they are able to advance sufficient reasons for using the formidable weapon of the franchise which is put into their hands.

Mr. Dillon.—How can you democratic rule when there is caucus rule?

Mr. McLaHlan.—We are all supposed to be one in this House, but the parties rule me out. It is our duty to do
what we conceive to be right. It has been said that if we give political education to the boys and girls at school, so as to arouse their interest in political subjects, there is the danger that the teachers may be biased. I will give that in. The evil that may be associated with that state of affairs may be overcome by the good work done. The want of education is the great political defect in this country, and the preamble to such a reform as this and other reforms should be the education of the people. If they are educated politically they will not tolerate slums and poverty. How can a boy who works in Flandersland or on a farm know what to do with his vote? He is told that if he refuses to vote he will be fined. He is not unintelligent, but he has not had one political lesson to assist him to vote intelligently. He is a citizen of the State, and it is the duty of the supreme institution—Parliament—to look after him. I do not expect that anything serious will occur between the two Houses for many years, but we do not know what will happen when we consider the great changes that are taking place throughout the world. For years to come, as far as I can judge, this State will have to be governed, not by one party, but by a combination of two parties, as it is being governed at the present time. Probably under a combination of parties we are safer than we would be if one party had the monopoly of power.

Colonel HAROLD COHEN (Caulfield).—I do not desire again to go into the general considerations affecting the Bill, because they were discussed at some length on the motion for the second reading. To my mind the matter involved in this amendment is reduced to two questions. Is there a sufficiently important distinction between what we term loosely the constitutional law and ordinary legislation to necessitate different treatment, and assuming that constitutional law is sufficiently important to justify different treatment, is the referendum a better method of ascertaining the will of the people than a general election? Let me deal with the first question—whether there is a distinction between constitutional law and ordinary legislation. The Premier seems to think that you might have a small constitutional matter which might not be as important as a major social reform. That might be true, but where you have a written constitution such as the Constitution of Victoria, an alteration of it is of great importance, whether the alteration in itself be large or less important. I suggest that on matters of that kind the whole experience of constitutional law-making is that that branch of law is placed on a different footing from other branches. There is ample evidence of that, but I shall not take up the time of the Committee in giving examples, although I feel impelled to touch on the matter because the honorable member for Northcote quoted Finer in his book on The Theory and Practice of Modern Government, so that I may show that there is sufficient evidence of it in the United States of America. That country has a written Constitution, and the methods provided for amendment of the Constitution in any way are more involved than anything that has been suggested in relation to the Victorian Constitution. Under the Constitution of the United States of America there has first to be obtained the consent of two-thirds of the members of Congress and the Senate; then the consent of two-thirds of the State Houses. That, in a country where there are so many States, is a much more difficult operation for constitutional alteration than any of the methods in dispute here.

Mr. Bussell.—Not many people would now follow the Constitution of the United States of America.

Colonel HAROLD COHEN.—The men who gave us our Australian Constitution, and they included the greatest law-makers in the country, paid a lot of attention to the Constitution of the United States of America, and, in fact, a large part of the Constitution of Australia is built on the Constitution of the United States of America.

Mr. Holland.—And attempts have been made ever since to alter the Australian Constitution.

Colonel HAROLD COHEN.—I suppose the honorable member, like most of us, wishes that certain legislation had not been passed. I have suggested in this House and outside that one of the best duties Parliament can perform for the community is not to pass too much legis-
I suggest that the Constitution is on a different basis from ordinary legislation, and I think there is ample evidence for that statement. Coming now to the second question, if you assume that the Constitution is different from ordinary legislation, is it satisfactory to subject the foundations of our political system to the rough-and-tumble of an ordinary election with many other questions involved, or should we find some more definite way of ascertaining the opinion of the people? There has been a lot of talk during the debate about the disadvantages of a referendum. To me the disadvantages seem mostly to consist of the loud complaints of people who, at a referendum, supported one view and one with which the majority of the people did not agree. The fact that the people have voted "No" at referendums on more occasions than they have voted "Yes" is not attributable to lack of intelligence on their part, but to decided bias against giving more power to politicians. I have no complaint about the last Commonwealth referendum. I was one of those who suggested that the people should vote "No."

Mr. McKenzie.—There must have been a great split in your party.

Colonel Harold Cohen.—The electorate represented by the Premier voted "No" at that referendum, although the Premier advised the people to vote "Yes." I have known of splits in the Labour party on such questions. It illustrates that politicians can have a sensible and clear-cut opinion on questions that are not mixed up with party politics. During the second-reading debate we were told that there is excellent evidence in a book—The King and His Dominion Governors—by Mr. Justice Evatt of the High Court, in relation to what is, in fact, one branch of constitutional practice—the reserve power. I do not think that any one would say that Mr. Justice Evatt is a hide-bound Conservative. He lays down clearly and concisely in his book, which has been published only a few months, that—

Only the adoption of the referendum in relation to a specified question enables a severance of issues and decisions to be made.

I should be content to apply that to major matters generally, but, if that is to be denied, then I want to emphasize that I think it should be applied to such grave questions as a constitutional alteration. If I cannot have a whole loaf, I certainly prefer that to none at all. I do not see any need to discuss at length the large questions involved in the Bill, for they have already been discussed once. There are only two questions involved now; I have indicated how I answer them for myself, and how I believe they should be answered by the Committee.

Mr. Cain (Northcote).—The amendment which has been submitted is tainted at its very source. First and foremost, it is submitted by a member of the House who, both inside and outside Parliament, has definitely opposed all kinds of reform.

Sir Stanley argyle.—That is not true.

Mr. Cain.—The Leader of the Opposition and members of his party appeared in the constituencies only quite recently on behalf of United Australia party candidates, and opposed this modest measure of reform initiated by the Leader of the Government. The candidates of that party also opposed it. They opposed it because they believe that the present system is justified in present circumstances. The Leader of the Opposition not only opposed it on the election platform, but he has opposed it also in two speeches delivered in this House. He went out of his way to quote every known authority he could find to justify the continuance of the present constitution of the Legislative Council. He was supported in that line of argument by many members of his party. As a matter of fact, if the majority of members of the Opposition were honest, they would admit that they are not in favour of reform of the Legislative Council. For political reasons some of them have said, "Now that the Government has brought the proposal down, we do believe in some measure of reform, but not in this measure of reform." That is why there is submitted to us now a proposal to modify the scheme submitted by the Government. The party to which I belong has consistently stood for the abolition of the second Chamber, and the Government has, in fact, been accused of submitting the present proposal at the dictation of the Ministerial corner party.
Mr. Vinton Smith.—There seem to be some grounds for assuming that there has been a contract of marriage.

Mr. Hollway.—Or grounds for divorce.

Mr. Cain.—The honorable member for Oakleigh, true to the instincts of the party to which he belongs, has been looking for some grounds for divorce. He, with the honorable member for Ballarat, was responsible, a week or two ago, for trying to induce a majority of his colleagues to make early divorce proceedings possible. It was not easy to bring that about, because we have the greatest suspicions of the honorable member and his associates. While the Government proceeds with a reasonable and reasoned policy of progressive legislation, there will be no chance of his being able to induce either the Country party or the Labour party to consider divorce proceedings.

Mr. Hollway.—Is that a promise to the Government, or a threat?

Mr. Cain.—It is neither. The time may come for a realignment to take place. My friends on the Opposition side are looking forward in the hope and anticipation that that time may be soon.

Mr. Michaelis.—It will be interesting then to hear your views of your present colleagues.

Mr. Cain.—My real views of my present colleagues will be no worse and no more offensive than the views expressed by the Leader of the Opposition when the United Australia party and the United Country party parted company. I take this opportunity of complimenting the honorable member for Borroodara on presenting the best case for the amendment from the Opposition side. He was logical; he used facts and figures to present a case for democratic decision. He pointed out, in the plainest of language, how a minority of people living in country electorates could control the political existence of the State. That is very largely true. It would be magnificent if we could bring about what he desires. The views he expressed are interesting as coming from him and his colleagues. His proposal is for a democratic referendum on these important constitutional issues. Did he ever stop to think that he stands for an institution—the Legislative Council—which is elected by 450,000 people, some of them on the rolls a dozen times? That House for a number of years has been refusing to pass Bills sent up by the Assembly, which is elected by an additional 700,000 people.

Sir Stanley Argyle.—It has been exercising its proper function.

Mr. Cain.—Apparently its proper function, according to the Leader of the Opposition, is to destroy every semblance of democratic legislation passed by this Chamber.

Mr. Oldham.—The United Country party holds the same view as the Leader of the Opposition.

Mr. Cain.—I entirely agree in respect of some of them. I hope that the honorable member does not hold me responsible for the views of the United Country party. I am not endeavouring for one moment to carry the sins of that party; but, whatever those sins may be, members of the Opposition know that the success of the Government, as far as it has gone—and I speak only of it as far as it has gone—has been due to its steering a middle course. It has been prepared to depart from the Conservative policy it was compelled to adopt when associated with the United Australia party, which dominated the Country party and which was, I believe, responsible for inducing that party to do certain things in which many of its members did not believe. The best evidence of that is that at various times there was a distinct division of opinion among the supporters of the former Government who sat in the Ministerial corner. In dealing with the question of Legislative Council reform, the present Government has, I suggest, at least adopted a middle course. Members of my party, both inside and outside the House, support this legislation, and, in the event of an election, we would be able to marshal our votes behind those candidates—

Mr. Kent Hughes.—Market them?

Mr. Cain.—No; market them behind candidates supporting reform. My party, whatever else may be said about it, has never sought representation in the Ministry or any jobs or “perks.” We have clean hands. Behind the description by the honorable member for Kew of the speech made by the Premier at Maryborough lurks a sickly feeling...
because the honorable member lost office, and it looks as though he will continue to be sick and remain out of office for some years. Members of the Opposition, in support of the amendment, contend that the best method of obtaining a decision upon a question of constitutional reform is to adopt the democratic policy of permitting the people to decide by means of a referendum. We have had some experience of referendums in this country. The principle of the referendum is sound, and looks well on paper. The honorable member for Brighton, who I thought honestly analysed the position last week, summed up the situation in the opposite way to-night. I do not know what has happened during the past week, but last Tuesday he analysed the three possible methods of dealing with a deadlock between the two Houses. He dealt with the proposal submitted by the honorable member for Oakleigh for a joint sitting of the two Chambers; then he discussed the advisability of submitting the question at issue to a referendum or to a general election. After summing up the arguments for and against the three methods, he, with his legal mind, came to the conclusion that he was not in favour of a referendum.

Mr. LAMB.—Referendum was anathema.

Mr. CAIN.—Yes; it was quite undesirable last week. To-night, he has decided otherwise. How he was able to arrive at the two decisions I cannot say; I suppose that would be best explained by members of the very learned profession to which he belongs. The arguments presented by the honorable member for Brighton last week were very cogent. He said that the holding of a referendum had some advantages, but that an examination of that method indicated that it was not as satisfactory as an election. Members of the Opposition suggest that, if a constitutional question is submitted to the people by means of a referendum, one vote one value will operate all over the State, and, if the case is presented properly, the public will give a democratic decision. But who will present the case to them? I am very doubtful about some of the so-called interested politicians. During the recent marketing referendum, no one knew where they were. To-night the Leader of the Opposition told us where they stood on the question.

Dr. SHIELDS.—Some were on the fence.

Mr. CAIN.—Yes, and some still are. I have the greatest admiration for the honorable member for Hawthorn and some of his colleagues, including the honorable member for Oakleigh.

Sir STANLEY ARGYLE.—You are trying to insinuate something against me.

Mr. CAIN.—No; I am not. I am pointing out that certain members of the United Australia party did not associate themselves with either side during the recent referendum campaign.

Sir STANLEY ARGYLE.—I did.

Mr. CAIN.—Certain members of the Commonwealth Government, which was responsible for the submission of the referendum proposals to the people, were scarcely heard. I give credit to the Commonwealth Attorney-General, who had the courage to visit the various States and forcefully present his point of view. If there was one man in the Commonwealth who found it difficult to adopt that course, in view of his previous opinions and decisions, it must have been the Commonwealth Attorney-General; yet he did it. If there were an election upon the question of a reduction in land tax or upon the imposition of a tax on the transfer of shares, or some other everyday bread-and-butter question which had been rejected by the Upper House, the average elector would understand the position and would be able to arrive at a decision upon it; but, if a referendum were held upon a suggested alteration of the Constitution, he would say, "What the devil does that mean?" and wait for somebody to explain it to him. If anybody comes along he listens, but, in most cases, nobody turns up because nobody is sufficiently interested.

Mr. OLDHAM.—Most of the electors will not come to the meetings.

Mr. CAIN.—The honorable member said just now that he had an admirable meeting at a certain kiosk.

Mr. OLDHAM.—It is an admirable district.

Mr. CAIN.—The honorable member cannot have it both ways. It may have been the fact that there were two admirable speakers present that night. However, I am sure he will not be so egotistical as to think that there are not two other speakers who could command the same support somewhere else.
Mr. Vinton Smith.—We had a better meeting than you did.

Mr. CAIN.—Possibly a great many people in that district would not come to hear me, because they would be afraid of being convinced by what I had to say.

Mr. Oldham.—Wireless broadcasting and newspapers have an effect on meetings.

Mr. CAIN.—Radio addresses have a great deal of influence upon the minds of electors, but, where vital issues are at stake, it is still possible to command good audiences at public meetings. When campaigning, candidates, of course, use the facilities afforded by broadcasting in addition to speaking on public platforms and making personal contacts with electors. They will do all they can to win. But who worried about the last referendum, or who will worry about the next one? Nobody.

Mr. KIRTON.—When it comes to a vote, they will vote on party lines.

Mr. CAIN.—Even so, this is a party question. A proposed alteration of the Constitution always is a party matter. The Leader of the Opposition talks about it being a non-party question. I have never seen a man either in this House or outside it more concerned with preserving the Constitution in favour of his class than the Leader of the Opposition.

Mr. Vinton Smith.—They are your class, too.

Mr. CAIN.—No; they are not.

Mr. Vinton Smith.—You vote at elections for the Legislative Council?

Mr. CAIN.—I do.

Mr. Vinton Smith.—You represent the property class?

Mr. CAIN.—Yes; I do to the extent that I am a householder.

Mr. Vinton Smith.—Surely not!

Mr. CAIN.—I am an elector for the Legislative Council and the owner of a home, but I am not qualified to be a candidate for that House. To my friends who ask why there were not more than eleven contests at the last Upper House election, my answer is that in a great many cases it is not possible to find candidates who are qualified to stand for election to the Council. In a great many cases it is not possible to find candidates except among less than 15 per cent. of the community. In fact, I think that if the matter was carefully analysed it would be found that not 10 per cent. of the community possess property the unencumbered value of which is £1,000. Take the members on the Ministerial back benches who represent the farmers——

Mr. Vinton Smith.—Not every one of them has property valued at £1,000.

Mr. Dillon (to Mr. CAIN).—One of your chaps lost £1,500 by the legislation relating to farmers’ debts adjustment.

Mr. CAIN.—The honorable member for Williamstown and the honorable member for Essendon can discuss that matter privately. With the very greatest of respect I tell Opposition members that I am voting for the Government’s proposals because they definitely offer something. The ambition of Opposition members is not so much to obtain a democratic decision as to kill the objects of the Bill. The Leader of the Opposition himself must admit that his objective is to do away with reform of any kind, but I plead with my colleagues in the Ministerial corner not to miss this opportunity of effecting at least some measure of reform.

Mr. Michaelis.—Even if it means their voting against the platform of the Labour party.

Mr. CAIN.—The honorable member is the last man who should worry about my party; he has never been suspected of showing sympathy for it. He is the darling of the ladies at St. Kilda.

Mr. Michaelis.—That sounds like a little jealousy.

Mr. CAIN.—No. I can assure the honorable member that I have met members of the Australian Women’s National League and I am not the slightest bit jealous. I prefer not to be the darling of the league.

An Honorable Member.—We have some junior branches.

Mr. CAIN.—With the establishment of junior branches my interest may be aroused, but the honorable member for St. Kilda is prepared to encourage the senior members of the league. Without any apologies whatsoever, the Labour party—not only the parliamentary section, but the party as a whole—holds the opinion that nothing should be done to jeopardize in any way this measure of reform, which is the first opportunity that has been presented in that regard. Does any one alive think that if the last Go...
Mr. Bussau.—He does not have to practice.

Mr. Hollway.—The Attorney-General seems to think that the honorable member for Northcote can turn speeches on and off at will. I am certain that when the honorable member had nearly finished he practically believed what he had said. When he began he might have been a little uncertain, but as he progressed he responded to the true test of an orator—he convinced himself. The honorable member has at least had sufficient courage to debate the question from the point of view of democracy, and that seems to me to be a most difficult thing for the Deputy Leader of a party which believes in one vote one value, and is also supposed to believe that in the final analysis the decision must rest with the people. As the honorable member for Boroondara has pointed out adequately, the proposal in the Bill, whatever it does, does not give a final decision to all the people, but to a particular section, and as the honorable member for Brighton suggested, a number of people amounting to about one-fourth of the total electorate at the average general election are not consulted at all. I submit that, because of those two things the House should reject the proposal of the Government, and accept the amendment of the Leader of the Opposition.

A good deal has been said about whether or not an election can show any definite opinion on the part of the people. I referred last week to the experience in Western Australia as being one of the best examples of what can happen as between a referendum and a general election in trying to determine the will of the people. In that case the Mitchell Government, which was supporting the secession referendum, went to the people and was defeated, and the Labour party that was opposed to the referendum proposal was elected to office. Yet the people themselves gave a very definite indication of their opinion when they favoured the referendum conducted by the Mitchell Government. It is impossible for any member on the Ministerial side of this Chamber to say that that was not the true wish of the people, who wanted that referendum proposal carried even though, rightly or wrongly, they were sick and tired of the Government which
had submitted it. Such a position might arise elsewhere than in Western Australia. The people of another State could be tired of a Government but might be in favour of a referendum proposal submitted by that Government. Another point in relation to a referendum was exemplified by the last Commonwealth referendum. It has been suggested by the Premier that the questions placed before the people on that occasion were not understood by them. I was on the negative side in connexion with the marketing questions submitted to the people, and I spoke publicly on two occasions, expressing my opposition. On the first occasion I spoke in opposition to the United Australia party member representing my district in the Commonwealth Parliament, and on the other I was on the platform with the Premier of South Australia, and a very good Labour man in Mr. Blackburn, M.H.R. Suppose that the main question then put to the people had been the question at issue in an election. For whom would the people have voted? Would they have voted for the Government representative on a purely party basis? How could they have done that when, on one side of the campaign were Mr. Blackburn, M.H.R., and myself—poles apart, as we are, so far as party politics are concerned—while on the other side were the Victorian Minister of Agriculture and the Commonwealth Attorney-General? How could the electors have taken partyalignments in the circumstances?

Mr. Cain.—You would have no difficulty in getting the Minister of Agriculture and the Commonwealth Attorney-General together to-day, would you?

Mr. Hollway.—I do not know about getting them together to-day. It could not have been done yesterday, and it is very doubtful whether it could be done to-morrow. I hear the honorable member for Lowan interjecting about members of various parties. At any rate, we could get the honorable member for Lowan together, because on the occasion of the marketing referendum he was on both sides.

Mr. Lamb.—You could get members of all the political parties supporting the case for the affirmative in connexion with that referendum; but in Parliament they would be pledged either to support or oppose marketing legislation.

Mr. Hollway.—The honorable member has had great difficulty with pledges. He was pledged to support the Transport League when he first came into Parliament.

Mr. Lamb.—Nothing of the kind! Mr. Hollway.—Well, apparently, the honorable member was not pledged; but that body got him into Parliament, and then he was apparently pledged to support his party irrespective of the wishes of that organization.

Mr. Lamb.—You are right in that last statement.

Mr. Hollway.—And I think I was right in the first one, too.

The Chairman (Mr. Coyle).—Order! Will the honorable member please address the Chair?

Mr. Hollway.—As I was saying when I was addressing the Chair, the point may arise, in connexion with a referendum, as at the last Commonwealth referendum, that both Labour party and United Australia party members of Parliament will reveal that there are differences of opinion within their parties; and it would be quite impossible for the ordinary elector to record a vote at an election where a similar question was the issue before the people, which would indicate where his opinion lay. There is no reason why any constitutional matter should be one of party politics. I agree with the Leader of the Opposition that it would be better in many cases if party questions could be kept out of constitutional issues. Yet the proposal of the Government means that the only constitutional question that can be decided will have to be decided on a party view. Recourse to a referendum is much better than any other method of obtaining a fair indication of the wishes of the people. As, under the amendment, the proposal for a referendum would be limited to constitutional matters, and obviously to important constitutional matters, I suggest that the Committee should give the amendment further consideration. Perhaps we may hear an expression of the views of some members of the Country party, none of whom, except the Premier, has yet spoken, even though they may claim that the Bill is their ewe lamb—if they can
claim that the recent Council election gave them a mandate. I maintain that the amendment has not been sufficiently considered. When the Premier spoke the amendment had only just been circulated.

Mr. OLD.—Nobody has introduced any fresh matter since the Premier spoke.

Mr. HOLLWAY.—Except the Leader of the Government, no member of the Ministerial party has spoken. We want to hear from members of the Ministerial party.

Mr. OLD.—The Leader of the Government spoke for the Government.

Mr. HOLLWAY.—The amendment of the Leader of the Opposition was circulated only a few minutes before the Leader of the Opposition began his speech. He spoke for about ten minutes. Not one member of the Cabinet discussed the matter with the Premier, yet the Premier was able to get up and say that the matter had been thoroughly discussed, and that the Government was not prepared to accept the amendment.

Mr. OLD.—The Premier was sufficiently astute to know the opinion of the Cabinet.

Mr. HOLLWAY.—He was sufficiently astute to know that, if he said “yes,” nobody would say “no.” I appreciate the difficulty of the position of the Minister of Water Supply, who is temporarily in charge in the absence of the Premier.

Mr. OLD.—Do not worry about my position.

Mr. HOLLWAY.—I know that the care that the Minister lavishes on his position is sufficient for his purpose. I still think, however, that the amendment has not been sufficiently considered. If it is not accepted by the Committee, I suggest that there is one alternative to a referendum that is possible—that at some stage a Labour Government may come into office and decide that because of the disproportion of voting power in the Assembly electorates it will be necessary to have a redistribution of seats. The Bill, as it stands, is an invitation to the Labour party to advocate redistribution, and it will be very difficult indeed for any Government to stand up against that argument. For that reason alone the Government should reconsider the position and come to a more equitable and reasonable decision than it has arrived at.

Mr. SLATER (Dundas).—Some very interesting arguments have been put to the Committee, but I think that in the welter of those arguments the real kernel of the Bill, contained in clause 2, has been overlooked. This measure is the first real step forward in the direction of constitutional reform in this State. There never has been, in the long history of Victoria, any constructive proposal for overcoming the constitutional difficulties that have arisen from time to time. Consequently, when a Government shows the determination and courage displayed by the present Government to grapple with the problem, credit is reflected on it, and its proposals are deserving of very critical and careful examination. In the course of that examination it is well to examine also just what has been done by other Governments within the British Commonwealth of Nations. If we endeavour to ascertain what has been done in other legislatures to overcome constitutional crises and deadlocks between an Upper and a Lower House, we shall be able to find no instance—whether we search in connexion with those places that have overcome their difficulties early in their constitutional history or in relation to those that have done so more recently—where resort has been made to the procedure of the referendum.

In Great Britain there was an interesting resort by the Conservative party in the House of Commons to the very same expedient as has been resorted to by members of the Opposition in this Chamber. Members of the Conservative party in the Commons, at a late stage in the proceedings, when a similar measure was before that House, attempted, not to clarify the problem, but to make it more difficult by proposing the use of a referendum instead of the machinery that the Government had proposed in its measure. That was a Conservative proposal which was put forward in the House of Commons—I will not say in bad faith—to prevent full effect from being given to the Government’s proposals. When one looks at the reports of the debates one finds that the best arguments for the referendum were advanced by Mr. Cave, who afterwards became Lord Cave, and Mr. Balfour, the then Leader of the Conservative party. I think arguments used by Mr. Asquith, the then Prime Minister, dispose of the argument which was
advanced earlier this evening by the honorable member for Kew. It has been suggested that if any matter becomes one of issue at a referendum, we can detach the question from party interests. Mr. Asquith powerfully answered that argument, and for the convenience of the Committee his answer can be reasonably adopted here. I quote from the Parliamentary Debates of the House of Commons of the 26th of April, 1911. The then Prime Minister said—

The party machine would be at work. It would become a matter, an issue of life or death, as between the two great parties in the State. Neither of them could afford to withhold any influence, or argument, or any solicitation which was at their command. Do you suppose that this reference would be upon an isolated issue? Do you suppose that the question would be decided upon its own merits, and that a verdict would not be recorded as between the two parties in the State after all this pressure had been brought to bear upon the elector exactly in the same sense and the same degree as at a general election?

What Mr. Asquith put so powerfully in that argument against the views of Mr. Cave and Mr. Balfour is an argument that we can use now, and I suggest that any question at issue between the two Houses that we put to the people could not be divested from party interests and party rancour. I expressed hesitant views on this question last year when the same problem was before the Committee, and although I am definitely attracted by the principle of the referendum, I nevertheless feel that when we have a fundamental question upon which the Government initiates the issue, the appropriate way of getting the decision of the country is through the medium of a general election. I admit the argument of the Opposition that a true reflex of public opinion is not obtainable through the gerrymandered electorates of this State. It is no good embarking on a discussion as to who is responsible for the gerrymandering. History shows clearly who is responsible for it.

Mr. Drew.—Or the side issues.

Mr. Slater.—I do not know whether the honorable member was in the House when I quoted the view of Mr. Asquith, that it would be impossible to detach the question at issue from political influence. There might be a constitutional crisis between the two Houses and proposals would probably be submitted by the Government in its efforts to have them carried into law. If those proposals were defeated in another place and the Government went to the country either through a dissolution of the Legislative Assembly or by way of a referendum, we could not say that party feelings or interest could be detached from the consideration of the problem. So I say when we look both at the comparatively ancient, as well as the modern examples, of the constitutional practices of Parliament in various parts of the British Empire, we find in no instance resort to the principle of the referendum. The position in England is well known. In New Zealand and in South Africa, in the event of a deadlock, the two Houses can be called into common session, and the question at issue can be decided by a simple majority of the members of the two Houses. I think that in those two countries, in the event of a stalemate, the Governor-General has power to dissolve both Houses. Honorable members see that there is more effective control there. In Canada the position is the same as in France, and there is no possible resort to the people by way of a referendum. If there is a deadlock, the position is the same as in Victoria—the Upper House is the dominant House, and its voice carries the day. Now, when we are making a real step forward in constitutional reform—a step that is vitally necessary, having regard to the older history as well as the more recent history of the State, and to recurring crises between the two Houses—some means of overcoming deadlocks should be created. The Government has provided means at which nobody can seriously cavil. The proposal of the Leader of the Opposition is vitiated by the fact that it is to be applied only to questions involving the constitution of either House. Those are the only occasions on which the issue is to be put to the people by way of a referendum.

Mr. Oldham.—Constitutional alterations are largely irrevocable.

Mr. Slater.—The argument of the Opposition and of the honorable member has proceeded upon the assumption that the people should be appealed to. If the honorable member maintained that argument in its most complete sense the people should be appealed to on every
issue. I said during the second-reading debate that I could imagine no constitutional crisis arising between the two Houses upon any question that was not material. I can imagine such a crisis arising only upon a matter of substance. I do not think any Government would be so foolhardy as to magnify a trivial incident into one of importance. If a crisis arose it would be on a vital and substantial matter about which the Government had a decided policy. The members of the Opposition vitiate their argument for the referendum because in some matters they are content with the machinery provided by the Government in the Bill, but say in matters relating to the constitution of this House or another place, when the Houses are at issue, resort shall be had to the voice of the people for a decision. It is an attractive argument that has some degree of plausibility. Of course there is the claim that it is well grounded in democratic principles. Against that I put the view that the Government would have some degree of personal responsibility, and would feel that if the leaders of the Legislative Council were prepared to be recalcitrant it would take its courage into its hands and say that this was a matter for appeal to the people. Of course, side issues would come in. I do not suggest that they would not. They are inseparable from election contests and would come into any major matter upon which an election would be fought in the case of a constitutional crisis between the two Houses.

Frankly, I ask members of the Opposition, some of whom are supporting the referendum principle, will they trust the people to that extent? I do not think so. Purposely they exclude that matter as being one outside the competence of this House to deal with under the terms of the measure. When you try to ascertain how far they are prepared to go with the referendum principle, you find that they are prepared to go part of the way, but not far. How far are they prepared to go in the direction desired by the honorable member for Boroondara; that is, to concede the right of complete adult franchise—one vote, one value—without taking into consideration the place of residence of the elector?

Mr. Oldham.—Do you mean one vote one value for this House and the other House?

Mr. Slater.—Yes. Are they prepared to submit that question without any trappings to the electors at a referendum? I think very few Opposition members would support the principle that far.

Mr. Oldham.—The Legislative Council of New South Wales is constituted on that franchise.

Mr. Slater.—If I remember rightly, the question upon which the people of New South Wales were asked to vote was whether they favoured the retention of the Legislative Council, but I do not know whether the electors were taken into the confidence of the Government and told what was to be the nature of the Council foisted on them.

Mr. Oldham.—You can hardly say “foisted on them.”

Mr. Slater.—If the honorable member does not agree with my choice of language, I shall say the kind of Legislative Council which later became engrafted on the Constitution of New South Wales without the consent of the people.

Mr. Drew.—They have had a Legislative Council for years.

Mr. Slater.—The Legislative Council they had before the referendum, and the one constituted since then, were different institutions. With the Legislative Council as at present constituted, no matter how definitely the people of New South Wales turn against the United Australia party—it might be for ten or twelve years—it will be impossible for the Labour party to gain control of the Upper House.

Mr. Drew.—Were not the people of New South Wales asked to say whether they wanted a second Chamber or not, and they voted for a second Chamber?

Mr. Slater.—That is what I said. They were asked for an expression of opinion, and they voted for the retention of the Upper House; they were not told the type of Upper House they were to get, and they got one of a type which they had no knowledge when the question was put to them at the referendum. To come back to the question under discussion, I
consider that when we examine what was done in England, and how it has worked out, the Government of this State is justified in emulating what was done in England, and we are justified in supporting that step, because it is the first attempt that has been made in Victoria to overcome constitutional crises.

Mr. GRAY (Hawthorn).—At the outset, I express my appreciation of the judicial manner in which the honorable member for Dundas addressed himself to this subject. We were delighted, I am sure, to have Mr. Asquith quoted to us; it was quite cheering. However, Great Britain has had no experience of the referendum. We, in Australia, have had a considerable experience of the referendum, and I think that experience clearly indicates that at a number of referendums parties have been divided on the question at issue. It has been a feature of referendums in this country that there has been division within parties. The last Commonwealth referendum was a splendid example of that, but we had had previous examples. Another observation that has been made is based on the argument that a Government should accept responsibility for sending the Assembly to the electorate. As to that, I remind honorable members of the point raised by the Leader of the Opposition, whose anxiety it is that there might be in charge of the government of the country, a Government which has no sense of responsibility.

I should like to deal, now, with the inaccuracies of the honorable member for Northcote. The Opposition has never seriously contested the principle of this clause, and it has repeatedly said that we regard the present constitutional provisions as indefensible. There has been no attempt made to defend them, and therefore, we approve of the step forward referred to by the honorable member for Dundas. From the inception of the debate we have asked for two safeguards, and for a consideration of the three possible methods of settling a dispute between the Houses. The Government has now conceded the two safeguards we asked for, and the Committee is now engaged on the consideration of the relative merits of two methods of appeal to the people, the proposal for a joint sitting of the two Houses having been disposed of for the time being. I express pleasure at the serious way in which honorable members have addressed themselves to the question under discussion. My decision to support the amendment is in the nature of a compromise, and I imagine that that is the attitude of other members. There is merit in the argument that a Government should accept responsibility for sending the Assembly to the electorate. As a matter of fact, I find it very difficult to imagine any measure on which a Premier would take that step. I regard it as a very substantial and proper safeguard. As against that, there is the situation which has been dealt with by the honorable member for Boroondara and other honorable members as to the adequacy of the proposal. We are talking about an appeal to the electorate. If we are anxious to be as democratic as possible it is very hard to overlook the advantages of the referendum. As a matter of fact, the objection which I received to this legislation from country districts immediately after it was presented—and we know how alarmed country people become, both in the towns and rural areas, at any suggestion of an Assembly redistribution of seats—was that it inevitably and unnecessarily would raise the question of Assembly redistribution. I frankly state that I am an opponent of one vote one value. When we consider the question of representation in this House, we consider not merely voting power; we consider the geographical nature of a particular area, the sparseness and scattered nature of the population, and a string of other factors which probably may be all summed up in the access of the elector to his representative. Those are the considerations which are with us when we are considering a proper distribution of seats in this House. I believe they are very material, and that they are essential to a proper expression of democracy in the constitution of a House of this description. When we consider the necessity for an appeal from a deadlock between the two Houses, we look for the most democratic appeal; and yet, on the other hand, there is an argument to the contrary which has been used already in this debate. There is danger that the referendum, if generally applied, may be used capriciously. There
may be a too general resort to it, with a not sufficient sense of responsibility. I cite these facts merely to show that I have decided to support the amendment after considering all aspects and weighing them one against the other. I believe it is sound to say that we can apply the Bill as it stands to ordinary public Bills, but that there should be resort to the direct appeal on constitutional questions. I believe that direct appeals have been very effectively made in the experience of referendums in this country. I doubt whether any one could complain about the measure of publicity and public discussion at the recent marketing referendum.

Mr. Slater.—Do you not think that the decision was made on a very great variety of grounds?

Mr. Gray.—No. I think the decision was made on one or two simple and direct grounds. I do not agree that the principle of the referendum was objected to by the people. The attitude of the electors has been very largely justified.

Mr. Lambr.—What about the aviation proposal?

Mr. Gray.—The electors of Australia are satisfied to-day that they did the right thing. They feel justified in the decision that they made. We were all deploring that the aviation powers had been denied to the Commonwealth Parliament, but within three weeks we had aviation affairs arranged by other means to the full satisfaction of everybody. The outlook of the electors was that the objective desired could be achieved by other means. In other words, it was a most intelligent decision by the electors.

I hope that I have conveyed to honorable members how I have approached this subject, and shown why I regard the amendment as a desirable compromise. Apart from affording a democratic method of consulting individual electors, it has another merit of avoiding the difficult question of Assembly redistribution, which must be revived directly as the result of the Government's proposal.

Mr. Cain.—Would not the honorable member say that the decision of the various Governments on the aviation question was contrary to the will of the people as expressed at the referendum?

Mr. Gray.—No; I do not say that. The Australian electors said, "We refuse to give the Commonwealth Government any more power. We believe it can achieve all that is desired by exercising the powers it already has, or by acts of co-operation between the different Governments." I appeal to members of the Country party for that reason alone, but there are other reasons. I believe that the question of one vote one value is inevitably raised when we make a general election a final court of appeal. I hope that the Government will see its way clear to adopt the referendum for purely constitutional Bills, and to preserve the principle contained in the Bill for general public Bills.

Dr. Shields (Castlemaine and Kyenton).—The amendment of the Leader of the Opposition brings up the question of the respective merits of the referendum and the general election. I regret that we are limited to a choice of one or the other, because I believe that the best method was that adumbrated by the honorable member for Brighton, and subsequently put into concrete form by the honorable member for Oakleigh, who proposed, in an amendment, that deadlocks should be decided by a majority decision of the members of both Houses sitting and voting together. We cannot escape the fact that we are sent here as delegates for the electors—who practically tell us, "We have placed our confidence in you. Get on with the business." Here we are getting on with the business! I have listened with a great deal of attention to the arguments submitted on this (the Opposition) side of the House with respect to the respective merits of two of the suggested methods of dealing with deadlocks between the Houses—a referendum and an election—but I feel that the course proposed by the Government is the best, and I must, therefore, vote against the amendment. I consider an election the best method of settling matters in dispute between the two Houses, mainly for the reason that by adopting that course the Government stakes its very life upon the result. But there is another very strong argument in favour of an election, as opposed to a referendum, namely, the educative possibilities in an election. We have heard much high-falutin' talk to the effect that a referendum is a more democratic method of dealing with questions in dispute. As a politician, I have had experience of only one
referendum—that which took place recently—and it seemed to me that that referendum gave the average member of Parliament an excellent opportunity to sit on the fence.

On the other hand, I feel that, during an election campaign upon a specific question, a member who attempts to sit on the fence will fall off and lose his membership of this House. At such an election, there rests upon every member the responsibility of explaining clearly to the electors the reason for the election. The issue cannot be dodged. It is true that at every election a multitude of questions come up for consideration, but, in view of the fact that in the case of a dissolution under the terms of the Bill, the particular measure upon which the election is to be held will be announced in the Governor's proclamation as the cause of the dissolution and the election, it will be impossible for a member of Parliament to sidestep the issue. Other questions certainly will arise, and the personality of the candidate himself must come into the picture, but the outstanding issue will undoubtedly be the Bill in dispute between the two Houses. To my mind, an election should be the method adopted of deciding the issue in respect of all Bills, whether they affect the Constitution or otherwise. If an election is considered necessary to settle a dispute upon an ordinary Bill, it is doubly necessary in the case of a constitutional deadlock. The most difficult questions for members of this House, let alone electors, to understand, are those relating to the Constitution. They are the very matters upon which electors wish to be enlightened, and, in all sincerity, I ask who is more capable of explaining constitutional questions than a member of this House? The responsibility of doing so rests upon him. Without any hesitation, therefore, I propose to vote against the amendment. A good deal has been said on the question of a redistribution of seats, but I take it that a redistribution of seats is not relevant to this measure.

The CHAIRMAN (Mr. Coyle).—It is certainly not relevant to the amendment.

Dr. SHIELDS.—The question is, how best to obtain from the people an honest expression of opinion with regard to a measure at issue between the two Houses. In my opinion, the proper course to adopt is to hold an election irrespective of whether the Bill in dispute relates to constitutional or other matters. Although a redistribution of seats is not immediately relevant to this measure, I desire to make my own position clear on the question. I am, like the honorable member for Hawthorn, not prepared to agree to a redistribution of seats on the basis of one vote one value. At the same time, I am not satisfied—nor, I am sure, is any other member of the House who has given the question any thought, satisfied—with the present position, whereby 46 country electors have the same voting power as 100 metropolitan electors. There is nothing democratic about that. I would be prepared to go back, if necessary, to the basis adopted for the 1926 redistribution of seats, or even further—more in the direction of giving 75 country electors the same voting power as 100 metropolitan electors. I agree with the honorable member for Hawthorn that the country elector should have more voting power than the metropolitan elector, not only for geographical reasons, and because of the difficulty experienced by a country member in moving about his electorate, but because of the difficulty of the country elector obtaining access to his member.

Referring again to the amendment before the Chair, I would say that, in spite of the fact that the Leader of the Opposition and the Leader of the Country-Liberal section favour a referendum where a deadlock occurs between the two Houses upon a constitutional question, I feel I must vote with the Government. I regret very much that the honorable member for Brighton has altered his opinion on this question. I am sure that honorable members will agree with me that his speech during the second-reading debate was a splendid one. On that occasion, I felt that he expressed my own views exactly, and for that reason I did not speak then. I felt I could add nothing to what he had said. He very definitely said that he thought a dispute between the two Houses upon any measure, whether it affected the Constitution or otherwise, was best decided by means of an election. To-
night, he has seen fit to alter that view. I do not see any reason to change my opinion, and I shall, therefore, vote against the amendment.

Mr. LAMB (Lowan).—I could not help contrasting the very excellent speech of the honorable member for Borroondara with that containing needless personal references made by the honorable member for Ballarat, and I do not wish to fall into the error made by the honorable member for Ballarat in what I am about to say. One point which seemed to escape the notice of the honorable member for Borroondara was that, while the present reform of the Legislative Council, if agreed to, will probably stand for another fifty years or more, a redistribution of seats in this House will require to be effected much more often in future. Whether we are or are not satisfied with the present distribution hardly affects the question. I certainly think that the present distribution is weighted against the best interests of democracy, and against what should be a proper representation of the city people. At the same time, I do not see how it is possible to have exactly one vote one value in this State. When in my electorate, for instance, I have to cover an area of practically 6,000 square miles compared with a pocket handkerchief square such as is represented by the honorable member for Prahran with the river Yarra as one boundary and Dandenong-road as another, I do not see how it is possible for a member to represent adequately the same area in the country as in the city.

Mr. Oldham.—What about 30,000 electors as against 11,000?

Mr. LAMB.—I admit that the present figures are disproportionate.

Mr. Oldham.—Do you not think that the difficulties of distance are evened up a little by the difficulties of population?

Mr. LAMB.—They are not evened up to the extent of necessitating the application of the one vote one value system. There is the point that whereas the honorable member for Prahran has practically a municipality to represent with ordinary municipal problems, in the country we have to consider not only the ordinary problems of a town, a shire, or a borough, but also such matters as irrigation, and a dozen other questions of large concern that do not have to be dealt with by a member representing a constituency such as Prahran. While, as I said before, the disproportionate numbers are affecting the city adversely, I cannot see how it is possible to get proper representation of all the interests concerned by having the same number of electors in each electorate. But that is not the real consideration we have to face at the present moment. I was pleased to hear the argument raised by the honorable member for Castlemaine and Kyneton, because the particular aspect with which he dealt was forcibly brought home to one in the Commonwealth referendum campaign in which we engaged in March. Contrary to the opinion expressed by the honorable member for Ballarat, I addressed some twenty meetings in favour of those referendum proposals, but had I been on a campaign for my own election I would have addressed at least 64 meetings as I did at the last Assembly election. Instead of merely going to the main places in my electorate I would have gone to every little place, and whereas in the referendum campaign I had meetings attended by ten or a dozen persons, during my own election campaign I had meetings, even in small country places, of 150 to 200 persons. In one place, Lorquon, fifteen persons attended the referendum meeting, whereas 150 were present at election time.

Mr. Vinton Smith.—That simply shows that they did not agree with your views.

Mr. LAMB.—It shows that at the time of an election it is necessary to make personal contact with as many electors as possible, and one does that, whereas when there is merely a referendum, and the member's own position is not at stake, he does not take the trouble to make the same contact.

Mr. Vinton Smith.—You should do so.

Mr. LAMB.—Did the honorable member put the same enthusiasm and time into the referendum campaign as he did in connexion with the general election?

Mr. Vinton Smith.—I did, and I was on the right side, too.

Mr. LAMB.—Then the honorable member is a rare exception. With the result
of the referendum campaign we cannot quibble. The people have given their answer, whether that answer was right or wrong. In many cases the majority of the people stated openly that they did not vote for the referendum proposals because they would not give the Commonwealth greater powers, while scores of others stated the opposite view. Actually the Commonwealth Attorney-General, Mr. Menzies, claimed that his Government was not asking for greater powers, but for powers which it believed it had to be made constitutionally certain. Actually the position was that the marketing referendum was designed to validate State legislation as passed by this Parliament, and consequently it was for the States to take action separately to institute their own schemes of orderly marketing. Be that as it may, although the Commonwealth Government and others concerned were satisfied to take the result of the referendum on the marketing proposals, they were not so ready to accept the decision of the people on the aviation proposals. The story of the submission of those proposals to the people, leads us to believe, I think, that a much more effective answer can be obtained from the people through an election campaign than is possible by means of any referendum campaign. The only exception to that is where a referendum is conducted on a matter of conscience such as a conscription or a liquor issue. On such matters the people have their minds made up, and vote very clearly. But, as the honorable member for Brighton said much more ably last week than he did for the opposite view this week, it is very difficult to put in a form of a question an intricate, technical, legal, or constitutional matter such as, for instance, that with which we are dealing at the present time. Consequently, I think the Government's proposed method is of the three the one that will give the best results, so far as the people of this State are concerned.

The CHAIRMAN (Mr. Coyle).—Before putting the amendment moved by the Leader of the Opposition, I desire to direct attention to one or two points. If the amendment is dealt with in the form actually suggested by the honorable member, that will preclude the Committee from discussing amendments which have been printed and circulated on behalf of the honorable member for Oakleigh and the honorable member for St. Kilda. In order to protect the rights of those two honorable members, and to follow parliamentary practice, I propose to put the amendment of the Leader of the Opposition in a limited manner so as to test the question. In ordinary circumstances the question would be that paragraph (b) of the proviso to sub-section (1) of proposed new section 37, proposed to be omitted, stand part of the clause, but in view of what I have outlined, I propose that only the words, "Before such Bill is" shall be submitted to the Committee for omission. That will be a sufficient test of the amendment.

Mr. ALLAN McK. MCDONALD (Polwarth).—I had had no intention of speaking on the amendment, but I rise to do so owing to some remarks of the honorable member for Northcote. He suggested that members on this (the Opposition) side had sat on the fence during the recent referendum campaign, and he used that assertion as an argument why resort to a referendum would be ineffective. I want to tell the honorable member for Northcote that there were members on this (the Opposition) side who took just as active and keen an interest on the "yes" side, in relation to the proposed marketing legislation, as did the honorable member himself. There were country members, like myself, who went into three different electorates to put the views we held. I wondered why the honorable member for Northcote worked himself up into such a fury as we witnessed in condemning members on this (the Opposition) side for advocating a referendum instead of an appeal to the people by a general election. The other evening I suggested that the attitude of the Labour party had been entirely consistent in regard to the Constitution (Reform) Bill, inasmuch as their platform states that they are in favour of the abolition of the Council, and they were sincere and earnest in advocating that at the present time. I took the trouble to examine the platform of the Labour party, and I found these words in the pledge:

... (3) if returned to Parliament on all occasions to do my utmost to ensure the carrying out of all the principles embodied in the Labour platform.
Then in the body of the platform itself I found, under the heading, "Constitutional Reform," the following:—

11. (a) One adult one vote (State or municipal).
   (b) "The Legislative Assembly to be constituted of not less than sixty or more than seventy members elected on the single electorate basis of equal numbers of electors in all electoral districts as far as practicable, but with no wider variation than ten per cent. above or below the quota."
   (c) Electoral Reform, to provide for each Federal Electorate being divided as equally as possible into three State Electorates, each returning one member.

Then, I noted item 13:—

Abolition of the Legislative Council.

But, when I looked at item 12, I found that the platform of the Labour party also stood for—

Initiative, referendum, and recall, except on religious questions.

I accept unquestionably the assurance of honorable members in the Ministerial corner that they are going to vote for the very modest and meagre measure of reform contained in the Bill, because it is a step towards what they hope to gain eventually—the abolition of the Council.

Mr. McKENZIE.—You do not say that the Bill is going to do that. Unfortunately, it will not do so.

Mr. ALLAN McK. MCDONALD (Polwarth).—A very amusing position has now arisen. Members in the Ministerial corner are voting for this meagre and modest measure of reform. Abolition of the Council is part of their party platform; but they are going to vote against a proposal to provide for an appeal to the people by means of a referendum which also is part of their party platform. I cannot see how they can reconcile their present attitude with the plank in their party platform. The Leader of the Opposition, when setting out his case in respect to Council reform, quoted figures showing that a majority of votes at the recent Council election were cast against reform. Those figures have not yet been challenged by any member of the Ministerial party or of the Ministerial corner party. There was certainly no mandate given by the people by medium of the figures at the last Council elections.

Mr. LAMB.—Consider that they are challenged.

Mr. ALLAN McK. MCDONALD (Polwarth).—That is an easy way of avoiding the issue; but Government supporters are faced with a further difficulty. I have already pointed out that, if the Premier says he has received a mandate for his present reform measure by medium of the recent Council election, he has admitted that he attempted to foist the Bill of last year on the electors without a mandate of any kind. I listened with great interest to the honorable member for Castlemaine and Kyneton, when he said that he thought a fairer way than that proposed in the amendment of the Leader of the Opposition was to go to the people at a general election.

These reform measures have never been placed before the people at a general election by any party. The Government is now proposing to effect its measure of reform, and to say to the people afterwards, "We did this without consulting you." It is because I advocate the lesser of two evils that I support the procedure of a referendum at the next general election in order to find out the will of the people on a reform of the character contained in the Bill. The only people who have asked for this reform are honorable members in the Ministerial corner, who have asked for abolition, and the Age newspaper, which has tried to impress on the people that reform is necessary in their own interests. The honorable member for Northcote said he wished a general election could be held on the present issue. I say "Hear, hear." I heartily wish that also. Nothing would give me more pleasure than to go to the people with a case as good as can be made in regard to this measure.

The CHAIRMAN (Mr. Coyle).—As I have explained, the amendment of the Leader of the Opposition will be tested on the question of the omission or retention of the words "Before such Bill is."

The Committee divided on the question that the words "Before such Bill is" proposed by Sir Stanley Argyle to be omitted stand part of paragraph (b) of the proviso to sub-section (1) of
proposed new section 37 (Mr. Coyle in the chair)—

Ayes ..... 34
Noes ..... 15

Majority against the amendment ..... 19

Ayes.

Mr. Bailey
" Barry
" Bond
" Bussau
" Cain
" Cameron
" Cotter
" Creanean
" Denigan
" Diffey
" Dunstan, A. A. (Koyong & PEAukok)
" Dunstone, W. (Rodney)
" Frost
" Hayes
" Hogan
" Holden
" Holland
" Hyland

Mr. Keane
" Kirton
" Lemmon
" Mackrell
" Martin
" McDonald, Alex. (Stawell & Ararat)
" McDonald, J. G. B. (Goulburn Valley)
" McKenzie
" McLachlan
" Moncur
" Old
" Paton
" Dr. Shields
" Mr. Slater.

Tellers:

Mr. Aitnutt
" Lamb.

Noes.

Sir Stanley Argyle
Mr. Boyland
" Cumming
" Ellis
" Gray
" Hollway
" Kent Hughes
Lieut.-Col. Knox
Mr. Macfarlan

Mr. McDonald, Allan McK. (Polwarth)
" Michaelis
" Oldham
" Vinton Smith

Tellers:

Colonel Harold Cohen
Mr. Drew.

Pairs.

Mr. Brownbill
" Jewell
" Lind
" Murphy

Mr. Malthby
" White
" Zwar
" Groves.

Mr. VINTON SMITH (Oakleigh).—

I move—

That in paragraph (b) of the proviso to sub-section (1) of proposed new section 37 all the words after the words "before such Bill is" be omitted with the view of inserting the words "presented to the Governor and has been approved at a joint meeting of the Houses by an absolute majority of the total number of members of both Houses."

I submit this amendment to test the Committee on practically the same lines as when I moved a similar amendment to the second-reading motion. After the debate that we have just had on the use of the referendum as against a general election of the Legislative Assembly, I should think that all the arguments advanced in favour of a general election could be used in support of my amendment. This amendment, in effect, puts before the Committee the suggestion that in the event of a deadlock between the two Houses, on either an ordinary public Bill or a Bill affecting the Constitution, the measure in dispute shall be accepted or rejected at a joint sitting of the two Houses. If a majority of the total number of members voted in favour of the legislation, it would be accepted and become law, but if the requisite majority was not obtained then it would be rejected. I do not think that there is a great deal to be added to the remarks that I made in submitting the amendment to the motion for the second reading of the Bill, or to those made by the honorable member for Brighton in suggesting the joint sitting. It is conceivable that there will be a general election early next year, when this Parliament expires by effluxion of time, unless the Premier decides that it shall be held late this year, and we might find ourselves, in the event of a major measure being defeated in another place, faced with another election next year. In that case we will already have had a Legislative Council election and a Commonwealth election this year, and a general election for the Assembly in 1938. The argument that there are too many elections was advanced by the honorable member for Brighton in his second-reading speech, and I want to say that if there is one thing the average citizen complains about it is the number of elections, their cost, and the inconvenience and confusion involved. I do not think we shall get any further by adding another Assembly election by means of this Bill. Assuming that we have an Assembly election early next year, members will be returned to this House to carry on the government of the country for a period of three years. Surely no measure could be contemplated at this stage which the people would not expect us to deal with and finalize without going back to them for further instructions in dealing with it. If we cannot arrive at an agreement on a measure because of objections raised to it in another place, surely the two Houses, sitting together, could decide the issue. If an absolute majority of the two Houses sitting together pass the measure, it should
become law, and, if the requisite majority cannot be obtained, the measure should be rejected. In that way there would be avoided the cost and inconvenience of elections, and strain and inconvenience for members. The honorable member for Boroondara showed in diagrammatic form to-night the disparity which exists in the voting power of electors for the Assembly. That disparity will be retained, and nothing will be lost in the voting power of country electors, if my amendment is accepted. I do not intend to argue the question whether the franchise should be based on one vote, one value, because I do not think it is relevant to the Bill. It just happens that the electors in Ouyen have four times the voting power of the electors in my electorate.

Mr. Bussau.—The electors in Ouyen need it.

Mr. Vinton Smith.—Perhaps the representation of the two electorates in this House is in inverse proportion to their voting power. Be that as it may, the electors of Ouyen will still retain that preponderance of voting power if we leave to both Houses, sitting together, the decision of any matter which causes a dispute between the two Houses. I consider that the method proposed in my amendment possesses the greatest advantages of any of the several suggestions submitted for settling disputes which may arise between the two Houses.

Mr. Macfarlan (Brighton).—I support the amendment. I spoke at length on its subject-matter in my second-reading speech, and I do not propose to traverse the ground again. Of all the methods which have been proposed for settling disputes between the Houses, this one appeals to me most. It is a commonsense one, speedy, and inexpensive, and it would not cast the community into the turmoil of a referendum or election. Moreover, I believe it is the method which the people expect us to adopt. They sent us to this House to legislate, and they expect us, if there is a difference between the two Houses, to get together like business men and settle it, and not refer the matter back to them.

Colonel Harold Cohen (Caulfield).—I desire to put on record in this debate a matter which might assume some importance later. In contradistinction to the statement that the method of joint sitting proposed is an outworn and discarded one, I would point out that in the South African legislation of 1934, which is probably the latest constitutional legislation of this type, this method of settling disputes between the two branches of the legislature was applied to the two most important constitutional questions referred to that Parliament. It is well to have that in mind, as the statement was made during the second-reading debate that this method is an old-fashioned one.

The Chairman (Mr. Coyle).—In order to preserve the right of the honorable member for St. Kilda, who proposes to move an amendment in paragraph (b) of the proviso to subsection (1) of proposed new section 37, I shall put the amendment of the honorable member for Oakleigh in this form so as to test the Committee—that all the words in paragraph (b) after the words “before such Bill is” down to and including the words “as to such Bill” stand part of the clause.

The Committee divided on the question that all the words after the words “Before such Bill is,” down to and including the words “as to such Bill,” proposed by Mr. Vinton Smith to be omitted stand part of paragraph (b) of the proviso to subsection (1) of proposed new section 37 (Mr. Coyle in the chair)—

Ayes ... ... ... 32
Noes ... ... ... ... ... 17

Majority against the amendment 15

Ayes.

Mr. Bailey
" Barry
" Bond
" Bussau
" Cain
" Cameron
" Cotter
" Creenan
" Denigan
" Diffey
" Dillon
" Dunstan, A. A.
" (Korong & E'hanck)
" Dunstone, W.
" (Rodney)
" Frost
" Hayes
" Hogan
" Holden

Mr. Holland
" Hyland
" Lemmon
" Mackrell
" Martin
" McDonald, Alex. (Rincool & Ararat)
" McDonald, J. C. B. (Goulburn Valley)
" McKenzie
" McLachlan
" Moneur
" Old
" Paton
" Slater

Tellers:

Mr. Allnutt
" Lamb
Sir Stanley Argyle.
Mr. Boyland.
" Cumming
" Ellis
" Gray
" Holloway
" Kent Hughes
" Kirton
" Lieut.-Col. Knox
Mr. Macfarlan

NOES.
Mr. McDonald, Allan
McK. (Polwarth)
" Michaelis
" Oldham
Dr. Shields
Mr. Vinton Smith

Tellers:
Colonel Harold Cohen
Mr. Drew

PAIRS.
Mr. Brownbill
" Jewel
" Lind
" Murphy
" Mr. Michaelis (St. Kilda).

— I move—

That in paragraph (b) of the proviso to sub-section (1) of proposed new section 37, after the words "as to such Bill" the words "and as to that one Bill only" be inserted.

The amendment consists of few words, but is important in its bearing. There is some doubt, even on the part of legal men, whether it would be possible for the Government to go to the country on more than one Bill in dispute between the two Houses. The Government, I understand, is prepared to accept the amendment, and therefore it is not necessary for me to argue about it.

Mr. A. A. Dunstan (Premier and Treasurer).

— I am prepared to accept the amendment, although the Parliamentary Draftsman and legal members with whom we have conferred think the Bill itself meets the requirements of the honorable member for St. Kilda. The amendment is quite in accord with the Government's intentions.

Sir Stanley Argyle (Toorak).

— I support the amendment in order to make the position perfectly sure. Legal opinions on this point do not agree. Some say that according to the Acts Interpretation Act—

The Chairman (Mr. Coyle).

Order! I draw the Committee's attention to the fact that a very important point is being discussed. The amendment has been accepted by the Premier, and is being debated by the Leader of the Opposition. Honorable members who wish to hear the debate are being prevented from doing so by the noise of conversation in the Chamber. I should be obliged if honorable members would take notice of my calls for order.

Sir Stanley Argyle. — I was trying to explain to the Committee that there is a difference of opinion on whether the Acts Interpretation Act, which says the singular means the plural, could be applied to this Bill in such a way that a bundle of Bills could be regarded as "such Bill." If several Bills were submitted at once to the people it would be a matter of practical impossibility for the intelligent elector to decide what to do if he agreed with two or three of the Bills but disagreed with others. Legal men who have been consulted are not in agreement, and the Premier has said that the Parliamentary Draftsman is satisfied; but—

Who shall decide when doctors disagree?

The carrying of the amendment will definitely settle the question.

The amendment was agreed to.

Colonel Harold Cohen (Caulfield).

— I move—

That after the word "Act" in sub-section (7) of proposed new section 37 the words "or by which an alteration may be made in the total number of members of the Council, or in the qualifications of electors or of members of the Council" be inserted.

This amendment was thoroughly debated last year, when a similar measure was before the Committee, and I therefore do not propose to deal with it in any lengthy or elaborate way. My view, as I stated during the second-reading debate, is that the safeguard at present provided in the Bill in relation to another place is not sufficient. At present it is limited in operation to measures for the abolition of the Council and to amendments of Schedule D relating to certain matters, including the salary of the Governor and Judges of the Supreme Court. I desire to extend that safeguard to cover matters relating to the total number of members of the Council, and to the qualifications of electors and members of that place.

The amendment was negatived.

Mr. Macfarlan (Brighton).— I move—

That the word "sub-section" in sub-section (7) of proposed new section 37 be omitted with the view of inserting the word "section."
This is the matter to which the Premier referred when consideration of the Bill was resumed to-day, and I understand he will accept the amendment. Proposed new sub-section (7) at present exempts from the operation of the Bill "any Bill providing for the abolition of the Council or by which an alteration may be made in Schedule D to the Constitution Act, or amending or repealing this sub-section." As has already been pointed out, if the word "sub-section" is not replaced by the word "section," as proposed by the amendment, then any of the preceding provisions of the new section, including those providing for a dissolution, for the different times allowed for the passage of a Bill, and for the passing of the Bill in dispute twice by the Assembly, could be amended or wiped out by a Bill amending this legislation. It would be generally agreed that that would be highly undesirable and quite contrary to the intention of the Committee, whatever minor differences of opinion we may have regarding the Bill. Stress has been laid upon the fact that at the root of these provisions is the provision for an appeal to the people, who are to be the arbiters. If some future Parliament could get rid of that provision it would mean that, once the Assembly had passed a Bill, it would be quite possible to send the measure to the Council and, upon its rejection by that House, submit it for the Governor's assent without any appeal to the people by means of a referendum or any other method. I think that is far removed from the intentions of all parties and the amendment, therefore, is vital.

Mr. A. A. DUNSTAN (Premier and Treasurer).—The amendment moved by the honorable member for Brighton is on similar lines to that which I indicated this afternoon would be submitted by the Government. It conveys the intention of the Government, and if the honorable member desires to move it, there is no objection to his doing so. It will have the effect, if adopted, of applying the dissolution provisions to the whole of the proposed new section, and will mean that no part of that section could be amended or repealed without the consent of the Council. In other words, it will become a permanent provision governing the operation of the section unless the Council votes for its repeal or amendment. I have pleasure in accepting the amendment.

Mr. KENT HUGHES (Kew).—I am very glad that the Government has accepted the amendment.

Mr. McKENZIE.—What is the idea of stonewalling it?

Mr. KENT HUGHES. — I am not stonewalling it, but I cannot let the occasion pass without calling to the minds of honorable members the fact that the recent Legislative Council election campaign largely revolved around this particular issue. The Minister of Water Supply, who was Acting Premier at that time, was challenged at least twice by myself and also by the Hon. C. H. A. Eager, K.C., and Senator Brennan, K.C., to prove that what he had said with regard to the safeguards contained in the Bill submitted last session was correct. On each occasion he not only dodged the issue, but even went so far as to say that he had been so busily engaged telling the United Australia party lawyers what were the contents of the seven months old Bill, that he had not been able to pay any attention to my remarks. Personally, I did not mind that at all, but now we find the Government admitting the very point the Acting Premier refused to concede on the election platform. I am delighted that the Government has realized that the view held by the United Australia party throughout the campaign that the safeguards in the former Bill were totally insufficient, is correct, even though it will not accept the amendment providing for a referendum.

Mr. HOLLAND.—Better late than never.

Mr. KENT HUGHES. — Most decidedly, but the cry was, "The Bill, the whole Bill, and nothing but the Bill."

Mr. SLATER.—It is still substantially the same.

Mr. KENT HUGHES.—It is a very different Bill, with the inclusion of this amendment. Although the Bill still does not meet with my approval, the amendment improves it. As I said by interjection earlier, we may have lost the battle but we have partly won the war when at least we have persuaded the Government to see that even if it wants to carry out its own desires it is necessary to put in the extra safeguard, in addition
to that which was originally proposed by Sir John Harris.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 3 and 4.

Clause 5—providing, inter alia, for the abolition of plural voting.

Mr. GRAY (Hawthorn).—Honorable members are aware of the attitude I have taken on this Bill right from its inception, and it is hardly necessary for me to remind them of that attitude; but perhaps I had better re-state it. I believe that the place and power of the second Chamber should be altered; that we should provide for the will of the popular Chamber and the electors of the popular Chamber to prevail; but I am also in favour of the preservation of the bicameral system, and that system necessitates that the second Chamber be an entirely differently constituted House. I regard the dual activity as being destructive. If the powers of another place are being altered because of its character, why alter its character? I regard the Bill as being illogical in that way.

In the course of the second-reading debate I regretted the unkind speech of the honorable member for Flemington, who deplored my lack of adherence to democratic ideal. The honorable member entirely forgot that I had expressed acceptance of the principle of the first portion of this Bill from the beginning. I have continuously advocated that the will of the Assembly electorate should prevail over that of another place, but that is no reason why the character of another place should be altered. In fact, it is a reason why its character should be left alone, if it is being provided that that Chamber should take a secondary place. The bicameral system necessitates an entirely differently constituted House in order that the proper sieves should be provided through which legislation must pass. During an early stage of the debate I was twitted on this view by the honorable member for Clifton Hill, who said I preferred property to personality. That was a ridiculous statement to make—an effort to compare a part with the whole. I am one of those who believe that the possession of property is an essential ingredient in a full personality. I take it that we are all in these precincts for the purpose of trying to achieve a larger measure of experience of the ownership of property by the individuals of the community. We are here for that express purpose. In other words, we provide for limitations on people who are deficient in various respects in the influence they exert in this community. People who do not own property are deficient in one of the essential ingredients of a full personality.

I believe we should have a demarcation between the constitution of the Assembly and the constitution of the Council. The demarcation commonly accepted, the best and most prominent demarcation in our society, is between the "haves" and "have nots." I believe we should give full expression to the views of the "haves," and unless we do that, the "have nots" will remain for ever "have nots." I believe that we should consult the people who know how to have, in order to uphold the position of the "have nots." I do not consider that the views of the Assembly electors should prevail, and I have always supported that idea. I favour a greater distinction of the other House in its property character, and the exercise of influence in that Chamber, according to the degree of property possessed. In other words, I favour the retention of plural voting, and I find it extremely difficult to understand the attitude of members in the Ministerial corner who would say to me, if I happened to possess a property at Sassafras, "You may not vote at Sassafras and Hawthorn for a Legislative Council election, but in a general election a person at Sassafras can have the equivalent of three votes to your one."

I suggest that a measure of reform would be adequately obtained if we put the second Chamber in a secondary place, as I believe we are all desirous of doing, but did not alter its character. Let us have the benefit of the views of those who have gone through the experience of ownership of property, and who know best how to protect the interests of other sections of the community. Unless I can remove the distinctly Labour provisions from this Bill—provisions which have no response in the hearts of the members of the United Country party—I shall vote...
against the third reading. I have selected the particular clause now under consideration in order to vindicate the views I previously expressed on the measure. I hope that the clause will be rejected.

Mr. A. A. DUNSTAN (Premier and Treasurer).—I hope that the Committee will not agree to the proposal of the honorable member for Hawthorn. The clause which he considers should be omitted provides for the abolition of plural voting. Plural voting has always obtained at Legislative Council elections. It was abolished for the Legislative Assembly, I think, in or about the year 1899. If the clause is not deleted the conditions will be the same at elections for both Houses, and it will simply mean that an elector enrolled for more than one electorate can, on any polling day, vote for one electorate only. The idea of plural voting belongs to the dark ages, and in my opinion no man in a democratic community has any right to vote more than once on a polling day. I am surprised to find an honorable member advocating the continuance of a system which I would say is obsolete, and will not be tolerated by the great majority of right-thinking electors.

Mr. KENT HUGHES (Kew).—While I do not agree entirely with the sentiments of the honorable member for Hawthorn, I wish to say again, in regard to several of what I might call the minor clauses of the measure, what I said during the course of the second-reading debate. For a long time we have had a second Chamber founded purely on possession of property, both land and houses, and that basis goes back probably nearly 100 years. If we are to have a House founded on that basis I do not see any real reason for altering the method by which it is constitutionally elected, although we may say that we believe it should have a secondary place compared with the Assembly. In other words, the Council should have the power to delay but not to override for ever the decisions of the Assembly. My own view is that, as long as there is going to be a property basis only, we might leave matters as they are. If we are going to try to reform the Council until we make the electorate for the second Chamber the same as for this House, we may as well abolish the second Chamber altogether, because it will become useless.

I believe that the proposed Constitution for the Irish Free State contains the nearest that can be suggested as an ideal for a second Chamber, under present-day conditions. Property of all kinds is to be represented, and interests of all kinds in the community are to be represented by the numerical voting strengths in the different electorates. If we are going to have reform of the Upper Chamber, let us discuss it from the modern point of view. I do not agree with much that is proposed to be done in the minor portions of the Bill, and I should like to see—if we are going to reform the Council—a basis more or less on the lines proposed for the Irish Free State.

Mr. CREMEAN (Clifton Hill).—I am sure that every member who has listened to the honorable member for Hawthorn airing his views on the very important question under consideration must have been charmed by two things. The first of these was the very earnest desire he now manifests to alter the position as between the two Houses. That, of course, is a companion desire to that shown by many other members of the Opposition at the present juncture. But I recall that twelve months ago nearly every member of the Opposition, except, possibly, those of the Country-Liberal section, smote the Bill then before the House hip and thigh because it proposed to alter the position as between the two Houses.

Mr. GRAY.—That is not so.

Mr. CREMEAN.—Any one who listened to the speech of the Leader of the Opposition last week would know that, despite the fact that he voted for the second reading of the Bill, with a qualification, every word he said was in opposition to an alteration of the position between the two Houses. The honorable member for Hawthorn, and other members forming what I may term the majority section of the Opposition, have for years maintained that we must have the Legislative Council, in effect, in its old form. They have even coined a phrase which I have heard repeated at many functions by very Conservative gentlemen, "Thank God for the Legislative
Council." The Bill now under consideration means, if it means anything at all, that the Council is going to be shorn of its prime function. Yet those members of the Opposition who last year were thanking God for the existence of the old Council are saying to-day how much they are prepared to vote for some reform of the Constitution, particularly of such a reasonable nature as that shown in the Bill. The second matter raised by the honorable member for Hawthorn, which undoubtedly charmed every member in this (the Ministerial) corner especially, was his argument that property means personality.

Mr. Gray.—That is an inaccurate statement. The ownership of property is an essential ingredient in personality.

Mr. Cremean.—Members of the Labour party, unfortunately, are not used to the flights of oratory indulged in by the honorable member for Hawthorn. We have to reduce his statement of rhetoric to very simple terms. We reduced the particular flight of oratory to which I am referring to meaning simply that property means personality. But even if we gave the honorable member his own way, and conceded that his rhetoric meant exactly what it seemed to mean, I would ask any one—in order to prove the strength and truth of the honorable member's contention—to attend a sitting of the Council and see for himself the personality oozing out of the members there who happen to have a good deal of property. I know some members of that House who are particularly fine gentlemen, personally; but I am sorry to say that their personalities have never impressed me very greatly. I have yet to know, too, that, with the exception of one or two famous figures in history, any person possessed of a great amount of property has not any decent qualities.

Colonel Harold Cohen.—What about Oliver Cromwell?

Mr. Cremean.—I except always the honorable member for Caulfield. Cromwell, of course, was a great reformer, but I am afraid that his reforms were brought about by the extensive use of the battle-axe. History shows us that the great leaders of democratic thought—leaders of reform who have been trying to show the way to the world, and to point to the road to better things—have not been men possessed of great property, but very frequently have been men who were propertyless. Notwithstanding their lack of property, they have developed personality because of their contact with the real things of life.

The argument that we should maintain the distinctive property nature of the other House because it is going to have some good effect on our character in future will not hold water. The clause now before the Committee is designed to end a system that is certainly an anachronism of the worst type. I find it difficult to believe that the honorable member for Hawthorn could have advanced such specious arguments, thinking that they would get members to agree that the clause should be omitted. I hope the commonsense of honorable members will prevail, notwithstanding the flights of oratory on the part of the honorable member for Hawthorn.

The clause was agreed to, as was the schedule.

The Bill was reported to the House with amendments.

Mr. A. A. Dunstan (Premier and Treasurer).—I move—

That the Standing Orders be suspended to allow the report to be received this day.

Sir Stanley Argyle (Toorak).—Lest my attitude should be misunderstood in allowing the third reading to go through when I could object if the usual practice were followed, I wish to make it clear that I told the Premier that I would not put any difficulty in the way of passing the measure to-night. I do not think any good cause would be served by objecting now to the submission of the motion for the third reading, and as I wish to keep my word I do not propose to object to it, but I do not wish to be misunderstood because I am willing to allow a Bill of this nature to be passed without the usual delay taking place.

The motion was agreed to.

The amendments were adopted.

Mr. A. A. Dunstan (Premier and Treasurer).—I move—

That this Bill be now read a third time.
The House divided on the motion (the Hon. W. H. Everard in the chair)—

Ayes 41
Noes 9

Majority for the motion 32

**Infantile Paralysis:** Position at Children's Hospital: Closing of Schools and Picture Theatres.

Mr. OLD (Minister of Water Supply).

—I move—

That the House do now adjourn.

Mr. BARRY (Carlton).—On Wednesday last I brought up a question dealing with the outbreak of infantile paralysis, and the Minister of Water Supply, who was then in charge of the House, said that an official reply would be sent to me. I pointed out the danger to which children in my electorate were exposed, because children suffering from infantile paralysis were being treated at the Children's Hospital. The Minister agreed with my remarks, and stated that my representations would be placed before the Minister of Public Health. That has been done, but still children suffering from infantile paralysis are being sent to the Children's Hospital, which is not an infectious diseases hospital, and at which the average attendance of children is between 400 and 500 per day. The official reply to my representations states that the reason why children are sent to that hospital is that it is the most suitable place to treat them. If that is so, I protest against any children suffering from infantile paralysis being sent to the Queen's Memorial Infectious Diseases Hospital. The official reply further states that expert treatment is procurable only at the Children's Hospital. Why, then, are children suffering from infantile paralysis sent to the Queen's Memorial Infectious Diseases Hospital to die there?

Dr. SHIELDS. — Is that the only hospital in which they have died?

Mr. BARRY. — If there is only one hospital competent to treat the disease, that hospital should be isolated. If the statement is true that there is only one hospital which has the staff and apparatus required to treat sufferers from infantile paralysis, all children suffering from the disease should be taken to that hospital, and children suffering from other complaints should not be permitted to go to that institution. The letter which I have received from Dr. Featonby, Chairman of the Commission of Public Health, goes on to quote a statement issued by the staff of the Children's Hospital in which they say—

We recognize that special precautions are essential with a view to preventing possible spread of the disease, owing to contact of both patients and nursing staff. There are special rooms in the out-patients department where all suspected and diagnosed cases of infantile paralysis are immediately and separately placed, and the Medical Superintend ent is notified. The diagnosed cases are then isolated in one special ward, and the suspects in an entirely separate building.
I presume that the honorable member for Castlemaine and Kyneton, during his medical work, has given service in the Children’s Hospital.

Dr. Shields.—Yes.

Mr. Barry.—He will realize that all children who are attending the out-patients department are admitted, first, to a big open amphitheatre, and in their turn they are taken to a doctor to be examined. After the doctor has diagnosed their complaints, they are ordered to attend the hospital on certain days.

Sir Stanley Argyle.—Is that the procedure adopted in cases of infantile paralysis?

Mr. Barry.—The medical profession knows very little about this disease, and parents, who may have children suffering from the disease, have to wait their turn with their children, unless the parent tells the hospital authorities that the child has infantile paralysis.

Sir Stanley Argyle.—How would you get over that trouble? Close the hospital?

Mr. Barry.—The Children’s Hospital will not take children suffering from diphtheria, scarlet fever, or measles. Children with those diseases are sent to the Queen’s Memorial Infectious Diseases Hospital, and their relatives are not allowed to go inside the fence. Infantile paralysis is definitely infectious, and cases should be treated in an infectious diseases hospital.

Dr. Shields.—You would suggest that all children suffering from any ailment pointing to infantile paralysis should be sent to the Queen’s Memorial Infectious Diseases Hospital?

Mr. Barry.—I have great admiration for the honorable member’s profession, and I do not for one moment imagine that he does not understand what I am trying to suggest.

Dr. Shields.—I understand it.

Mr. Barry.—Then he must understand that I am suggesting that persons suffering from this disease should not be housed in the centre of the greatest industrial district in the State. Surrounding the hospital are two schools, and one invalid school, which are closer to the hospital than Parliament House is to the corner of Bourke-street. In addition to that, surrounding the hospital are the worst slum pockets in the metropolitan area, where, unfortunately, as a result of the benevolence of this and past Governments, and of the honorable member for Castlemaine and Kyneton when he was Honorary Minister in charge of sustenance, there are poor, unfortunate children who have not sufficient resistance to withstand the disease.

Dr. Shields.—Do you suggest that I, as Honorary Minister in charge of sustenance, was not sympathetic to people who were in need of sustenance?

Mr. Barry.—It would be wrong of me to say that the honorable member personally was not sympathetic. I do not wish to be unkind, but his Government was most unsympathetic.

Sir Stanley Argyle.—That is not true.

Mr. Barry.—I have said it hundreds of times.

Sir Stanley Argyle (Toorak).—I ask that the honorable member withdraw the remark.

The Speaker (the Hon. W. H. Everard).—I ask the honorable member for Carlton to withdraw the remark.

Mr. Barry.—I desire to say this—

The Speaker.—The honorable member has been asked to withdraw.

Mr. Barry.—Surely you will allow me to explain why I withdraw! To enable me to continue this protest, which I consider to be my definite public duty at the moment, I withdraw the remark. Although I believe that the hospital is surrounded by unfortunates who have been most sympathetically treated by the Government of which the Leader of the Opposition was Premier and by the ex-Honorary Minister in charge of sustenance—most sympathetically treated!—the fact remains that they are not able to resist the disease that the Government is placing in their midst. The medical staff of the institution and others concerned are doing their best; but the fact remains that if the disease was to break out in that district it would be impossible for the children there, owing to the benevolence of the respective gentlemen I have referred to, to resist it.

Dr. Shields.—You must realize that since the time of the Argyle Government
there has been another Government in office. Do you mean to indicate that the present Government has not done anything to enable these people to resist the disease?

Mr. BARRY.—I have already withdrawn the statement objected to and have thanked the honorable member, on behalf of the people, for his Government's great benevolence.

The memorandum from the Department points out that the nurses attending the infantile paralysis cases in the hospital are housed in a separate building, they dine at a different table, and they wear distinctive red armbands, special masks, and special gloves, all of which are no doubt absolutely necessary. But at night time they leave the institution and travel in the crowded buses of the Melbourne and Metropolitan Tramways Board to the city. They probably go to picture shows. They return to the hospital, again in crowded buses. Truly they are entitled to have a night out, but the fact remains that they are handling an infectious disease which is a very great danger to the people of the State. While Dr. Featonby has said that this institution is the only one possible for treating the disease, in to-night's Herald this appears—

The need for a special isolation hospital for treatment of such diseases as infantile paralysis was stressed by Dr. W. Summons. He said that while there was an infectious diseases hospital at Fairfield, the lack of a central isolation hospital meant that children had to be treated at the Children's Hospital, which had never been intended as an isolation hospital.

My statement, therefore, is backed up by, at all events, one great medical authority who, like me, is protesting against this hospital, which is not an isolation hospital, being used for the purpose of isolation. Replying to Dr. Summons, Dr. Featonby said that—

Infantile paralysis could be treated at the infectious diseases hospital. If the Children's Hospital became overcrowded, patients could be transferred to Fairfield, and then sent back to the Children's Hospital for after treatment.

Dr. Featonby cannot have it both ways. He cannot say that the Children's Hospital is the only hospital that can treat these cases, and say also that the cases can be treated at the Fairfield isolation hospital. I am sorry to have taken up so much time of the House at this late hour, but I had no other opportunity of expressing my opinion on this important question. I feel that this disease is taking so great a hold of the people that it is the duty of the Government, if the Fairfield hospital is not suitable, to have it made suitable. If the site at Fairfield is not satisfactory the Government should establish an isolation hospital at some other place than in the slums of Carlton.

Mr. OLD (Minister of Water Supply).—When the honorable member for Carlton brought this subject before the House last week I undertook to submit his remarks to the public health authorities and to furnish a reply to him. I have kept faith with the honorable member, and I am assured that in the official communication which was sent to him it is stated that cases of infantile paralysis from other districts, which were really the cause of the honorable member's complaint, are sent at once into isolation, where they are treated. The nurses in that portion of the hospital are specially trained, and I understand that there is special equipment there that is not available in other hospitals in Melbourne, or, as far as I know, in any other part of Victoria.

Mr. BARRY.—There are respirators at Fairfield.

Mr. OLD.—The public health authorities assure me that there is no danger of infection from sufferers brought to the Children's Hospital from other districts when it is known that they have this particular complaint, as they are immediately isolated, and every step is taken to prevent children in the surrounding district from being infected. I think the honorable member will admit that I have kept faith with him, and that I have done what I undertook to do.

Mr. BARRY.—Hear, hear!

Mr. OLD.—The Government is seized of the importance of doing everything possible to prevent the spread of the infection. It has appointed a special committee of doctors to advise what action should be taken. I am satisfied that that committee is doing everything possible to cope with this dread disease, and it is to
be hoped that its efforts will be successful, but it must have, and I think it will have, the effective co-operation of the people themselves, who can largely assist by taking steps to prevent children from coming into contact with other children who may or may not be suffering from the disease. The question is of very great importance, and I am sure that no one begrudges the honorable member for Carlton the opportunity, even at this late hour of the night, of bringing up the matter again, but I can assure him the Government is watching the position, and doing everything humanly possible to prevent the spread of the disease.

Mr. MICHAELIS (St. Kilda).—I should like to echo the remarks of the honorable member for Carlton with regard to the epidemic which is worrying everybody, and is a matter of very grave concern to parents and others responsible for the care of children. The precautions taken up to the present do not seem to have gone far enough, in the direction of closing schools, and also picture theatres.

Mr. SLATER.—Hear, hear! Particularly picture theatres.

Mr. MICHAELIS.—I understand that, as a result of the closing of picture theatres in the infected area, a number of residents are now bringing their children to city picture theatres. If that is so—and I have no doubt it is—it would appear to be madness on the part of the responsible authorities to allow those picture theatres to remain open, because, by that means, opportunity is given to disseminate the disease throughout the metropolitan area. A medical friend of mine informed me the other day that he was keeping his own children away from school, and advised me to adopt the same course. He said that, although children in the so-called infected areas are now kept at home, they have for weeks past associated with others at various schools, with the result that other children may be incubating the disease, which I understand takes about a fortnight to develop. It is quite possible that other children are now developing the disease which they contracted from those who are actually ill with it at the moment.

I think the Government should seek advice upon the question whether it would be advisable to close all picture theatres at once. It might be said that that would create a scare in the mind of the public. Personally, I would not care if it did. It is necessary to make people realize the seriousness of the position. It is common talk that in Caulfield, Gardenvale, and other suburbs children are not now permitted in the streets. The more that applies the better. I would ask the Minister of Water Supply, who is at the table, whether the Government considers it has the necessary power to deal with a big outbreak if it occurred. If it has not, I think it should pass whatever legislation may be requisite so that it can move at a moment's notice. It is to be hoped that action of that kind will not be necessary, but, if it is, any delay in bringing such legislation into operation should be avoided. The Ministry should have power to enable it to act at once on the advice of the council it has seen fit to create. I apologize for having detained the House at this late hour, but I feel that we should take every step possible to control this epidemic in its early stages.

The motion was agreed to.

The House adjourned at 11.45 p.m.

LEGISLATIVE ASSEMBLY.

Wednesday, July 28, 1937.

The Speaker (the Hon. W. H. Everard) took the chair at 4.10 p.m., and read the prayer.

OFFICERS OF THE HOUSE.

New Appointments.

The SPEAKER (the Hon. W. H. Everard).—I have to announce that in accordance with the powers vested in me I have nominated Mr. Frederick Edward Wanke, the Clerk of Committees and Serjeant-at-Arms, to be the Clerk of the House in place of Mr. William Robert Alexander, C.B.E., retired; and Mr. Hugh Kennedy McLachlan, the Clerk of the Papers, to be the Clerk of Committees and Serjeant-at-Arms; and that the Governor in Council has been pleased to make appointments in accordance with the said nominations.
TRESPASS ON COUNTRY PROPERTIES.

LOSES TO PRIMARY PRODUCERS.

Lieut.-Col. KNOX (Upper Yarra) asked the Attorney-General—

Whether, in view of the ever-increasing difficulties of primary producers regarding trespass on their holdings—very often resulting in loss of produce, damage to fences, dogs being taken in amongst live stock, gates being left open, &c., and in the summer months the menace from lighted fires—he will take steps to have a review of the existing laws made, strengthening them where necessary, with a view to giving country people some more effective protection and redress in this matter?

Mr. BUSSAU (Attorney-General).—
I am of opinion that where the culprit can be found, the existing laws provide for the imposition of adequate punishment for the offences referred to. The difficulties appear to lie, not in defects in the legislation so much as in the detection of offenders, which is a matter not coming within my province as Attorney-General.

VICTORIAN TRADE IN GREAT BRITAIN.

EXPENDITURE ON PUBLICITY.

Mr. VINTON SMITH (Oakleigh) asked the Treasurer—

What amount of money was provided by the Victorian Government for trade publicity purposes in Great Britain for the years 1931, 1932, 1933, 1934, 1935, 1936, and 1937 respectively?

Mr. A. A. DUNSTAN (Premier and Treasurer).—No specific direct expenditure has been incurred by the Victorian Government for the purpose of overseas trade publicity, but there has been considerable expenditure by various marketing Boards created by legislation. In addition the Agent-General, who has an officer of the Agriculture Department on his staff, is able to assist in this important work. Following my visit to London, the Government is now considering what action should be taken to improve our trade publicity overseas.

MOTOR CAR ACCIDENTS.

ST. KILDA-ROAD CASES—STATEMENTS TAKEN BY POLICE.

Mr. ELLIS ( Prahran) asked the Chief Secretary—

If he will lay on the table of the Library the file dealing with the accident that occurred at 8.55 a.m. on 24th May last in St. Kilda-road at the intersection of Bowen-street, South Melbourne, in which Miss A. Todd, of 397 St. Kilda-road, was injured?

If he will lay on the table of the Library the file dealing with the accident that occurred on 17th May last in St. Kilda-road, near Howercrescent, South Melbourne, in which Foster A. Harvison, of 21 Alfred-street, Prahran, was injured?

Mr. BAILEY (Chief Secretary).—
In the public interest it is not considered advisable to lay these files upon the table of the Library, but I have the files in my possession, and they may be perused by the honorable member.

Mr. SLATER (Dundas) asked the Chief Secretary—

If it is proposed to apply at an early date a recommendation of the Chief Commissioner of Police making it possible for persons, on payment of a small fee, to obtain copies of statements taken by the police in cases of accidents caused by motor vehicles?

Mr. BAILEY (Chief Secretary).—
The Chief Commissioner of Police reports that this matter is still the subject of his consideration.

PUBLIC SERVICE.

SALARIES OF FEMALE TYPISTS.

Mr. BARRY (Carlton) asked the Premier—

1. The salaries of public servants were finally restored in full on 1st October, 1936. Actually, the pay of temporary female typists, &c., employed in the Public Service was subject to reduction under the Financial
Emergency Act only until 16th July, 1933, from which date the Wages Board determinations of the Commercial Clerks Board were adopted by the last Government as the basis of payment for these officers. Thereafter the pay received by the officers was naturally not affected by the operation of the Financial Emergency Act, and the question of restoration, consequently, has no application to these officers. Notwithstanding this, the scale of rates was revised by the present Government in September, 1935, when general increases were given. These rates, which are still operative, exceed those provided for females under the Commercial Clerks' determination, the maximum rate, for instance, in the Public Service being £17 a year, or 12 per cent., more than that under the determination.

2. No. It was stated that consideration would be given to the representations made for further increases, but a final decision has not yet been reached.

3. There has been no class distinction so far as the present Government is concerned.

4. I have read the parable mentioned.

5. See answer to question No. 1.

UNEMPLOYMENT RELIEF.

INCLUSION OF PENSIONS IN "PERMISSIBLE INCOME."

Mr. FROST (Maryborough and Daylesford) asked the Minister of Labour—

If he will delete from permissible income old-age and invalid pensions, and so obviate the hardship and injustice being done to many old people who are compelled to support their unemployed adult sons out of their meagre pensions?

Mr. MACKRELL (Minister of Labour).—This matter is, at the moment, being considered by the Government.

Lieut-Col. KNOX (Upper Yarra).—I desire to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "the action of the Government through its sustenance administration in taking into consideration the pension payable to returned soldiers in the calculation of 'permissible income'."

Twelve honorable members rose in their places (as required by the Standing Order) to indicate approval of the proposed discussion.

Lieut-Col. KNOX (Upper Yarra).—I am acting in pursuance of the privileges granted by this House to private members, and I wish to thank those honorable members who have indicated their support of my proposal to ventilate a matter that should be brought under the notice of the Government. In 1929-30 Australia, together with practically all other countries of the world, experienced a depression in which the unemployment figure rose from 7 per cent., which was generally regarded as normal in industry in those days, to a very high and unprecedented peak in primary and secondary industries. The welfare of an enormous proportion of the communities in all countries was seriously affected, and legislation was hurriedly passed to try to alleviate the suffering which arose. In this State there have been passed various Acts which were designed to ameliorate the distress in our community as far as the finances of the State would allow at a time when no one seemed to have any effective control over the situation. There was no precedent in law or history for this legislation, and regulations made under the Acts had to be designed as far as practicable on a humanitarian basis. Various Ministers and Ministries have tackled the problem, and to-day we have evolved a fairly good set of regulations, which are administered by the Minister of Labour and his officers with both fairness and understanding. Many cases have been referred to the honorable gentleman who is now at the table, and who has quite generously and humanely administered in particularly intricate cases the powers of discretion vested in him under the regulations. I am perfectly satisfied that the Minister, as well as his predecessors in the administration of the Sustenance Branch and his officers, as far as the regulations have permitted them, have done their utmost to meet a particularly difficult situation in cases which sometimes do not come within the strict ambit of the regulations, and have to be dealt with sympathetically and understandingly.

There is an anomaly affecting some members of the community who, for the last twenty years, have, like the rest of us, been gradually ailing because of years. Those people, because of their services to the country during the Great War of 1914 to 1918, are faced with serious difficulty in earning their livelihood. Because of their war injuries, their sicknesses, and the effects of the ordeal through which they passed—an ordeal that human nature was never de-
signed to withstand without some repercussion on the individual's mental and physical powers—these men are in a very difficult position. The Commonwealth Government has granted them pensions in accordance with the degree of their disability. I want the Minister and the House to be quite clear on this point. The degree of disability is assessed, and the men are compensated according to the percentage that they may be behind their fellow men in physical fitness. For example, an ex-soldier on one-fourth pension is regarded as one-fourth incapable of competing with normal workers in the spheres of commerce and industry. Similarly, a man receiving a half pension is regarded as being 50 per cent., to use a colloquialism, behind scratch. The Commonwealth Government has recognized that the pensions should be based on the degree of the men's disability, and when individual claims are approved the men are given pensions on a firm and sound foundation, which recognizes the obligation of the public to compensate them for their degree of disability.

The Commonwealth Government, and I think the State Government, do not take into account the amount of pension a returned soldier receives in assessing his income tax. Under the regulations governing sustenance payments, however, there has arisen the practice of taking the pension into account as part of the permissible income. This question of permissible income is, I know, a difficult one, and every honorable member can bring to mind immediately certain cases where the permissible income has been an important factor in administering the regulations of the Sustenance Branch. I do not want to enter into a discussion of that point, but I aim to keep my remarks strictly to the issue I have raised. Honorable members may ask, "What about the invalid pensions and the old-age pensions?" There are many issues that could be brought in, but in fairness to the Minister—I want to be helpful rather than reproachful, because I want the Minister to agree to an alteration of the regulations—I shall not raise them. Honorable members, however, know of many cases of hardship suffered by unemployed men who are not in receipt of military pensions. The old-age pensioner does not come into consideration very much because, with his natural infirmities, he is probably not capable of earning much in the way of wages. As to invalid pensioners, the Commonwealth regulations are so strict that it is not conceivable that a man with any degree of disability could compete in employment and still receive his pension. I realize that honorable members can, if they like, broaden the issue. They may raise questions which they regard as relevant, but which are not particularly pertinent to the point I wish to stress.

As to returned soldiers, there are precedents in the other States. I do not wish to cite extreme cases. The returned soldier who is on a full pension on account of disability cannot be considered in this connexion because, being fully disabled, he would be unable to obtain employment. I do not wish to bring up anything absurd or unfair. Such a man is the responsibility of the Commonwealth. The man I am pleading for is he who is receiving a small pension. I say, candidly, that after the lapse of nearly twenty years since the war, it is very difficult for men in distressed circumstances because of the war to prove their cases before the two tribunals that deal with them. I make an exception to that statement in the case of sufferers from tuberculosis and other lung diseases. In those cases there seems to be a complex of generosity which, unfortunately, does not apply to men suffering from other forms of disability. With those exceptions the returned soldier is having a very hard battle to prove his case. He is suffering possibly, in some cases, because he has allowed twenty years to slip by and, as a result, he cannot produce proofs of the origin of his condition.

Mr. LAMB.—Do you think that the onus of proof should be on the Government rather than on the man?

Lieut.-Col. KNOX.—If a man can connect his sufferings with his war experiences and have his statements proven by medical examinations, and by the evidence of his comrades as to incidents at the front, then I think the Commonwealth Government should be very generous. Unfortunately, there are not now left many comrades to whom a man can refer. I wish to tell
honorable members what is occurring in the other States. In Queensland, in connexion with unemployment relief, single returned soldiers are allowed an exemption of 10s. 6d. a week war pension, and one day’s relief work in excess of 10s. 6d. a week. Married returned soldiers are allowed an exemption of £1 1s. a week war pension. In New South Wales the first 10s. a week war pension is disregarded in connexion with a man’s eligibility for relief work, and the first 7s. 6d. a week in connexion with relief sustenance is granted for food purposes as distinct from that given to those working for sustenance. In Western Australia returned soldier pensioners are allowed to pay rent up to 20s. from their pensions, and all over that amount is deducted from relief work or sustenance. I think the Minister of Labour, who is in charge of sustenance, will be able to inform us of the position in the remaining States. At any rate, there is a precedent in the other States for regarding portion of the pension of a moderately disabled returned soldier as a deductible amount and as one not to be calculated when weighing up the question of the permissible income. The class of men for whom I am making the appeal is not numerous.

Dr. SHIELDS.—How many of them are there?

Lient.-Col. KNOX.—I cannot tell the honorable member offhand, but perhaps the Minister of Labour knows the number. I have received complaints, and I wish to bring this matter up as one of principle, and to ventilate this grievance on behalf of men who cannot effectively speak for themselves. There has been much unemployment in the community, but it has now fallen to a 10 per cent. basis. Naturally, a great number of returned soldiers have been absorbed into employment, but many of them still remain without work. Among them are men who are suffering physically, and are not able to face up to the trying conditions in the industrial world. It is on their behalf that I desire to arouse the sympathy of the Minister of Labour. I believe I have it, and all I ask him to do is to submit the question to Cabinet and induce the other Ministers to do something in this matter. In considering the Budget and the financial position of the State, which we hope is even better than it has been, the Premier may see fit to allow the pensions of returned soldiers to be excluded from calculations affecting the amount of the permissible income. I know that other members desire to address the House. I have spoken with no idea of censure, but rather to put forward helpful suggestions to a sympathetic Minister. I ask him to consider the request in the spirit in which I am making it. I am not admonishing him, but in view of the anticipated buoyancy of the Budget I wish him to make alterations in the regulation and to grant the request of a small and worthy section that has a perfect right to have a just grievance brought forward in the House.

Mr. A. A. DUNSTAN (Premier and Treasurer).—I do not desire to usurp the functions of the Minister of Labour, who is in charge of sustenance, in regard to this subject, which comes within the administration of his Department, but the motion refers to an action of the Government, and as the question of finance is involved, I, as Treasurer, feel that I should make one or two observations. The Government is not unsympathetic to the request made by the honorable member for Upper Yarra. I realize that returned soldiers are entitled to as fair a deal as any Ministry can give them. This Government is particularly desirous of showing them every possible degree of sympathy, but this question resolves itself largely into one of money. If the idea submitted by the honorable member were put into full operation now, I am given to understand that £170,000 or £180,000 would be involved annually. Recently the Leader of the Opposition stated that the unemployment relief taxation should be reduced to the extent of 40 or 50 per cent. The honorable member for Kew has said very much the same thing. The Taxpayers’ Association of Victoria has suggested that that taxation should be abolished altogether. All I can say is that we cannot have it both ways. We cannot make additional money available to meet the request of the honorable member for Upper Yarra, to say nothing
of other applications to which the Government would like to show the same degree of sympathy, unless we have the necessary money at our disposal.

This Government is not responsible for the regulation to which the honorable member has referred. It was not a regulation gazetted by this Administration. The regulation was brought in when the previous Government was in power, and it was gazetted when the honorable member for Kew was acting as Minister in charge of sustenance. I am not criticizing that Ministry, but am pointing out the position. That Government continued the regulation, notwithstanding various requests to have it repealed. The question of affording relief in the direction indicated by the honorable member brings home the fact that repeated requests have been made for additional assistance for the unemployed in regard to the permissible income, and also for higher sustenance rates due to the higher cost of living. Requests have been made that we should exclude ex-soldiers' pensions and also invalid and old-age pensions in computing the permissible income. Since the Government took office there has been an average increase in the sustenance rates of more than 40 per cent.—probably 42 per cent.—and that includes the additional relief given to married men on account of children. The Government has shown in a practical way its sympathy for the unemployed, and it would like to do more for them than it has done if the necessary money was available. I remind honorable members that a big responsibility rests upon them when it comes to the question of granting additional concessions, including the one requested by the honorable member for Upper Yarra, laudable as it may be. The Government cannot be expected to grant those concessions, and at the same time provide relief from taxation which so many taxpayers are clamouring for. We cannot have it both ways. The Government is not unsympathetic in any way to the returned soldiers, and it has shown that it is not unsympathetic to the unemployed, but the Government must cut its coat according to its cloth. Taxpayers are looking for relief from taxation and the Government would like to give them relief, but a paradoxical position is created when we have on the one hand a demand for a reduction of taxation, and on the other hand requests for more concessions which, if granted, would cost more money. To the honorable member for Upper Yarra I say that the Government is giving serious consideration at the present time to the matter which he has brought before the House, but it is interwoven with other requests for concessions which are also under the consideration of the Government. The Government will consider the matter carefully and come to a decision before the Budget is prepared, and any pronouncement on this matter and on the general question of unemployment will be furnished to the House when the Budget is brought down.

Mr. Michaelis.—How much additional expenditure would be involved if the concession asked for by the honorable member for Upper Yarra were granted?

Mr. A. A. Dunstan (Premier and Treasurer).—I am informed by officers of the Sustenance Branch that to give full effect to the request an amount of between £170,000 and £175,000 would be required.

An Honorable Member.—That amount would be involved if soldiers' pensions are not taken into account when calculating permissible income?

Mr. A. A. Dunstan (Premier and Treasurer).—That is so if soldiers' pensions are disregarded.

Mr. Dillon.—Then one-tenth of the unemployed men on sustenance must be returned soldiers.

Mr. A. A. Dunstan (Premier and Treasurer).—I understand that a large proportion of the unemployed men on sustenance are returned soldiers.

Mr. Michaelis.—On what basis has the estimate which you have given been worked out?

Mr. A. A. Dunstan (Premier and Treasurer).—The figures have been checked by the departmental officers as far as it is possible to ascertain how many returned soldiers are on sustenance. The figures have been prepared by officers associated with the Sustenance Branch who have no interest to serve but the public interest. I desire to point out that I am dealing with the question in the
terms in which it was submitted by the honorable member for Upper Yarra, namely, "the action of the Government through its sustenance administration in taking into consideration the pension payable to returned soldiers in the calculation of 'permissible income.'" Some honorable members may suggest that if the Government cannot disregard the full amount of the pension, it might meet the position partially by exempting portion of the pension.

Lieut.-Col. Knox.—I put that proposal in my speech.

Mr. A. A. DUNSTAN (Premier and Treasurer).—The honorable member put his case impartially, and he did not criticize the Government. I realize that he submitted a proposal of the kind to which I have just referred. I am informed by the officers of the Sustenance Branch that in the event of soldiers' pensions not being calculated as part of the unemployed returned soldiers' income, an additional amount of between £170,000 and £175,000 would be involved.

Mr. Kent Hughes.—Is that based on the non-calculation of all pensions or only soldiers' pensions?

Mr. A. A. DUNSTAN (Premier and Treasurer).—Soldiers' pensions only. I should say that if old-age pensions and invalidity pensions were disregarded in the calculation of permissible income, the additional cost would be between £20,000 and £30,000. I was not able to procure all the information I should like to have available when discussing the question, because I had only short notice that the matter was to be submitted this afternoon. However, the Minister of Labour, who is in charge of sustenance, will explain the whole position to honorable members. In the administration of the Sustenance Branch he has been very sympathetic to the unemployed, and has tried as far as is humanly possible to meet the situation. He has also shown practical sympathy towards those unemployed men who are returned soldiers. If the Government can meet the position in any way an announcement to that effect will be made when the Budget is brought down.

Sir Stanley Argyle (Toorak).—Supporting the request of the honorable member for Upper Yarra, I reiterate that the adjournment of the House has not been moved in any sense as criticism of the Government. The object is to bring under the notice of the Government the advisability, when the Budget is being prepared and it is considering the amount of relief that can be granted in different directions, of giving special consideration to this special case. The honorable member for Upper Yarra made it clear in his speech that this is a special case. What is sought is that in the calculation of permissible income some concession should be granted to the man who is receiving a pension on account of disability due to war service. It is desired that sympathetic consideration should be given by the Government, when reviewing the whole position, to the case of the unemployed man whose income exceeds the limit allowed under the permissible income regulation because he receives a pension due to war service. A returned soldier who is receiving the full pension can be said to be unemployed, and that should be taken into consideration. When a returned soldier is being paid a partial pension for war injuries, he must have some disability which prevents him from taking a full job, because he is not what might be termed a whole man. For instance, a returned soldier who has lost the use of a hand or arm finds that his avenues of employment are very limited, particularly when there is a great deal of unemployment. Supposing that man obtains a job for which, not being a whole man, the payment he receives is small, the amount of pension he receives added to the small amount he earns, might exceed the limit of permissible income, and he would, therefore, be debarred from registering for sustenance. I cannot imagine that any amount as high as that indicated by the Premier would be involved if the concession sought by the honorable member for Upper Yarra were granted. There has been no indication in the submission of the case that the full amount of the pension in every instance should be excluded from the calculation of permissible income. All that is asked is that when the Government reviews the position it will give sympathetic consideration to the position of the returned soldier. It is a question which the Premier has admitted requires to be reviewed.
in many directions, and all we ask is that the Government give it special consideration because of the special nature of the case. An unemployed man receiving the full invalid pension is unemployable, and is not in the same category as the unemployed returned soldier, who cannot, because of disability due to war service, earn the full wage, but whose pension added to the small amount of money he can earn takes his total income over the limit fixed by the permissible income regulation. I support the request of the honorable member for Upper Yarra in a spirit of recognition of the enormous services rendered by those injured men, and I do not want to make a political point of it. I have had much experience of work among those men. I was the officer responsible for the attempts that were made, for some years after the war, to restore maimed men in this State, and I know a great deal about the different disabilities that the men suffered. Twenty years have passed, and the numbers of those men have been very much reduced, but there are still a few who are labouring under very serious disabilities.

All I ask is, that when the Government takes into consideration the matter raised by the honorable member for Upper Yarra, it will consider making some allowance—whatever the finances will permit—in this direction, with the guidance of what has been done in the other States. The Government should have the whole of the facts in front of it, so that special consideration may be given to the special cases to which attention has been directed.

Mr. CAIN (Northcote).—The honorable member for Upper Yarra has provided the House with an opportunity to discuss the question of the permissible incomes of persons on sustenance. He has confined his remarks to unemployed returned soldier pensioners, and he has presented, in my opinion, an unanswerable case on their behalf. I think everybody will agree that his case was put very reasonably and quietly, and at the same time effectively. Associated with the question, taking into account the community point of view, is the whole problem of unemployment. The effect of the restrictions imposed by the permissible income regulation has been the same upon the unemployed generally as upon soldier pensioners particularly; it has occasioned much heart-burning. I believe that the Minister of Labour himself has found that he is under the iron rule which has been in operation since 1932. In his efforts to carry out the provisions of the existing legislation he has had to be very hard in many cases.

When sustenance for the unemployed was originally introduced the limit of an unemployed man’s permissible income was approximately £2 a week. That was during the early stages of the depression, in 1931 and in 1932, and until the present Act was passed by the Government preceding the present Administration. To be accurate, the limit of permissible income was £1 19s. 11d. The limit was then reduced, under the regulations, to the sum of 90s., in respect of a man and his wife. I think an allowance was made amounting to 5s., a week for the first child, and 2s. 6d. for each subsequent child. Immediately the income of an unemployed man went 1d. over the fixed limit—whether his income came from members of his family or consisted partly of a soldier’s pension or an invalidity pension—the sustenance grant was discontinued. That rigid system has worked very injuriously, and the honorable member for Upper Yarra is now suggesting that some consideration should be given in certain special cases. I understand that he is not asking that the whole pension of a returned soldier should be disregarded in the official assessment of his income. He is not asking that even if a man is receiving as much as £3 a week, and is out of work, he should be entitled to sustenance. But he desires that some amount should be fixed, or that some general deduction should be made, in connexion with the assessment of the income of unemployed ex-soldier pensioners. With that proposal I entirely agree.

Mr. DILLON.—You agree that the limit fixed must be rigid?

Mr. CAIN. — Not necessarily. There is a more scientific method than that of rigidly fixing the amount at £1, or 10s., or any other figure. Provision should be made so that, the higher a man’s income is, the lower should be the amount of sustenance granted him. The effect might be to reduce the incomes of some of those who are now on sustenance, but this proposal would be the most scientific method. No fixed amount, either
of £1, or of 25s., or of any other sum, could fail to have at some stage that drawback.

Sir Stanley Argyle.—Do you mean that to one pensioner 10s. would be a great deal more than it would be to another?

Mr. CAIN.—No. If a man has an income of 20s. 6d. a week for himself and his wife he is not entitled to sustenance; he cannot receive sustenance if his income exceeds 20s. But if he is in receipt of 19s. a week he is then entitled to sustenance amounting to 28s. a week, which brings his total income to £2 7s. Another man, however, will be cut off from sustenance because his weekly income amounts to 21s. That is all he can receive; his income ends there. That is unfair and unjust. The most scientific way of administering sustenance would be to graduate the payments. But the Sustenance Branch is afraid to do that. The authorities should take into consideration the actions of Governments all over Australia, and, more particularly, they should consider the unemployment figures for this State. I maintain that the official figures showing the total number of registered unemployed do not represent the actual number of unemployed by a long way. I am not condemning the Minister of Labour in what I am saying; but when one talks to departmental officials about the introduction of some sliding scale they say, "Yes, but you are talking of the unknown. How do we know how many thousands will come on to the sustenance lists if we raise the permissible income by 25 per cent, or if we adopt a sliding scale?" It is a fact that there is some unknown total of unemployed—hundreds, in fact, thousands of people, particularly young persons—who are not registered to-day.

We hear talk about our being back to normal conditions. Some people are satisfied that conditions are normal when the unemployed in the community constitute 10 per cent. The Taxpayers' Association of Victoria recently wrote to the Premier, saying, "We are back to normality." I do not accept that there is any such thing as normality with regard to the unemployed in this country. In my opinion, a state of normality is reached when work has been provided for every man and woman offering to work. To those who will not work I would give no consideration whatever.

Mr. KIRTON.—There are many men out of work to-day who are not allowed to register for sustenance.

Mr. CAIN.—That is true. I have before me some press cuttings dealing with the letter of the Taxpayers' Association to the Premier. That body suggested the abolition of the relief tax. In their letter they stated that in 1931-32, when the depression was at its worst, the amount raised by the tax was approximately £1,650,000, and that the unemployed on sustenance numbered 62,000. That is not true; there never were 62,000 persons on sustenance in this State. The highest total, in the peak period, was 49,500. The letter of the Taxpayers' Association stated, further, that the average amount of Government money provided for each sustenance worker was 10s. a week; which is true. The communication continued to the effect that, taking the total number of registered unemployed in March of this year as 12,600—actually it was 14,800—the annual average expenditure on each sustenance worker was £147, or approximately £2 12s. 6d. per week. As an actual fact, the average expenditure on each sustenance worker in the past twelve months was £68 18s., or £1 6s. 8d. a week.

Mr. VINTON SMITH.—The Taxpayers' Association probably took into consideration administration costs.

Mr. CAIN.—Anyhow, they suggested the complete abolition of the relief tax. The Leader of the Opposition has suggested a 50 per cent. reduction; the honorable member for Kew has proposed a 40 per cent. reduction; somebody else has suggested something less. I am not concerned with anything but the fact that if an adjustment is going to be made in the case of returned soldier pensioners on sustenance, if we are going to be just and follow up the request of the honorable member for Upper Yarra in his reasoned case on behalf of those men, we ought to be just to all the unemployed. The ex-soldiers are perfectly entitled to consideration, but I disagree entirely with the contention of the Leader of the Opposition that the ex-soldier has a stronger case for sym-
pathetic treatment than has an invalid man or woman with a young family whose income is limited by the permissible income regulation. An invalid man certainly is unemployable, but, where the wife is the invalid, the husband, who may be quite able to work, suffers this hardship of a restricted income. Possibly the most unjust situation now existing under the permissible income regulation is that of invalid pensioners. The position of old-age pensioners also should be considered. I would go further, and say that the permissible income regulation is due for a general review. I appreciate the fact that that would involve increased expenditure, and that it would mean that the unemployment relief tax could not be abolished or even reduced by 50 per cent.

When the amount of permissible income was fixed in 1932 by the honorable member for Kew as Honorary Minister in charge of sustenance, the cost of living was approximately 11s. per week lower than it is to-day. The basic wage was then £3 1s. per week, as against £3 12s. per week at present, and, as from the 1st of October next, it will rise to £3 16s. per week. Since the maximum amount of permissible income was fixed at £1 per week, plus allowances for children, there has been an increase of 15s. per week in the basic wage. If we wish to be fair to the unemployed, should we not be prepared at least to consider raising the amount of permissible income in proportion to the increase in the cost of living? We are all in a good humour to-day; nobody is throwing bricks. The Opposition is addressing the Government in a friendly fashion, and I trust I may be permitted to join in the happy band which is asking for some consideration on this question.

Mr. CREMEAN.—Without trying to hurt the Government too much.

Mr. CAIN.—Without hurting the Government at all. The Leader of the Opposition desired me to do so yesterday, but he does not wish it to-day. I suggest that concurrently with an increase in the amount of permissible income there should be an increase in sustenance rates generally. It is true, as the Premier said, that an increase of 40 per cent. in sustenance rates was granted in 1935, but, from the 1st of October next, 31s. 10d. will be required to purchase as much as could be bought for 28s. in 1935. If it is desired to maintain even the standard of comfort enjoyed by the unemployed in 1935 when the Government took office, an increase on the existing rates is necessary. I concede that the Government has since raised the allowance for children from 2s. 6d. to 4s. a week, which certainly makes some difference in the case of a man, with a wife and two children, as another 3s. per week is now entering the home. Even so, consideration should be given not only to increasing the amount of permissible income in respect of former soldiers, but also in respect of invalid pensioners, old-age pensioners, and, if possible, the unemployed generally. My final point is that none of these increases can be granted if the suggestions for a reduction in taxation made by the Taxpayers' Association of Victoria, the Leader of the Opposition, and the honorable member for Kew are adopted.

Dr. SHIELDS.—Do you think that with the granting of those concessions there would be no room for a reduction in taxation?

Mr. CAIN.—I would not say that, but there would certainly be no possibility of a reduction of anything like 40 or 50 per cent. in the unemployment relief tax. I would not say that there would be no room for a reduction in taxation if those rates were increased, but I do suggest that before action is taken to reduce taxation the amount of permissible income allowed the unemployed should be considered in all its aspects. I do not ask—and I do not think anybody else asks—that a man in receipt of a pension of £3 or more per week should receive sustenance as well, but I think it should be provided that the whole of that amount should not be taken into consideration in assessing the amount of the permissible income of his family.

Mr. MICHAELIS.—Very often a lot of money goes in medicine.

Mr. CAIN.—Of course it does, both in the case of the ex-soldier and the invalid pensioner, but particularly the latter, because he is always a sick man.

Sir STANLEY ARBYLE.—Is it not a fact that the invalid pensioner is totally incapacitated?
Mr. CAIN.—It may be the wife who is in receipt of an invalid pension, while the husband may be out of work. He may, perhaps, be a strong virile young man with a family of three or four children to care for. If the Leader of the Opposition discusses the question with the Department, he will realize that the invalid pensioner has a very good case for further consideration. I repeat that we should see that the allowance granted the unemployed has at least the same purchasing power as existed in 1935. I do not desire that the Government, acting its hands into the pockets of the taxpayers any further, but I would point out that interest and sinking fund requirements in connexion with the unemployment relief fund are increasing each year and amounted to about £250,000 last year.

Mr. KENT HUGHES.—The amount this year will be £300,000.

Mr. CAIN.—Last year it was £250,000. Administrative expenses also have to be met. The unemployment position is not quite as rosy as some people would have us believe. I join with the honorable member for Upper Yarra and other honorable members in suggesting that before presenting its views upon the unemployment question in the Budget the Government should give the matter very serious consideration, with the assurance that it would apparently have the whole House behind it if it were to make the permissible income regulation less stringent. The first consideration, I presume, is the condition of the unemployed, and the second the desirability of a reduction in taxation. Does that make an appeal to honorable members? If it does, and we go into the constituencies in that frame of mind, I feel sure that not only the former soldiers, but all the unemployed will receive the consideration they are entitled to expect in a country where everybody should be able to obtain employment.

Mr. KENT HUGHES (Kew).—I wish to join in the request of the honorable member for Upper Yarra and to congratulate him for having introduced a very important subject, one which this House should discuss. On the other hand, I do not desire to enter into a Budget discussion with the honorable member for Northcote, because there will be plenty of opportunities to do so at a later date. After the experience I have had I feel every sympathy with the present Minister, and I am sure the honorable member for Castlemaine and Kyneton does also. We know the difficulties associated with any alteration of the regulations relating to permissible income, and making allowances of any kind. It is impossible to estimate with any degree of accuracy what the result of any alterations or allowances would be, but in the particular case under consideration the honorable member for Upper Yarra did not for one moment mean to imply that the whole of a soldier's pension should be excluded when taking into account permissible income.

I think I am correct in saying that Tasmania and Victoria are the only two States which do not make any allowance at all. In New South Wales the allowance, I think, is the first 7s. 6d. of the pension. From my own knowledge of the situation and also from inquiries I have made, I should think that it would probably cost the Government about £50,000 more per year if the concession made in New South Wales was allowed in Victoria. Seeing that the Government has collected in unemployment relief taxation at least £200,000 more than was estimated for the last financial year no one can suggest that an additional expenditure of £50,000 a year is something which will prevent a reduction of taxation or upset the Government's expectations, because the estimate for last year was £1,850,000 and included in that was an allowance for the paying off of a so-called deficit in the previous year. If the Government has collected £200,000 more than it estimated would be received last year there is nothing much to worry about from the financial point of view. An extra expenditure of £50,000 a year might perhaps mean a small difference when we are considering by how much the tax should be reduced, but taking last year as a guide the Government will probably collect more than £200,000 in excess of its estimate for this year.

I do not consider that the questions raised by the honorable member for
Northcote were actually relevant to the discussion. I know that the ideal system is to put everything on a sliding scale, but even if the Sustenance Branch used all the adding and calculating machines yet invented to help ordinary business offices in their bookkeeping, the Minister would still be the most harassed man in the State; that is, if the sustenance system as a whole were placed on a sliding scale. Maybe it is possible to simplify the system, calculate how many hours of work a man has to do if he is on a sliding scale, and provide for him on that basis. Nevertheless, I realize fully the difficulties which the Minister and his staff have to face. Now that the numbers on sustenance have been considerably reduced it may be possible to re-organize the system as a whole. When I know what the Ministry proposes to do in that regard, it will be time for me to express my opinion. In the meantime I think we have reached a stage when, without substantially affecting the estimates or the taxation fund, there could be made a similar allowance to that granted to returned soldiers in New South Wales. I understand that in New Zealand the full pension is allowed, but speaking as a returned soldier I do not think that would be right, nor do I consider that the returned soldiers themselves would regard it as a fair proposition. As far as I know they have not asked for it, nor have they approached me with that end in view.

These men are not invalid pensioners or unemployable, but they are definitely weakened and handicapped as the result of their service to the country. They are liable to be unemployed for a month, or two or three months in the year; otherwise they would not be entitled to their pensions. Their ailments are varied in character, and are not in all cases due to what one might call shell or bullet injuries. Their cases have been assessed by a medical Board, and it may be contended that a great deal of responsibility is with the Commonwealth Government. In their attempt to provide for their families these men are under disabilities, and I think they are in a different category from that of the ordinary invalid pensioner who receives a pension only when his condition amounts to total incapacity to work. If the recipient of an invalid pension happens to be a wife it does not follow that the husband has not full health and strength, and I suppose that to be the case in 80 or 90 per cent. of the families concerned. But the circumstances to which the House is directing its attention are those of men who are breadwinners, endeavouring to provide for their families, while carrying definite handicaps. We do not speak in any spirit of criticism of the Government. I should have liked to make an allowance in the cases of ex-soldier pensioners when I was in charge of the Sustenance Branch, and I think that an allowance can now be made. Therefore, I suggest to the Minister that he should take into consideration the question of making a concession on the same basis as that in New South Wales, namely, in respect of the first 7s. 6d. of the pension.

Mr. McKenzie.—And how much do you estimate that would cost?

Mr. KENT HUGHES.—At a rough guess, I think that £50,000 a year would be the maximum. At any rate, it could not possibly be more than £75,000, and it might very well be less than £50,000. In view of the standard of administrative efficiency that has now been attained, I should think that £50,000 would probably be a very fair estimate of the cost. Taking it as the probable cost, I suggest to the Government that the New South Wales allowance would be a fair basis to work upon. Whether other allowances could be made, whether the sustenance system as a whole could be re-organized, and whether there could be cut out some of those parts of the system which every one has admitted are objectionable, are questions upon which I cannot give any definite view. In any case, they are questions which can be discussed some other time. We are at present considering the specific matter of returned soldiers' pensions, and it should be dealt with as a separate issue. I hope that the Government will be able to adopt either the New South Wales basis, or that which has been applied in some of the other States. I should say that the fact that this State and Tasmania are the only States which have made no allowance does make the case stronger.
An Honorable Member.—Tasmania is taking some action.

Mr. KENT HUGHES.—Yes, I have no criticism, either personal or political, to make against the Minister of Labour or his colleagues for not having made an allowance, but I trust that one will be made at a very early date.

Mr. FROST (Maryborough and Daylesford).—I also wish to lend my support to the honorable member for Upper Yarra with regard to the case that he has presented in such an effective manner. I hope the Minister will take notice and carry the suggestion that has been made into effect. I have been in close touch with returned soldiers ever since the Great War ended, and I know of the many disabilities under which they labour. I deplore the fact that some of them are not receiving the treatment they deserve.

We can consider the cases of men who have been gradually failing in health since they returned to Australia, but have until recently neglected to attend at the Repatriation Department in order to obtain medical treatment. I think I am safe in saying that 90 per cent. of new claims for war pensions which come before that Department are being rejected, despite the fact that the men are suffering from what are undoubtedly war disabilities. Such a state of affairs should not be allowed to continue. However, we are more concerned at the present moment with unemployed returned soldiers who receive small pensions, and their position under the permissible income regulation. I know quite a number of them. Some would be better off if they had no repatriation pension, because the small amount coming into the house from that source is sufficient to lift the total earnings above the permissible income limit. We must not forget that these men are more or less incapacitated in earning their living in the open market, especially when they have to compete with the enormous number of young unemployed men mentioned by the honorable member for Northcote. Many unemployed men are not registered because they know that with the income that is coming into the house they would not receive a call for relief work, let alone sustenance. There are a lot of strong, healthy men to whom most employers give preference, although there are some kind-hearted employers willing to employ returned soldiers who are not fully efficient. Unfortunately, there are not many of them. The pension should not be taken into account, or at least, not the whole of it, when the income of an unemployed ex-soldier is being considered for sustenance purposes.

The Leader of the Opposition, in his remarks about invalid and old-age pensions, failed to grasp the point of the question I asked in the House to-day. The case may be cited of a couple who are old-age and invalid pensioners, with two others in the house, including an unmarried son aged 25 or 26 years. If the son registers for employment and sustenance, immediately he has to fill in a form stating that his father receives 19s. and his mother 19s., making a total weekly income of 38s. Of that amount something is paid in rent, but that is not taken into account as a deduction. The son is informed that he cannot be put on relief work or granted sustenance because his father's and mother's pensions bring the household income above the permissible income limit. It is deplorable that these aged people should have to maintain their adult son out of their meagre pensions. It is something to know that the Government has promised to give the matter further consideration. The Commonwealth Government, in its wisdom, has fixed 19s. as the minimum amount on which an old-age pensioner can exist. When two old people, each receiving that amount, have to spread it over four people it comes down to 9s. a week for each of the four, without rent being paid out of it. I have a number of these cases in my electorate. I have known a young man to declare that he would not stay at home and live on the old people's pensions, and he has gone away and built a hut or pitched a tent. But when he has gone to the Sustenance Branch and said that he was not living at home any longer, the answer always has been, "You have to go home. We cannot grant you sustenance, and you must go back to where you came from." That has happened many times. The question of permissible income needs sifting from the bottom; a new system should be substituted. The honorable member for Heidelberg has cited cases in
which the young members of a family have to travel by train, tram, or bus to their work. If the travelling expenses were deducted the total earnings would be below the permissible income, and the father would be eligible to apply for work for sustenance.

In my opinion no decrease should be made in the unemployment relief tax. We have not reached the stage where we can contemplate a decrease with any complacency. I give the Government credit for having considerably improved the condition of the unemployed, but we have a long way to go yet. Surely the State should provide the means of a decent livelihood for every citizen in it. We have to go a long way yet before the unemployed man on sustenance will be able to provide his family with necessary food and decent clothes. The working man pays most of the relief tax, and 90 per cent. of working men who are in regular work are only too pleased to pay it. They say that they know where the money is going and they are pleased to be able to contribute. I should be sorry if the Government, in bringing down the unemployment relief tax Bill, abated anything of the amount that has been levied in the last three or four years. I know of some parents who are starving themselves so that their children need not go to bed hungry. We cannot contemplate that with anything like equanimity. I would rather accept the figures of the honorable member for Kew than those of the Premier as to what it would cost the State to liberalize the permissible income regulation. I should say that the cost would be £50,000 or £60,000 rather than the £170,000 estimated by the Premier. The expenditure of that comparatively small amount of money would give relief to returned soldiers and invalid and old-age pensioners.

Mr. HOLLWAY (Ballarat).—I wish to associate myself with previous speakers in urging the Minister to consider the permissible income regulation as it relates to returned soldiers' pensions, and I agree with the honorable member for Northcote and other speakers in their view that invalid and old-age pensioners should be in much the same position, although possibly not in exactly the same position as returned soldier pensioners. The only difference, if there is any, is that the returned soldier pensioner receives his pension for services rendered. It was a definite allowance made to him in consideration of the services he gave to his country. The idea was to compensate him in some way and place him on an equality with other men who had not the opportunity or the desire to go through the conflict he went through. The whole future of sustenance might well be considered. There is one thing on which honorable members in the Ministerial corner and on the Opposition side of the House will agree. The time has come to consider, first of all, whether the taxation is to be reduced—and I am inclined to agree with the honorable member for Maryborough and Daylesford that it should not be reduced. If it is not to be reduced the people who pay it should have some better knowledge of how the money is spent, and it should be spent in a better way than at present. The Minister of Labour might well consider the suggestion of making full-time relief work available for the unemployed. Two years ago it was said that such a plan was possible, and since then the number of unemployed has materially decreased.

Mr. OLD.—The Australian Loan Council has cut down the allowances, and that has a distinct bearing on the position.

Mr. HOLLWAY.—On the other hand, the number of unemployed has been reduced, and the Minister should ascertain whether or not it is possible to make full-time relief work available for the unemployed. If that were done, he would find that some of the men on sustenance who are getting part-time work would drop out. I think there are men on sustenance who are eking out an existence by obtaining money from other sources. If full-time work were provided, they would be obliged to decide whether or not they would depend on it.

Mr. Frost.—It would leave more for the good men.

Mr. HOLLWAY.—I suggest that local relief work for married men and elderly men is badly needed. Some time ago I complained to the Minister of Forests concerning the treatment of relief workers in the Beech Forest. It could be said that when they were doing their jobs they were hanging by their eyebrows on the
sides of mountains. One man sent from my district was 65 years of age; in three months' time he would have been eligible for the old-age pension. He could have been sent on such a job only through thoughtlessness, because it was perfectly obvious that the work was unsuitable for a man of his age.

Mr. MACKRELL.—Perhaps he desired to go.

Mr. HOLLWAY.—He may have. The Minister of Labour should consider the provision of forestry work or work of a difficult character, not for older men, but rather for single men—possibly men who are not entitled to sustenance. If the forests Department established in the forests single men's camps of a permanent nature, it would effect savings. Although the Department does its best to make the camps comfortable, some of them are not at all satisfactory. There is no mess hut, and the men have to do their own cooking. There would be a considerable saving if one of the relief workers was appointed as the camp cook, and then the men, after working, could walk in and have their meals just as if it were a military camp. Permanent camps for single men are especially necessary where relief work is being carried on in parts of the country that are difficult of access. Married men and older men should be provided with relief work in their own districts. I know of cases where Melbourne unemployed men have been sent to places where there have been local unemployed men. The Melbourne men have been put on work which could have been done better by local men. I think the unemployed from the metropolis would have preferred that the local men were given the work. The Government should consider whether it is possible to give full-time work to the unemployed. I admit that the Sustenance Branch has been extremely sympathetic, and that when genuine cases have been submitted to the Minister of Labour and to the secretary they have always done what was possible. These, however, have been isolated cases, and now we should consider whether it is possible to make a complete change in the administration of the branch and to provide, as far as possible, full-time work for those needing it. Without desiring to weaken the case made out by the honorable member for Upper Yarra, I ask the Government to consider my suggestions and to incorporate them in the Budget.

Mr. HOLLAND.—Do you suggest that it is possible to give full-time work to all the unemployed in the State? Have you prepared a scheme?

Mr. HOLLWAY.—I should be glad to submit a scheme. We should take into consideration the fact that unemployment relief works are really departmental works. The honorable member for Kew has regarded the Unemployment Relief Fund more as a departmental fund. It gives more relief to the Departments than to the unemployed. If we reverted to the original system, we should be well on the way to carrying out my ideas. Even if we cannot give full-time work for twelve months every year, if the Government started on such a scheme as the number of unemployed decreased and the revenue increased, it might be possible to achieve my ideal. It seems that there will always be unemployed. Some of the men who came of age during the depression will probably always be unemployed and untrained. They could be put into permanent relief camps on forestry work or employed on railway reconstruction works. Then they would give useful and good service to the community. This is not an easy problem. I do not wish the Minister to think that I am criticizing him adversely. He has the sympathetic consideration of every honorable member. If such a scheme as I have outlined were started, I do not think any people would be insisting on a reduction of the unemployment relief taxation. Many people are dissatisfied because the administration of the Department is much the same as it was in its earlier history, and, although the benefit to the individual unemployed is not much more than it was originally, the tax remains the same.

Mr. HOLLAND.—The Unemployment Relief Fund has been a blessing to the Railway Department.

Mr. HOLLWAY.—The Railway Department has benefited more than the unemployed. Although my suggestions are not always greeted with enthusiasm by the Government, I think that the Minister of Labour might well induce the Government to agree to the appointment of a committee consisting of representa-
tives of all the parties in the House to consider the subject of the regulations. If such a committee were formed, it might make valuable proposals to the Ministry. This is not a party matter. As the honorable member for Northcote said, members of all parties can approach it with a friendly desire to assist the Government in improving the system. I am not criticizing the administration of the sustenance regulations, because I think that the administration has been satisfactory. However, it seems to be the general opinion that there should be an alteration in the regulations, and I think that members on both sides of the House would be only too willing to co-operate with the Government in a review of the whole position.

Mr. A. E. COOK (Bendigo).—I support the representations made by the honorable member for Upper Yarra. Glancing round the Chamber I notice that there are present three honorable members who have acted as Minister in charge of sustenance, and from my own personal experience I know that each one dealt sympathetically with the unemployed. On the question of permissible income there is ground for difference with the administration of the regulation. An alteration of the system necessarily involves Government policy. I think the Government should realize that the returned soldiers have a special claim on the community, and I agree with the honorable member for Maryborough and Daylesford that not only ex-soldiers but also persons receiving old-age and invalid pensions have a special claim. One of the greatest troubles of honorable members who have large bodies of unemployed in their electorates is the hardship caused by the permissible income regulation, where the income of the unemployed man's family exceeds the limit by a small margin. I support the statement of the honorable member for Ballarat that the whole administration, so far as permissible income is concerned, should be placed in the melting pot. An all-parties committee appointed to investigate the position might assist the Government. I have had many dealings with the Sustenance Branch, and I have no complaint to make about the administration of the Ministers who have been in charge of sustenance, and particularly that of the present Minister, who, I consider, is the most sympathetic Minister who has occupied that position. The officers of the branch have been most helpful to members generally. When we deal with the permissible income regulation we must face the fact that it is a fundamental principle that parents do not desire to live on the earnings of sons and daughters; they do not want to interfere with the earnings of their children, except perhaps to receive board from them if they live at home. There are hundreds of unemployed men who have served the Empire abroad, and are now broken down, and because they receive a pension from the Commonwealth Government on account of physical disabilities caused by war service they are not permitted to go on sustenance, because the amount of the pension is taken into consideration in the calculation of permissible income. I object to that policy, and I have always done so. I object also to old-age and invalid pensions being regarded as personal income when the permissible income is calculated. I appeal to the Government to revise the whole system. The problem of unemployment is most serious, and there are many aspects of it requiring consideration. Many unemployed single men have been receiving sustenance, and the danger is that in the future they may look for nothing more than sustenance. Therefore, there is a great responsibility on Parliament to check the tendency of young men to look to sustenance for their subsistence.

Mr. Lamb.—The only way to avert the danger is to remove the possibility of unemployment.

Mr. A. E. COOK (Bendigo).—As long as the capitalistic system exists we shall be faced with the problem of unemployment. We should be careful not to encourage men to look to the dole for their subsistence, but as long as unemployed men have to look to the dole there is a responsibility on the community to provide them with the means of sustenance. It is a regrettable position, but it has to be faced. The honorable member for Upper Yarra is to be congratulated on his action in bringing the position of unemployed ex-soldier pensioners before the House and the community.
support him, and I hope that the Government will take some steps with the funds at its disposal to relieve the position of many members of the unemployed. I realize that the unemployment relief tax brings in only a certain amount, and that the Government has done its utmost at meetings of the Australian Loan Council to obtain a large share of the money made available by the Commonwealth. The Government cannot make money; it can only distribute the money raised by taxation or received in the form of a loan or grant from the Commonwealth for the purposes of unemployment relief. The trouble is that the permissible income regulation is pressing harshly on many of the unemployed. All the Ministers who have been in charge of sustenance have been most sympathetic in their administration, but I think I will be excused for saying that the present Minister has been the most sympathetic. We realize his difficulties, but we know that there are specific instances in which the permissible income regulation presses harshly on many of the unemployed. I hope that as a result of the representations made on both sides of the House the Government will be able to evolve a new system which will act more fairly in its application than the present one.

Mr. Vinton Smith (Oakleigh).—I endorse the request made by the honorable member for Upper Yarra that the Government should give favorable consideration to the granting of a concession to returned soldiers receiving pensions in the calculation of permissible income when those men are forced to apply for sustenance. I consider that this matter must be removed entirely from the general question of unemployment. The men in whose interests the honorable member for Upper Yarra has taken action are receiving pensions because they suffered certain disabilities in the course of their war service. While it may not be possible for the Government to allow as a deduction from income the total amount of pension received, it may be found possible to arrive at a sum which should be allowed as a deduction. Along the lines suggested by the honorable member for Northcote, the amount of the deductions could be reduced just as, in connexion with the income tax, concessions are reduced as incomes increase. I think that if that procedure were adopted the unemployed ex-soldier pensioners would be satisfied. Those men are still suffering from disabilities they would not have incurred but for their war service. A leading Collins-street specialist, who does a tremendous amount of honorary work at the repatriation hospital, told me quite recently that the average ex-soldier who served in the front line is ten years older to-day, medically speaking, than his birth certificate shows him to be. Unemployed ex-soldiers have to be regarded quite separately from other unemployed men who did not see active war service. We must do something to bring them as nearly as possible to a level with other citizens placed in similar financial circumstances who did not render war service.

In the future we shall have a greater number of unemployed to look after than there are to-day, if we do not very soon do something in the matter of our unemployed youth. It will be two years next month since the Government received from the Boys' Employment Movement a scheme for the rehabilitation of young men who could not obtain work owing to the depression. So far nothing has eventuated. I know well that the Commonwealth Government has made provision to assist those States that are prepared to move in the matter. But the States themselves—and particularly this State—could have moved much earlier than to-day. I hope the Government will not allow the present state of affairs to continue to exist. If a census were taken of the unemployed it would be found that the greater percentage consists of unskilled men. There is a natural dearth of skilled men in practically every trade in the Commonwealth. I attended, with many other members of the House, a deputation to the Premier and the Minister of Public Instruction at which speakers urged that an increased grant should be made to technical schools. The honorable member for Collingwood mentioned that when he was Chief Secretary he called for a return, which showed that almost 100 per cent. of the men incarcerated in our Victorian gaols were unskilled.
Mr. TUNNECLIFFE.—There were a few professionals, but there were no tradesmen.

Mr. VINTON SMITH.—That is a very serious state of affairs. If we take steps now to provide that as many of our young men as may be practicable shall receive training in industry, if we do something definite in the direction of extending the facilities available for them to become technically educated, we shall not have the present position aggravated in the future. Times are definitely better now than they were when we first considered this matter some five years ago. The number of unemployed will decrease if we see that more and more youths are trained to take their proper places in industry. The Government should deal with the proposal of the honorable member for Upper Yarra without delay, and it should be dissociated from the general questions of unemployment relief. The matter of dealing further with unemployment generally should be gone into when the case of the unemployed ex-soldiers has been dealt with. I trust that the Premier, when he is considering the Budget, will find it possible to do what has been proposed to-day.

Dr. SHIELDS (Castlemaine and Kyenton).—Like other members on this (the Opposition) side who have expressed their views, I have no desire or intention to criticize the Government. The debate has been carried on in a spirit of sweet reasonableness, and I do not propose to depart from that attitude. The matter brought forward by the honorable member for Upper Yarra without delay, and it should be dissociated from the general questions of unemployment relief. The matter of dealing further with unemployment generally should be gone into when the case of the unemployed ex-soldiers has been dealt with. I trust that the Premier, when he is considering the Budget, will find it possible to do what has been proposed to-day.

Dr. SHIELDS.—Do you think that the men would not apply?

Mr. CAIN.—Do you think that the men would not apply?

Dr. SHIELDS.—I felt at the time that perhaps the word had gone forth that they were not to be too heavy on the pedal; that is, that the first lot of applications should be on a rather low scale, and that if I agreed to make some special consideration in respect of those 283 applications I would be flooded with further applications. I considered that it was my duty to safeguard the relief funds as well as I could. I was then, as I am now, quite in sympathy with the unemployed pensioned ex-soldier. The position to-day is such as to justify something being done by the Government in the direction of helping that class of unemployed man, and I agree with the honorable member for Northcote that the best way of providing help would be by establishing a sliding scale. But I still think—having had some experience in the administration of sustenance—that there would be added difficulties if such a scale were introduced. In all the circumstances, the best way would be to follow the example of New South Wales, and, for the purpose of providing sustenance, to disregard portion of an unemployed ex-soldier's pension. In New South Wales, I think, an amount of 7s. 6d. out of the pension is disregarded. I repeat that I consider that action along those lines would be the best. Although we are debating a motion referring only to the raising of the maximum permissible income in respect of the unemployed returned soldier in receipt of a pension, there is another matter I have always regarded as very anomalous, namely, the situation of the invalid pensioner in receipt of sustenance. In connexion with increasing the amount of permissible income allowed, I feel that not only the returned soldier in receipt of a pension but also the invalid pensioner should be considered, and a system...
similar to that suggested in the case of the ex-soldier might be brought into operation on behalf of the invalid pensioner. No one realizes more than one who has been intimately associated with the Sustenance Branch the difficulties involved in administering that office. It is no easy job, and the fact that such kindly reference has been made on both sides of the House to the various Ministers who have had control of the Sustenance Branch is proof that at least those Ministers did their best. The result was largely possible owing to the efforts of the officer in charge of the branch, Mr. Frawley, and I am glad of the opportunity to pay him this tribute.

**Mr. MACKRELL (Minister of Labour).**—In the first place, the matter under discussion is wrapped up in the question of finance, and the Premier himself dealt with that phase of it at the beginning of the debate. He said that the question would be considered in connexion with the preparation of the Budget. I appreciate the calm atmosphere in which the debate has taken place, and the help honorable members have endeavoured to give. The position with which the Government is faced is extremely difficult. We are asked on the one hand to reduce taxation, while on the other hand there is the need to give full-time employment to men out of work. The honorable member for Upper Yarra dealt with the position of former soldiers in receipt of pensions, and other honorable members asked that consideration be extended to invalid and old-age pensioners. It is true, as the Premier pointed out, that if the proposal in respect of former soldiers was agreed to it would involve an expenditure of about £170,000 per annum, and that to extend the concession to old-age and invalid pensioners would cost another £40,000. Various honorable members, including the honorable member for Kew, suggested that in assessing the amount of permissible income the deduction of 7s. 6d. per week adopted by New South Wales should be accepted as an equitable allowance to those in receipt of war pensions. As far as can be ascertained, that would involve an increase of about £50,000 in present expenditure. It is impossible to obtain an accurate estimate of the cost. The honorable member for Castlemaine and Kyneton said that, while Honorary Minister in charge of sustenance, he endeavoured to ascertain the cost of a somewhat similar proposal and found it to be impossible.

**Mr. MACKRELL.**—Do you think an estimate of £170,000 would be far out?

**Mr. MACKRELL.**—The amount of £170,000 would be correct if allowance were made for the full pension. If we adopted the amount of 7s. 6d., as a basis, the cost would be about one-third of that sum, but, as I say, it is almost impossible to obtain anything like an accurate estimate. If the Government were to raise the permissible income so far as former soldiers, old-age pensioners, and invalid pensioners were concerned, how many members of the community would apply immediately for sustenance? Mr. Frawley and I have studied this question closely, and it would appear that the cost would be about £50,000 in the case of ex-soldiers, plus another £10,000 or £15,000 for invalid pensioners on the New South Wales basis. If old-age pensioners were included, the additional cost would not be very great, probably not more than £2,000 or £3,000. Honorable members will, I hope, appreciate how difficult it is to ascertain the true position. It is difficult for me, in submitting such matters to Cabinet, to say what cost would be involved in their adoption. I do not know how many applications would be received if there were an all round increase in the amount of permissible income allowed to people in receipt of sustenance. The Government might be flooded with so many applications that the cost would be greater than it could meet. The number of people in receipt of sustenance has been considerably reduced in recent years. Many men go off sustenance to obtain work, and I believe that those still in receipt of sustenance are able to obtain more casual work than formerly. Consequent upon a large number having been absorbed into industry, more casual jobs are available for those still unemployed and, although the permissible income limit has not been raised, I do not think those in receipt of sustenance are any worse off than they were before. I do not say they got a great deal; it is merely a living. When it assumed office, the Government raised sustenance rates by about 42 per cent., as it was felt that the rates had been too low.
In addition, the amount paid in respect of each child was increased to 4s. a week, and, of course, this additional burden had to be borne by the taxpayers.

I shall not attempt to traverse the ground covered by all those who have spoken to-day, but I should like to refer to the remarks of the honorable member for Oakleigh on the question of the employment of youths. He said that practically nothing had been done in that direction. I would point out that the Government arranged for a survey of unemployed youths in the community, and the committee which was appointed has done very fine work. It has been ascertained that about 3,800 young men between the ages of 18 and 25 years have, as a result of the depression, missed their opportunity of making a start in life and now desire to learn a trade of some description. Various conferences, including conferences with the Commonwealth Government and other State Governments, have been held. The Commonwealth Government has intimated that it will make available for the assistance of youths a sum of £200,000 to be distributed amongst the various States this year, Victoria’s share being £55,000 and it is hoped that another £200,000 will be available next year. At the request of the Commonwealth Government, I visited Canberra a few weeks ago to attend a conference on youth employment which was to follow the Loan Council meeting; but, as far as I know, that conference was not held. It makes me feel that the Commonwealth authorities may not be as earnest in this matter as they should be. It is wrong to invite Ministers and their officers to a conference at Canberra when no conference is held, and I trust that it will not occur again. I wish to assure the honorable member for Oakleigh that the Government is not asleep.

Mr. CAIN.—What was the reason for the conference not being held?

Mr. MACKRELL.—I do not know. We were asked by the Commonwealth authorities to go to Canberra. The matter was casually mentioned at the Loan Council meeting, and that was all. As an indication of what the Government is trying to do generally, I may mention that we have instituted an employment service system with which a start has been made in various centres in the city and the country. I believe that by means of that particular service we shall be able to place many men in work. Under the system we obtain a proper classification of the men, and one remarkable fact that has been disclosed is that there have been scores of men registered for employment as labourers when actually they are tradesmen. I think the time will come when we shall be able to make contact between employer and employee, establish a clearing house, and find a good number of our unemployed suitable work, although I realize that there is no method of creating work. Under the system which has been in operation in England for about 26 years, it has been found necessary to shift men from one district to another—to wherever work is available—and I am sure that we shall have to do the same thing here. I have given some consideration to the question of unemployment insurance, in connexion with which employment service plays an important part. It has been found by the Labour Departments in England and, so far as Australia is concerned, in Queensland that unemployment insurance is at least scientific. If it is adopted in this State, we shall have the complementary system of placement or employment service already in operation.

Colonel HAROLD COHEN.—If it is made effective interstate, that will help greatly.

Mr. MACKRELL.—Yes. I think that an unemployment insurance scheme would be most effective if it were made a Commonwealth undertaking. The Premier has already said that the question raised in this discussion will be considered in connexion with the Budget, and honorable members will be told exactly what is proposed to be done. One honorable member suggested the formation of an all-parties committee, and, although I cannot say how far that would get us, I will give the proposal consideration. Among the many friendly contributions that have been made from all sides of the House, there was not one propounding a method of getting away from the permissible income regulation. Even if the income limit were raised, many of the obstacles that are now experienced would remain. The honorable member for Northcote suggested a sliding scale,
but the honorable member for Kew, who framed a great number of the regulations, contended that a veritable army would be needed to work out the calculations. Frankly, I do not think we could do it. It would throw a tremendous responsibility on the staff in ascertaining all the facts. As far as I know, the difficulties in regard to the permissible income have not been overcome in any country. I do not criticize honorable members for not having proffered suggestions, because I realize that the question is most involved. I feel that we have to tackle these matters with a long-range policy. The provision of work is, no doubt, the means of solving the problem, but it has been pointed out that the Loan Council has not provided us with sufficient money to enable us to give work to all concerned.

Mr. Holland.—If you depend upon loan money, you will make a ghastly failure of it.

Mr. Mackrell.—If we could obtain more loan money, more men could be employed. It will be admitted that the Government has provided a good deal of employment, and I hope that we shall be able to give even more, because, as I have said, along that line lies the solution to the problem. By adopting a long-range policy I believe we shall be able to reduce further the numbers of unemployed and also unemployment relief taxation from time to time, following the example set by the Government in the past. I am looking forward to the time when most of our unemployed will be absorbed in work. It is true that there will always be persons who cannot work, and it may perhaps be a good idea to provide a few "young-age" pensions, as well as old-age pensions.

It is to be hoped that the outlook in the country districts will improve. The Premier has already referred to the possibility of a drought, and if that eventuates the number of unemployed will considerably increase. At the present time there are hardly any recipients of sustenance in the towns in the north-east, north and north-west portions of the State, but that position will alter if a drought sets in. I am grateful to honorable members, and particularly the honorable member for Upper Yarra, for the calm and dispassionate way in which they have debated the matter. I am glad to hear their opinions, and I can assure them that I shall not give up trying to find a method of overcoming the difficulties. The motion for the adjournment of the House was negatived.

(At 6.20 p.m. the sitting was suspended until 7.50 p.m.)

Warrnambool Land Bill.

Mr. Lind (Minister of Lands) presented a message from His Excellency the Lieutenant-Governor, recommending that an appropriation be made from the Consolidated Revenue for the purposes of this Bill.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

MORWELL LAND BILL.

Mr. Lind (Minister of Lands) presented a message from His Excellency the Lieutenant-Governor, recommending that an appropriation be made from the Consolidated Revenue for the purposes of a Bill "to provide, upon the transfer and surrender of certain land in the Shire of Morwell to His Majesty, for the reservation of such land as a site for public recreation, and for the revocation of the reservation of certain other land in the said shire temporarily reserved as a site for a racecourse and other purposes of public recreation and for the sale of the remainder of such land and for the application of the proceeds of such sale, and for other purposes."

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

On the motion of Mr. Lind (Minister of Lands), the Bill was brought in and read a first time.

PARLIAMENTARY DEBATES PUBLICATION BILL.

The debate (adjourned from July 14) on the motion of Mr. Bussau (Attorney-General) for the second reading of this Bill was resumed.

Mr. Holloway (Ballarat).—This is a small measure, but one that is rather interesting. It relates to Hansard; it also touches on the general law of libel. It
has been an old legal assumption that the publication of anything said in the course of debate in Parliament is, from the point of view of libel, privileged. For example, the honorable member for Essendon might be quite prepared to describe in great detail his opinion of the honorable member for Clifton Hill, beside whom he is now seated, and that opinion might not be complimentary.

Mr. CREMEAN.—It might take him a long while to express his opinion of me.

Mr. HOLLWAY.—Yes, it might be quite lengthy, quite rude, and quite libellous. But, provided that it was said in this House, such a statement has been regarded as not being libellous. A statement may have been quite untrue and quite rude, but because it was said within the four walls of this Chamber it has been considered to have been privileged.

Mr. HOGAN.—The Speaker attends to it if the statement is rude, but nobody attends to it if it is libellous.

Mr. HOLLWAY.—The Bill clears up any doubt whether Hansard is one of the publications which the Government Printer is authorized by Parliament to publish, and, to that extent, whether it is one of the publications which may be said to be privileged, from the point of view of statements contained therein, as to freedom from libel. The matter was raised in a case in New South Wales, where some doubt was cast on the position. There was no legal decision in the matter. Wisely, I think, the Attorney-General decided to overcome any doubt or dispute by means of the Bill now before the House, which provides that the Government Printer shall be deemed to be and always to have been authorized by each House to publish reports of the debates in each House.

Mr. FROST.—The Bill will be retrospective.

Mr. HOLLWAY.—Yes; it means that not only are our future libels forgiven, but that we are free from any legal consequences in respect of past offences.

Mr. BUSSAI.—Thank heaven for that!

Mr. HOLLWAY.—Yes. I think honorable members who have been in this House for 20 or 30 years will be very relieved to know that they are no longer liable to be sued for libel for having told So-and-So many years ago what they thought of him.

Mr. FROST.—If somebody gets busy before the Bill is passed by another place there may yet be a case.

Mr. HOLLWAY.—I think the honorable member will be minding his p's and q's until the Bill is passed by another place.

Mr. CREMEAN.—If the Government could pass a Bill to deal with debts in this fashion it would be all right.

Mr. HOLLWAY.—This Bill may prevent some of us from incurring debts. The knowledge that when the Bill is passed honorable members cannot be sued for libel in respect of remarks made in the House should relieve their minds of doubt. Of course, it may deprive some deserving legal gentleman of business.

Mr. BUSSAI.—We shall all sleep more soundly when the Bill is passed.

Mr. HOGAN.—The present position is that a member of Parliament is exempt, but the Government Printer is not.

Mr. HOLLWAY.—That is so. Honorable members, I am sure, would be very unhappy if they thought the Government Printer might suffer for their sins, but I do not think there is any likelihood of his being involved in proceedings as a result of anything said in Parliament. In fact, I do not believe the matter was in doubt at all until the Bill was introduced. However, it can do no harm, and may possibly be of some use. For that reason, I commend it to the House, and, for the sake of the honorable member for Maryborough and Daylesford, who appears to have some doubts on the subject, I hope it will have a speedy passage.

Mr. A. E. COOK (Bendigo).—It may be interesting to recall how the word "Hansard" came to be associated with parliamentary debates. According to my reading of parliamentary history, the word "Hansard" was first used in connexion with parliamentary debates in England about 100 years ago, owing to the fact that a person of that name undertook the duty of publishing reports of proceedings in Parliament. This method of reporting the British Parliament was continued until, I think, about 1911.

Mr. MACFARLAN.—The name of the man concerned was Hans Ard. He was a Dutchman.
Mr. A. E. COOK (Bendigo).—He was living in England and, in accordance with arrangements made with the British Government, published reports of parliamentary proceedings.

Mr. Bussau.—It was Messrs. Hansard.

Mr. A. E. COOK (Bendigo).—For many reasons, the British Parliament for hundreds of years did not desire its proceedings to be reported. Constitutional authorities in this House could no doubt elucidate those reasons, but that state of affairs was principally due to the fact that from the year 1292 until the passing of the Parliamentary Reform Act in 1832, and, indeed, for some years after that, the British Parliament was rather comprehensive of the power of the King, and, so that the rights of the people should not be interfered with, meetings of Parliament were conducted in secret. It is rather extraordinary that the publication of the proceedings of Parliament was not legally recognized until within quite recent times. As a matter of fact, authority to report parliamentary debates was granted in the various British Dominions before action to legalize this practice was taken in England. I understand the object of the Bill is to protect the Government Printer from any suits for libel in respect of statements made by members of this Parliament. I think the Government should be congratulated upon bringing down this measure, which I sincerely hope will be passed.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

ADMINISTRATION AND PROBATE (TESTATOR'S FAMILY MAINTENANCE) BILL.

The debate (adjourned from July 14) on the motion of Mr. Bussau (Attorney-General) for the second reading of this Bill was resumed.

Mr. MACFARLAN (Brighton).—The purpose of this short but important Bill is to amend the Administration and Probate Act 1928, which provides that when a testator leaves an estate and does not make adequate provision for his widow or for his male children under 18 years of age or female children under 21 years of age, the widow or the children may apply to the Supreme Court, and, in the discretion of the Court, an amount, having regard to all the circumstances of the particular estate, can be allotted to them out of the estate for their assistance. Speaking from memory, I think that that application can only be made within six months of the grant of probate, and in the case of a widow—of course, it would have to be a very large estate for this to happen—the allowance made cannot exceed a maximum of £1,000 per annum. It has been found that the law operates harshly in respect of children who, in the case of females are over 21 years of age, or who in the case of males are over eighteen years of age. This Bill cures that defect by providing that, where a testator leaves an estate and does not make adequate provision for his widow, or his children, without restriction as to age, the widow or children can apply to the Court for an adequate amount to be allowed to them either by way of annuity or by way of lump sum. The period in which the application can be made is extended from six months to twelve months after probate, and can be still further extended up to the time of the distribution of the estate, because when once the moneys are distributed to the actual beneficiaries named in the will it would be impossible to follow them. The provision set out in the 1928 legislation is repealed so that there will be no limit to the amount allowable to a widow out of an estate.

Mr. Cain.—Or a widower.

Mr. MACFARLAN.—It refers conversely to a widower. I may point out that this legislation is retrospective. If a testator or testatrix died before this amending Bill came into operation, and the application by the widow, the widower, or the children was made within twelve months of the granting of probate, or within such further period as the Court allowed up to the time of the final distribution of the assets, the new provisions would apply. The necessity for the legislation, especially for its retrospective application, can be illustrated. I have had a case brought under my notice in which a testator left four daughters, all unmarried and all over the age of 21 years. He never made provision for them in his lifetime and he left an estate of about £25,000 in value. One daughter
Mr. Cain.—An invalid pension! I do not know how that was managed in the circumstances.

Mr. Macfarlan.—The testator did not give the daughters anything during his lifetime, and under the existing legislation they have no remedy because they are all over 21 years of age. If the Bill is passed, notwithstanding that the testator died before it came into operation, its retrospective action will enable the daughters within twelve months of the probate—probate has not yet been granted—to make an application to the Court, and the Court in its discretion having regard to the size of the estate and the circumstances of the daughters—there is no widow—will make them whatever provision it thinks proper. As a matter of fact, apart from the small gifts I have already mentioned, and two others, the residue of the estate is left between a church and a hospital. It was not a case of charity beginning at home. There are other cases of the same character, hence the necessity for the amending Bill. Without it the case which I have cited reveals a position that could not be cured.

Mr. Hussau.—There are many other cases equally as hard.

Mr. Macfarlan.—I have no doubt of that. This amending legislation will be very beneficial, and I think that, in the circumstances, the House will have no hesitation in passing it.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

JUSTICES (ENFORCEMENT OF ORDERS) BILL.

The debate (adjourned from July 21) on the motion of Mr. Hussau (Attorney-General) for the second reading of this Bill was resumed.

Mr. Oldham (Boroondara).—I do not think this measure will trouble the House very much. I suppose that the great majority of orders made by Courts of Petty Sessions are for the payment of money, and if those orders are not obeyed then, under the Justices Act, there are provisions by which the enforcement of the orders can be carried out, if the persons against whom they are made have the means. In view of the increased jurisdiction of the Courts of Petty Sessions there are a number of other orders which the Courts can make. The Attorney-General referred to that in his second-reading speech. I quite agree with his contention that, although orders other than for the payment of money are being made in increasing numbers by Courts of Petty Sessions, there is very great difficulty, because of the rather anomalous section 68 of the Justices Act, which it is proposed to repeal, in enforcing them. If a Supreme Court Judge orders a man to hand over a title to property, and the man refuses to do it, he can be committed for contempt of Court, and can be held in gaol until he obeys the Court’s order. It is rather along those lines that this legislation proposes to correct the hiatus in the existing law. It does not go so far as to provide for Courts of Petty Sessions the procedure available to a Supreme Court Judge. If a Court of Petty Sessions makes an order other than for the payment of money, and some one refuses to carry it out, the person against whom the order is made can be fined £1 for every day he is in default, or he may be imprisoned until he has remedied his default, or caused it to be remedied, but not for more than two months. Unlike the procedure in the superior Courts, where a man may be kept in prison until he has obeyed the order of the Court, there is a maximum fine amounting to not more than £20, and a provision that an offender cannot be kept in gaol for more than two months. That may be all right, because the average order of a Court of Petty Sessions is of less moment than an order of the Supreme Court. Later, if it is found that this limited power of enforcement is not sufficient, we are always here—or those who succeed us will always be here—to tighten up the law. Therefore, I cannot see any objection to the partial progress which this Bill proposes to make towards giving Courts of Petty Sessions the full powers that can be exercised by higher Courts. I commend the Bill to the House. As far as the Opposition is
concerned, I do not think we can take any objection to it.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

WAREHOUSEMEN’S LIENS BILL.

The debate (adjourned from July 14) on the motion of Mr. Bussau (Attorney-General) for the second reading of this Bill, was resumed.

Colonel HAROLD COHEN (Caulfield).

—The general purpose which the Bill is designed to effect is one that many persons concerned in it in the commercial community have been seeking for a considerable time. The legislation is, I understand, framed on lines which have been operating in New South Wales for two years. We have therefore the benefit of the New South Wales experience of it during that time. With the general idea which it sets out to fulfil I have no quarrel. For a long period people who store goods for hire have found themselves at times with goods on their hands of which they cannot dispose, although the rightful owners do not get in touch with them, and they have no means of recovering their storage charges. Their legal position in respect of what lawyers call a lien is so doubtful that they have not been courageous enough to take any steps to recoup themselves for their charges, or to get rid of the goods which cumber up their warehouses. The Bill aims at providing them with the means of dealing with that situation, and endeavours to provide what the Attorney-General has described as a number of adequate safeguards in order to protect those whose goods are stored. I have endeavoured to work out for myself the position which is thus created, and to see if I can find any difficulties to which the House should give attention, because, I take it, my function is to offer any criticism which can fairly and properly be offered about machinery devised to do something which, of itself, is quite laudable. The law of bailment to which this particular legislation is directed, is a very complicated and difficult legal subject, and my efforts at investigation have perhaps been handicapped by the fact that I have had to study it on many occasions for a great number of years, and have not that clear enlightened knowledge of it which I might have if I had not confused myself by trying to understand it.

The first thing that I should like to comment on is this: In dealing with the Bill we should have some regard for provisions in the existing law relating to warehousemen’s certificates. In the Goods Act of 1928 there is re-enacted something which in fact was first introduced in the legislation of Great Britain, where it was known as the Factors Act. Under these provisions, and in section 63 of the Goods Act, we are told that “document of title” for the purpose of this legislation includes a number of things, among which is a warehouse-keeper’s certificate and any warrant or order for the delivery of goods or any other document used in the ordinary course of business as proof of the possession or control of goods.

When we go on through the sections we find provisions relating to people dealing with these goods—whether they are the owners or the authorized representatives of the owners. Other provisions refer to certificates given for purposes which have grown up during a long course of mercantile usage, and which were codified in the English legislation and copied in the Goods Act. One of the sections provides that where a warehouseman’s certificate has been lawfully transferred to any person and that person transfers the document to another who takes it in good faith and for value, if the last-mentioned transfer is by way of sale the unpaid seller’s right of lien or stoppage in transitu—the right to stop goods before they reach a destination where you cannot control them—is defeated and ceases. That is to say, if you lodge goods in a warehouse and get a certificate for them in the form to which mercantile usage has accustomed us, the man who holds that certificate can take it to another and transfer it to him.

Mr. Frosst.—Although the goods were lodged for storage?

Colonel HAROLD COHEN.—Yes. If a warehouseman gives an order stating “I have received goods subject to my charges,” you can accept that order, and it can be transferred to another man who can ask for the goods on paying the
charges due. I refer to these things to show the need for care in providing full and proper safeguards in this measure. When a warehouse-keeper desires to recoup himself for his accumulated charges, he has to act as the Bill provides. He has to give certain notice and to insert advertisements. He can take only the amount due to him out of the proceeds of the auction sale.

Mr. CAIN.—Two persons must be present if a box is opened.

Colonel HAROLD COHEN.—Suppose that I had committed a burglary at Parliament House and stolen the mace, I should want to put it somewhere, and then the contents of the case would not comply with the description I should give. People store goods honestly, but it may be necessary to ascertain what is in a stored box or that the contents are really as they are described. Provisions are made to protect people in those instances. What I am leading to is this: The warehouse-keeper has to give certain notice, and to take certain precautions before he can sell the goods. He can recoup himself with what he is justly entitled to, and he must pass on the balance to the owner, if he can be found. If the owner cannot be found then the warehouse-keeper must pass the balance on to the Crown.

Mr. CAIN.—Suppose he found the owner, who did not want the goods to be sold, and who said “I will pay you your charges.”

Colonel HAROLD COHEN.—If the owner pays the warehouse-keeper before all the other conditions set out in the legislation have been observed, that job is as we lawyers say, functus officio; that is the end of it. My experience of auction sales personally, and in other capacities, is that frequently you do not get great value for your goods.

Mr. BUSSAU.—It depends how they are sold.

Colonel HAROLD COHEN.—Irrespective of the individual experiences of members in selling and buying things by auction, that is a method of sale that does not always realize the best results, and it should not be given effect to without every proper step being taken to see that the owner of the goods has every opportunity of paying the charges due and of taking his property away, or to see that the auction is sufficiently competitive to realize a fair thing for the goods.

Without going into particulars, I mention that the Bill provides shortly that the warehouse-keeper must give notice to the owner of the goods at the last address known to him. He must advertise twice, and he cannot sell until after fourteen days after the first advertisement. Then he is at liberty to sell the goods. He must have had them for some time, because he must have had a debt owing some part of which started twelve months back. I am concerned as to how that provision will work in some cases. There may be a bona fide case of a person going abroad who stores goods and gives his address in this country before he leaves. He does not return within twelve or eighteen months because he falls ill, and his goods are sold before he gets back here. Still, I suppose we cannot have it both ways. If we are going to give the warehouse-keeper facilities to recoup himself, the Bill attempts to meet the position by saying that the people may protect themselves by giving notice to him of any change of address.

Notwithstanding the eloquence of the Attorney-General, this matter has not received any great prominence in the press. A section of the mercantile community has been anxious to have the Bill passed, but it is very important that the people should understand the new position that will exist, and they should take care to protect themselves by giving proper notice. That is the first matter to which I direct attention. There are provisions in the Bill for regulations to be made, under which warehouse-keepers may be required to give further notice by advertisement to people who are difficult to find, or whose addresses are not known to them. There is also the case where no address is known.

Mr. FROST.—Good old regulations!

Colonel HAROLD COHEN.—These regulations are to be laid on the table of the House. I know that this matter has had the careful consideration of the Parliamentary Draftsman, and I am not offering any suggestion, but I am concerned that publicity should be given to the new proposal, and that the public should understand that this position will
exist, and that it is necessary for people to take care after they have taken a transfer, otherwise they may be left lamenting.

Under clause 5 it is provided that where there is a lien on goods not deposited by the owner or by his authority, but by a person entrusted by the owner or by his authority with the possession of the goods, the warehouse-keeper shall within two months give notice of the lien to the owner—the person who under sections 31 and 32 of the Goods Act takes a risk in obtaining goods that were placed under the control and authority of another person. The mere possession is an authority which gives him certain powers. This clause provides that if the warehouseman does not give the owner notice of his lien within two months of the date of deposit of the goods, his right of lien to sell the goods becomes void. As I read the clause, it relates only to future deposits, and I am not sure where the warehouseman who has had goods deposited with him before the legislation becomes operative is going to be. If somebody deposited the goods five years ago, it is obvious that the warehouseman cannot comply with the provision requiring him to give the two months' notice. I do not propose to attempt to interpret the provision in relation to that point.

Mr. CAIN.—The two sides interested are evenly balanced.

Colonel HAROLD COHEN.—The warehouseman is entitled to some relief, but it is important that the public should know where they are and be protected. I suggest to the Attorney-General that it might be necessary to insert a provision relating to goods placed on deposit before the coming into operation of this legislation.

The next matter is one which has afforded me some profit in the past, and caused me difficulty in understanding where I was. Amongst the people who, under the terms of the Bill, come within the definition of "warehouseman" is "a person lawfully engaged in the business of storing goods as a bailee for hire or reward," and the goods which may be stored include "personal property of every kind that may be deposited for storage with a warehouseman as bailee." Amongst the class of transactions which come within these wide definitions may be the storage of grain in bulk in a silo, the grain getting mixed up with other grain in the silo. There has been litigation, I am glad to say from a professional point of view, on this matter, and there was a big law case in South Australia. There are many instances in this State in which goods, such as petrol, are stored in bulk, and provision is made in the storage agreement for an equivalent quantity of petrol to be withdrawn when you take it away. There is a set of cases in the law reports with relation to this kind of transaction. I do not wish to make confusion worse confounded by suggesting anything in relation to this matter, except to say to the Attorney-General that I hope these aspects of the matter have been considered, and that before the Bill is passed we shall have some assurance from him that they do not present difficulties which ought to be provided for.

Then we have this question: How is the Bill, apart from the matters I have mentioned, regarded by the commercial community? I took pains to send copies to one or two of the large associations of business men who, I thought, might be concerned with the measure, and it is only fair to the Attorney-General to say that I have received no criticism or comment from them. The manager of probably the largest bond store in Melbourne, to whom I sent a copy of the Bill, wrote to me saying that the Bill was very welcome, and he added that the position would be clarified further if a clause could be inserted requiring the holder of a warrant to notify the storekeeper at any time he transferred it to the third party. That would mean not only notifying the warehouseman of the transfer, but also advising him what proportions of the charges were due by the vendor and assignee, so that they could be apportioned by the warehouseman.

I have made no attempt to give a comprehensive review of the Bill, nor do I think it necessary. The Attorney-General, in his speech, described what was intended by the legislation, and gave details of the clauses. I have devoted my attention to some of the lawyer's difficulties, if I may describe them as such, which
have been suggested to me by my having to deal with these commercial problems in my business. Getting away from lawyer's language, I suggest that these considerations should be thoroughly "vetted" by the Parliamentary Draftsman before we say that there is nothing wrong with the Bill and send it on to the other place, confident that they will be satisfied with it. Therefore, it might be wise to postpone consideration of the Bill in Committee after clause 1 is agreed to, so that the Parliamentary Draftsman may deal with the points which I have raised. We ought then to be confident that everything in the Bill will be satisfactory.

Mr. McKENZIE (Wonthaggi).—I have no criticism to offer of the Bill. I may say frankly that I did not wish the Bill to pass the second reading until the honorable member for Northcote, who, I know, wished to speak, had had the opportunity of doing so. I listened with interest to the speech of the honorable member for Caulfield, and the more he talked the more I realized that what is required is a lawyer's mind to probe the Bill and ascertain if there are any difficulties involved. As the honorable member for Northcote is now present, I shall not say any more.

Mr. CAIN (Northcote).—I was keenly interested in the various aspects of the Bill dealt with by the honorable member for Caulfield. The request for the introduction of this legislation was made, apparently, by warehousemen who want to get over a difficulty which can be surmounted only by legislation. I understand that warehousemen have made requests to Governments for a number of years for the introduction of legislation of this sort. It appears to me that there is justification for the questions raised by the honorable member for Caulfield. He feels that it is necessary to hold the balance evenly between the two groups—the warehousemen and the public—and therefore it might be necessary to introduce more safeguards into the measure. I am not sufficiently conversant with the methods of business men to know what certain unknown persons, in given circumstances, may do with their goods. But it seems that sometimes they place their goods in stores and disappear and cannot be found. I know that that kind of thing happens in other directions. There are people who put their money in banks and never claim it. I know that bonds are bought and are never claimed.

Colonel HAROLD COHEN.—I invite the honorable member to listen to this information—

Many persons to whom warrants for goods are issued evade responsibility for charges by assigning the warrant to other persons, who cannot subsequently be found.

Mr. CAIN.—That places another aspect on the matter. There is a further consideration, namely, that a warehouseman's charges may be more than the goods are worth. In fact, that seems to be the only reason I can adduce why goods are not claimed in certain circumstances. In other cases death may intervene; or persons may go abroad and forget that they have left certain of their goods in store. The statute of limitation in connexion with the subject with which we are dealing is—

Mr. Frost.—Six years?

Mr. CAIN.—No, it is only twelve months. After the expiry of that time the warehouseman concerned can take action to sell the goods to recover his expenses. I say, with the greatest respect to warehousemen, that we should be extremely careful, in all the circumstances, to see that every precaution is taken. We should provide that, in disposing of goods, warehousemen shall not be allowed to interest themselves solely in obtaining sufficient to meet their charges. I agree with the honorable member for Caulfield that auction sales, particularly unadvertised sales, are very often not the best means of obtaining full value for the goods disposed of.

Colonel HAROLD COHEN.—The Bill provides that two advertisements must be published.

Mr. CAIN.—I am very doubtful whether two would be sufficient to attract a reasonable attendance at a sale so that fair prices might be realized. An aspect for consideration is that certain people may take an interest in the disposal of goods by warehousemen, and a new business of attending auction sales to purchase these goods cheaply may develop when the Bill has been passed. We know what has been the experience of various public bodies, such as the Melbourne and Metropolitan Tramways Board and the Railway Department in connexion with their sales of unclaimed goods.
Colonel Harold Cohen.—The Railway Department does pretty well out of its sales.

Mr. CAIN.—I presume that the tramways Board does also, generally speaking. Auction sales of the kind undertaken by those bodies have become pretty well an institution. I know that at auctions of second-hand goods fair values are generally obtained, particularly where there are numbers of female bidders. But the class of goods stored with warehousemen would not, as a rule, be as attractive to prospective buyers as a lot of secondhand umbrellas and trinkets left in trains and trams. In some cases goods that have been left unclaimed in warehousemen’s stores would be useful only to a limited class of people; there would not be any public demand for them, and competition would be likely to be limited.

I appreciate the difficulties of the Government. This is new legislation; but we must be extremely careful to provide, for example, that the proper authorities shall be in attendance when goods proposed to be disposed of are unpacked. Provision should be made also so that proper entries shall be taken and recorded, and that when goods are put up for sale there shall be no doubt that the auction has been sufficiently advertised to ensure competition calculated to make it possible for the goods to be disposed of at prices somewhere near market value. If these and all necessary precautions are adopted there seems to be no real objection to the measure. I repeat, however, that it demands much more attention than the House is apparently prepared to give it. I do not think the Bill should be disposed of at this sitting. There is no need to rush it through immediately. I have not had any brief presented to me. Apparently, the honorable member for Caulfield is the only briefed person in the House.

Mr. CAIN.—I would have expected such a statement from a source of that character, but it does not represent the only side of the question. Persons interested in the other side are entitled to have their case presented—if there is a case to be stated for them. In all the circumstances, I hope the Attorney-General will grant an adjournment of the debate, or that he will refrain from having the measure put through all stages to-night. That course would permit further representations to be placed before the House. On the one side, as we see, there is an organized and interested group, consisting of the warehousemen concerned, who have been making representations in support of their case for years. On the other side there does not seem to be anybody who is interested.

Colonel Harold Cohen.—I sent a copy of the Bill to the Chamber of Commerce and the Chamber of Manufactures, which bodies I thought might be interested as dealers in goods. I also invited comments from the banks, which lend money on warehousemen’s certificates; but none of them said a word.

Mr. CAIN.—If the banks and the Chamber of Manufactures and the Chamber of Commerce did not respond, apparently there can be no great organization of those people who leave their goods unclaimed in the bond stores. From what the honorable member for Caulfield says I should assume that it is only in isolated cases that goods are left unclaimed, or in which transactions of the kind that have been referred to by the Attorney-General take place. Apparently, the general rule is for persons to place their goods in bond stores and remove them when they are required. I repeat, in conclusion, that an opportunity should be given anyone desiring to make representations on behalf of owners of goods to do so; and, generally, we should permit some public interest to be created in the measure. Apparently, that interest has not been aroused up to the present.

Mr. BUSSAU (Attorney-General).—I am fully in accord with the views of the honorable member for Northcote. The Government has endeavoured to make the necessary provisions to safeguard the interests of persons who have stored their goods. I state candidly that representa-
tions have been made to me by those with whom goods have been stored, and on more than one occasion. The New South Wales legislation dealing with the same matter has been explored, and the Government has provided as many safeguards as were deemed to be humanly possible so that persons depositing goods should be protected. I shall be quite prepared, after the Bill has been taken into Committee, that progress should be reported, and the passage of the measure delayed for a week.

The motion was agreed to.

The Bill was read a second time, and committed. Clause 1 was agreed to. Progress was reported.

MARRIAGE (CELEBRATION) BILL.

Mr. BAILEY (Chief Secretary).—I move—

That this Bill be now read a second time.

This is a Bill to amend the Marriage Act, and it is desirable that honorable members should become acquainted with the reasons necessitating this legislation. Although the Bill in itself will not remedy the unsatisfactory position which will be disclosed, it is a preliminary measure to permit of administrative action to remove certain undesirable practices which exist to-day in connexion with the performance of the civil as distinct from the religious ceremony of marriage.

Under the Marriage Act there are three authorities who may celebrate marriages: (1) a minister of religion registered with the Government Statist; (2) the Government Statist; and (3) a registrar of marriages appointed by the Governor in Council. It is to this last class of officer that the Bill refers. Section 17 of the Marriage Act definitely prohibits any minister of religion making a business of celebrating marriages for purposes of profit, and the Chief Secretary is authorized to prohibit any such person from performing this function. Such instances, fortunately, are rare and none has been reported to me during my term as Chief Secretary. I have, however, in common with my predecessors in office, received from the Government Statist a number of complaints concerning the practices of certain registrars of marriages within the metropolitan area, particularly in their association with what are known as matrimonial bureaux. In 1931, the Government Statist submitted a memorandum, in which it was stated that an examination of the returns of a certain registrar and also of a minister of religion revealed that, in approximately 10 per cent. of the marriages of persons whose ages were stated to be 21 years or thereabouts, the parties were in fact under 21 years of age and, in some instances, were only sixteen or seventeen years of age. The distress of parents whose daughters were parties to such marriages can readily be imagined. Two registrars in the metropolis performed between them 753 marriages during the year ended the 30th of June, 1931, and 1,258 in the year 1936. The nature of complaints received indicated beyond all reasonable doubt, firstly, that the majority of these marriages were not performed without payment of a fee, although the registrar has no authority to make a charge, and, secondly, that many of the parties were introduced to the registrar through a matrimonial bureau, the proprietor of which shared in the fee.

A further indication of the existence of an arrangement between a certain registrar and a matrimonial bureau may be gathered from the following figures. This registrar performed three marriages in 1927, thirteen in 1929, 320 in 1930, 204 in the first six months of 1931, and 738 in 1936. Furthermore, his name appeared as the celebrant of the marriage in the majority of complaints received by the Government Statist. The most recent figures of marriages supplied by the Government Statist show the following:—

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Marriages</th>
<th>Throughout State</th>
<th>Throughout Metropolitan Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1934</td>
<td>13,862</td>
<td>1,156</td>
<td>1,047</td>
</tr>
<tr>
<td>1935</td>
<td>15,409</td>
<td>1,373</td>
<td>1,234</td>
</tr>
<tr>
<td>1936</td>
<td>15,915</td>
<td>1,398</td>
<td>1,320</td>
</tr>
</tbody>
</table>

When it is added that, during the past twelve months, there have been only five registrars in the metropolis, one of whom resigned in March last, it will be recognized that the business of performing marriages has occupied almost the whole time of some of them, and the remuneration therefrom has been a very substantial portion of their income. There is, to
my mind, not the slightest doubt that their great activity is due solely to their association with matrimonial bureaux.

Mr. Cain.—Are you suggesting that young people go to matrimonial bureaux?

Mr. Bailey.—I do not say young people only, but many people of all ages visit these places and are there introduced to the person who eventually becomes the wife or husband, as the case may be. As an indication of the happenings through this association, I shall quote excerpts from complaints which have been received from time to time of the methods pursued by these organizations. In order, however, that honorable members may be in a better position to follow my remarks, I shall first read section 19 of the Marriage Act 1928—

It shall not be lawful for any minister of religion to celebrate any marriage unless the parties about to be married or one of them have given him written notice of their intended marriage at least three days before the performance of such marriage, but such notice may be dispensed with in cases of emergency by permission being previously obtained from any justice, and every justice is hereby authorized at his discretion to give such permission.

Section 20 provides—
It shall not be lawful for the Government Statist or any registrar of marriages to celebrate any marriage—
(a) except between the hours of eight o'clock in the forenoon and four in the afternoon,
(b) unless the parties about to be married have given him written notice of their intended marriage and such notice has been posted in his office at least three days before the performance of such marriage.

Section 21 provides—
(1) Every marriage celebrated by the Government Statist or any registrar of marriages shall be celebrated in the office publicly used by him for the performance of his general duties as such Government Statist or registrar, and in no other building or place whatsoever.
(2) In such office every marriage shall be celebrated only with open doors, so that any person whatsoever desiring to be present at the celebration of such marriage may have free access thereto.
(3) A copy of the written notice of an intended marriage required to be posted in the office of the Government Statist or registrar of marriages shall also be posted on the outside of such office at or near the front or principal entrance thereto at least three days before the performance of such marriage.

Section 22 states—
Every marriage celebrated by the Government Statist or a registrar of marriages shall be in and by the form of words set forth in the second schedule. Each of the parties to such marriage shall repeat such of the said words as are appropriate to him or her (as the case may be), and shall sign the declaration set forth in the said schedule.

Section 23 provides—
Every marriage shall be celebrated in the presence of two or more witnesses of full age, and shall be registered according to law.

I have quoted those provisions so that honorable members will be able to follow some of the particular complaints received by the Government Statist and forwarded to my Department.

Mr. Keane.—From whom were they received?

Mr. Bailey.—I do not intend to disclose any names. I shall give the examples indicated in the following communications—

The Government Statist,

Dear Sir,

Please let me know if my marriage is legal. I called at (a matrimonial bureau), and they took me to (a registrar), and I was married without giving any notice. I see a reply in the Sun saying you must give three days' notice, and we did not give any notice at all at or the registry office in . I am worried about it since.

(Sgd.)

15th April, 1933.

(To a Registrar),

Dear Sir,

I called on you last week, and was coming in to give notice of my son and daughter-in-law were to be married, but we went to and they got married the same day without giving notice. I sent us to Mr. (a registrar). We were married on Saturday night on the hour of 8 o'clock. I am letting you know we will not need to come in now to you.

(Sgd.)

Then there are the following sworn declarations:

<table>
<thead>
<tr>
<th>29th November, 1934.</th>
</tr>
</thead>
<tbody>
<tr>
<td>I, of , do solemnly and sincerely declare that—</td>
</tr>
<tr>
<td>(1) Having read the advertisement of (a matrimonial bureau) in the daily newspaper, I called at that bureau to arrange for my marriage with</td>
</tr>
<tr>
<td>(a registrar), and</td>
</tr>
<tr>
<td>(a registrar).</td>
</tr>
<tr>
<td>(a registrar).</td>
</tr>
<tr>
<td>(a registrar).</td>
</tr>
</tbody>
</table>

(To a Registrar),

Dear Sir,

I called on you last week, and was coming in to give notice of my son and daughter-in-law were to be married, but we went to and they got married the same day without giving notice. I sent us to Mr. (a registrar). We were married on Saturday night on the hour of 8 o'clock. I am letting you know we will not need to come in now to you.

(Sgd.)

15th April, 1933.
(2) I was informed that the fee for the marriage, which was a Government charge, was £3 3s. When I demurred at the payment of a fee of three guineas, a reduction to £2 5s. was made. I paid a deposit of £1, and asked for a receipt for such payment, but was told that the issue of a receipt was not allowed.

(3) I was supplied by an elderly woman whom I interviewed with the following documents:—Notice card of intended marriage, information paper, and a form to obtain the consent of a guardian of minors, Miss being under the age of 21 years.

(4) I was informed that it would be necessary for me to attend at the bureau at 3.30 p.m. on 6th December, 1934, and we would probably have to attend at a private place, probably in

(5) When I asked what portion of the fee the Government received, I was told by the woman, "I would not like to say, when the Government get 3d. out of every 6d. packet of cigarettes."

(Sgd.)

26th April, 1935.

The following letter, dated the 30th of September, 1935, was received by the Under-Secretary:

I forward herewith a file relating to a marriage between and of a matrimonial bureau) recently to make arrangements for my marriage, and of that firm asked me for a fee of £3 10s. for the marriage. I protested that this charge was excessive, and she informed me that it included the cost of witnesses and a "special licence," but that she would reduce it to £2 5s., and would make it up from others who could pay more.

(Sgd.)

O. GAWLER,
Government Statist.

On the question of the handwriting in the form of consent, there is the following extract from an analysis:—

Extract from analysis of a handwriting expert, dated 24th September, 1935:

"After thorough investigation, I came to the conclusion that the writings on the form of consent, supposed to be written by the father of minor), (witness), and (witness) are all written by the writer of the two letters marked A and B (from the matrimonial bureau)."

The case was remitted to the Crown Solicitor, but as the only evidence as to the identity of the perpetrators of the forgeries was that of a handwriting expert, the Crown Solicitor was of the opinion that a jury would not convict, and that further proceedings would be useless. Further examples are outlined in the matter I shall now read—

November, 1935.

Dear Sir,
We came from Albury to Melbourne to get married, and we called on this person known

We told her I was divorced in New South Wales. She said, "That's all right; you can get married in Victoria. Don't worry about your absolute paper; it's the same in Victoria as New South Wales." Well, I know different. I told her so, and she said, "Why worry? Say anything? I can get you married right away. Do you want a parson or a registrar?" She said, "I have my own people. It will be £4 4s. for a parson and £3 8s. by the registrar." I said, "That is a lot of money for a registrar." And she said, "Oh, you see he is a parson, too."

I did not like the way things were going, more so when she locked the door of the room we were in. She wanted the pay then, but I refused. She then got very cross and tore up the papers we had filled in. She has quite a lot of what I take to be official papers, and yet she admitted she was not a Government servant, though she led us to believe she was.

Now, sir, I think it is disgraceful that this person should be allowed to have Government papers. My holiday is now finished, and I have to get back to Albury without being married.

I forgot to say that I found the proper place through a constable, but it was too late, as I had to get three days' notice, and the gentleman wanted to see the absolute, which I had not got. It was in Sydney. He was quite nice. Please protect others by discharging this dreadful person, this at.

24th February, 1936.

The Government Statist.

Dear Sir,—
I wish to draw your attention to a very grave injustice being carried on in Melbourne to persons wishing to get married by persons in Melbourne advertising to arrange marriages.
The persons are , known as , trading with a registrar of marriages known as , advertises daily, and collects £3 3s. and sends them to be married after taking notice from them and getting Government cards from a registrar signed in . She pays the registrar 15s. each marriage, and turns every one else away if too poor to pay £3 3s.

19th January, 1937.

Mrs. of called on the Under-Secretary and stated that she had taken over a matrimonial agency formerly conducted by . She had approached a registrar of marriages with a view to the performance of marriages which had been arranged through her office, but he had refused to carry them out, and also refused to give any explanation for such action. He said he had to drop either (a matrimonial bureau) or herself, and he thought it best to drop her.

She then went to (another registrar), and said she spent a most trying half-hour with him. He was very offensive in his behaviour and his language was objectionable, so much so that she would prefer to go out of business rather than have any further dealings with him. (the registrar) refused to perform marriages for her. He said Mr. Gawler should not have sent her on to him. He asked who had sent her from the Statist's office. (the registrar) said she spent a most trying half-hour with him. He was very offensive in his behaviour and his language was objectionable, so much so that she would prefer to go out of business rather than have any further dealings with him.

She told him she had then been taken to another gentleman. The registrar said, "That was that damn old Gawler. I would like to put him in his place. He should be pulled out of there." He also said he always received a fee for performing marriages, and "If they do not give me a fee I damn well won't let them go without getting a fee from them."

8th March, 1937.

I, do solemnly and sincerely declare that on the 20th January approximately I attended at (a matrimonial bureau) to make arrangements for my marriage, and interviewed in the matter. She asked me for a fee of £3 3s., but afterwards reduced it to £2 10s. I paid a deposit of £1, for which she refused to give me a receipt. I signed a notice card, and gave the information for marriage on the required form.

She told me that my fiancé could sign the notice on the day he came in to be married, but that I was to get in touch with the bureau three days prior to the ceremony. This I did through my brother, when she gave him a card to send to my fiancé, who was in the latter signed and returned the card, but it did not reach her until the day before the proposed marriage. She sent it to the registrar at the bureau, pointing out that it was useless. Her action in this matter has been extremely unsatisfactory, and has involved all concerned in the marriage in very great inconvenience and much expense.

(Sworn declaration.)

Lieut-Col. Knox.—Does all this relate to the same agency?

Mr. BAILEY.—No. I think that several registrars and several matrimonial agencies are concerned. Honourable members will understand that the practice of matrimonial bureaux in Melbourne of advertising for couples, bringing them together, and introducing them is anything but desirable. To prevent such happenings as I have related, it is proposed that, as an administrative action, civil marriages of parties within the metropolis will in future be performed by the Government Statist, the Assistant Government Statist, or some other responsible officer of his Department who will be specially appointed for the purpose. This action, combined with the provisions of clause 5 of the Bill, making it an offence for any person to publish or cause to be published any offer to arrange the celebration of a marriage, will, it is considered, effectively deal with the evil of matrimonial bureaux and ensure that proper precautions are taken for the strict observance of the requirements of the Marriage Act.

Here are a few examples of advertisements taken from the daily newspapers—

A A A A A A

Absolute Privacy Assured.

HOLT'S MATRIMONIAL BUREAU.

Holt's for 60 years have been arranging marriages and introductions. Fee 5s.

Reliable service. Advice all matters.

Hours 9 to 8. Sat. included.

2nd floor, Phair's ch., 327 Collins-st., Melb.

F3454.

A A A A A A

MARRIAGES, LOWEST FEE.

Introduction, 5s., 3 mths. Absolute privacy.

K. James, 317 Collins-st.

AGENCY (Always Open).—MARRIAGES.

Intro., 21s. 5s. 19 Queensberry-st., city, close Elizabeth-st. F6220.
in sub-clause (2) requires that a copy of
the written notice of an intended
marriage required to be posted in the
office of the Government Statist or regis-
trar of marriages shall also be posted on
the outside of such office at least three
days before the performance of such
marriage. Clause 3 gives the necessary
authority to the Government Statist, the
Assistant Government Statist, or a regis-
trar of marriages, when acting for another
registrar of marriages in accordance with
the provisions of clause 2, to celebrate
the marriage legally. These two clauses
will prove of great public convenience as,
without this provision, it would be neces-
sary for the parties to the marriage, in
the event of the registrar not being able
to perform the ceremony on the particu-
lar day, to start anew and give the three
days' notice in writing required by the
registrar to some further registrar.

As I said in my original remarks,
there is no authority under the Marriage
Act for either a clergyman or a registrar
to charge a fee for marriage. There is,
however, nothing to prevent his accepting
a gratuity if the parties so desire. In
England, New Zealand, and all the Aus-
tralian States except Victoria, however,
provision is made for a fee to be charged
by a registrar, and from the information
I have given this House there is not the
slightest doubt that it is the invariable
practice of registrars to accept payment
which is either demanded or suggested.
Clause 4 authorizes the Governor in
Council to make rules to prescribe a fee
not exceeding 21s. to be paid by the male
party to the marriage to the Government
Statist, the Assistant Government Statist,
or any registrar of marriages who is sub-
ject to the provisions of the Public
Service Acts, on or before the celebration
of the marriage. The fee will be paid
into Consolidated Revenue. A further
provision is made authorizing the Go-
vernment Statist to remit the whole or
any part of such fee if, in his opinion,
the payment of the whole fee would
entail serious hardship. The fees charge-
able elsewhere are—

New South Wales.—25s.
Queensland.—20s.
South Australia.—5s. is charged for notice
of marriage; £3 10s. for a special licence;
an amount varying from 10s. to £2 15s.
for the ceremony itself.
Clause 5 is submitted as being a necessary amendment of the law to curtail the activities of matrimonial bureaux. As members are aware, in each day's newspaper advertisements appear from these bureaux offering to arrange marriages, and I have already given to the House some information as to what ensues on their activities. Sub-clause (1) provides that any person "not being a person who under the Marriage Act may celebrate marriages" who publishes or causes to be published any offer to arrange a marriage shall be guilty of an offence, the penalty being a minimum fine of £5 and a maximum of £20 for every such offence. That would mean that such advertisements would not be published in the newspapers. I understand that the newspaper proprietors are not keen about accepting advertisements of this particular kind, but in these days of competition if one journal takes them the others also do. The exemption of persons authorized to celebrate marriages is necessary because it is the practice on most church notice boards to include the statement that marriages will be celebrated, and there is no objection to such a general statement, while it may also be desirable for a registrar of marriages to have a similar notice board for the information of the public. Sub-clause (2) of the clause provides that where the offence set out in sub-clause (1) is committed by a corporation, the chairman, director, manager, secretary, or officer of such corporation shall be deemed to have committed the like offence unless he proves that the act took place without his knowledge or consent. This is a necessary precaution so that those conducting the bureaux may not escape from the requirements of the law by forming themselves into a corporation.

On the motion of Mr. HOLLWAY (Ballarat), the debate was adjourned until Wednesday, August 4.

Mr. Bailey.

LOCAL GOVERNMENT (CELEBRATIONS) BILL.

Mr. HYLAND (Honorary Minister).—I move—

That this Bill be now read a second time.

This small Bill is one to authorize expenditure by the councils of municipalities for certain special purposes, and to validate expenditure already made by municipal councils for the particular purposes specified in the Bill. Municipal councils may expend money only for purposes for which they are given authority in the Local Government Act and other Acts under which they operate. It is therefore necessary, when any extraordinary expenditure is incurred or is proposed to be incurred by municipal councils, to pass special legislation indemnifying the councils for the expenditure already incurred, and authorizing the expenditure proposed to be incurred if the object of such expenditure is considered one on which they may be permitted to expend municipal funds.

The present Bill covers two special purposes. One is the expenditure of money for the celebration of the Coronation of His Majesty King George VI. On similar occasions special Acts have been passed to authorize and validate expenditure by municipal councils in celebrating the coronation of British Sovereigns. The Bill provides that the council of any municipality, including the councils of the City of Melbourne and the city of Geelong, may, out of its municipal or town fund, apply sums of money towards the celebration, both within and outside its municipal district, of the Coronation of His Majesty the King, and it also declares all sums of money so applied before the commencement of the Act to have been validly applied. The request for this provision was made by the Municipal Association of Victoria and a number of individual municipalities.

The other purpose on which municipalities are authorized to expend their funds is the celebration, either inside or outside their municipal district, of the centenary of any event of historical interest to the municipality. Any sums of money so applied before the commencement of the Act are also declared to have
been validly applied.' This provision originated from a request by the Geelong City Council for it and surrounding municipal councils to be given authority to expend portion of the town fund or municipal fund on the celebration of the centenary of the official foundation of Geelong. It was on the 26th of October, 1838, that Geelong was declared a town by Governor Sir Richard Bourke, of New South Wales. Honorable members will remember that a special Act, known as the Centenary Celebrations Council Act, was passed in 1933 with the object of arranging for the centenary of the settlement of Victoria and of the foundation of Melbourne, and municipalities throughout the State were authorized to contribute from their funds towards the cost of these celebrations. The Government became aware that a number of municipalities were celebrating or proposed to celebrate the centenary of the discovery or settlement of their districts, and consequently decided to make provision not only for Geelong and district to celebrate their centenary, but to enable all other districts to celebrate their centenaries when the time arrived. According to statements in the press, quite a number of municipalities last year and this year have celebrated, or propose to celebrate this year, the discovery of their territory 100 years ago by Major Sir Thomas Mitchell. It is because of some of these celebrations having already taken place that the Bill not only provides for expenditure in the future but validates expenditure in the past.

While the Government considers that too much freedom should not be given municipal councils to expend rates on various objects, it is of opinion that the purposes covered by the Bill are quite legitimate objects on which money contributed by ratepayers may be expended. Control will be exercised over the object and the amount of expenditure on the centenary of any event of historical interest to a municipality, as the expenditure is made subject to the approval of the Governor in Council.

Clause 1 provides that the measure is to be construed as one with the Local Government Acts. Clause 2 authorizes the councils of municipalities, including the City of Melbourne and the City of Geelong, to apply, out of the municipal or town fund of the municipality, sums of money towards the celebration, either within or outside the municipal district, of the Coronation of His Majesty King George VI. It also validates expenditure already made for the purpose. This is the customary provision on such occasions. Clause 3 gives authority, subject to the approval of the Governor in Council, to the council of any municipality, including the City of Melbourne and the City of Geelong, to apply, out of the municipal or town fund, sums of money towards the celebration, inside or outside the municipal district, of the centenary of any event of historical interest to the municipality. By making the contributions subject to the approval of the Governor in Council, control may be exercised as to the object to which the money is applied and also the amount. Expenditure of money already made for the purpose authorized is validated.

On the motion of Mr. WHITE (Bulla and Dalhousie), the debate was adjourned until Tuesday, August 3.

SEWERAGE DISTRICTS BILL.

The Order of the Day for the resumption of the debate (adjourned from July 14) on the motion of Mr. Old (Minister of Water Supply) for the second reading of this Bill was read.

Mr. WHITE (Bulla and Dalhousie).—The honorable member for Dandenong had the adjournment of the debate, but as he is not present, I move—

That the consideration of this Order of the Day be postponed until to-morrow.

Mr. OLD (Minister of Water Supply).—In view of the fact that the honorable member for Dandenong is not present, and he wishes to resume the debate, I am prepared to accede to the request of the honorable member for Bulla and Dalhousie.

Mr. White's motion was agreed to, and the consideration of the Order of the Day was postponed until next day.

The House adjourned at 9.46 p.m.
The Speaker (the Hon. W. H. Everard) took the chair at 11.15 a.m., and read the prayer.

LEAVE OF ABSENCE.

Sir STANLEY ARGYLE (Toorak).—By leave, I move—
That leave of absence for one month, on account of illness, be granted to the Honorable Thomas Karran Maltby, the member for Barwon.

The motion was agreed to.

FACTORIES AND SHOPS (SHORTER WORKING WEEK) BILL.

Mr. HOLLAND (Flemington).—I move—
That this Bill be now read a second time.

Honorable members will, I am sure, agree that this is a measure of paramount importance. The question of a shorter working week has occupied the minds of social workers, economists, and workers engaged in industry for approximately 155 years. During that time, reductions in the hours of labour have been achieved sometimes by conciliatory methods, sometimes by resort to strikes, and sometimes as a result of parliamentary action. New problems confront us to-day and it is necessary that we should make an effort to meet them. I propose to deal with the Bill from various aspects, including the effect upon unemployment of a shorter working week, the question of additional leisure for workers, the mechanization of industry as a factor in contributing to unemployment, and the employment of youth in our industrial life. I advance the view that the reduction of the number of working hours is the only logical way of combating unemployment. The worker should receive, in the form of increased leisure, a share in the benefits of technical progress and mechanization. The only method by which the output of mass production can be consumed is by increasing the purchasing power of the people. I feel that there is sufficient in the items I have enumerated to give food for thought to honorable members on the very important question of the necessity for a shorter week. We live in a world of rapid change and conflict. The whole structure of society creaks under the weight of old and worn out ideas, which are ready to fall. Must we lie amidst its shattered ruins, or have we something with which to replace it? In viewing the situation to-day we have to find a solution, not only of the problem of unemployment, but of the problem of poverty generally. We appear to be swept like a frail barque on the crest of a mighty wave. Can we, as an organized society, control its dynamic forces? Can we get order out of chaos, hope out of despair, and realization out of futility? We seek most of all a system of security. A community that has lost its sense of freedom and security is no real community. If we are to maintain our social solidarity the State will have to deal, not with isolated problems, but with the life of the community as a whole.

Every society is judged by, and survives according to, the material and moral minima which it prescribes for its members. Perhaps the ordinary desire of the individual citizen is more for security as regards his shelter, his food, his clothing, and his old age. The present social order is based on individualism and has been for hundreds of years, but there has been a considerable growth of what we may call social idealism. Consequently there arise from the masses of the people demands for a higher standard of living, and for better opportunities of health, of housing and of education. Only the narrowest and most prejudiced survey can be blind to the evils and antinomies of modern life to-day. We have immeasurable tracts of wealth, cheek by jowl with immeasurable wastes of poverty. Man's command over nature has been proved, but it has only demonstrated man's tyranny over man. So to-day in Australian society there are two classes facing one another, like soldiers in battle array.

Mr. Slater.—Eighty years ago Disraeli described the two classes in the community as two nations facing one another.

Mr. Holland.—On one side is the small compact ever accumulating group, growing smaller in numbers each year, which has drawn into
its hands the control of the financial and economic life of the community. On the other side, there are the great masses of workers to whom capitalism in its most lenient moods can promise only a measure of relief in their old age, and some hope from social insurance. It is the acute and pernicious difference in the incomes of the rich and poor, the "haves" and the "have-nots," that makes a focal point in the struggle for a full life that the working people are putting up, not only in Australia, but in most other parts of the world.

We find that demands are being made for wage increases, paid holidays, better working conditions and a shorter working week in industry. All attempts of that kind have been resisted by the capitalistic system under which society is operating to-day. Capitalism realizes that any increases in the direction that I have mentioned can come only from the national income. That is to say, increases in the amenities of life which the workers are seeking can come only from a greater share of the national income which is socially produced. I venture to say that the contribution of the workers, skilled and unskilled, plays a greater part in the making of the national income than anything else. No matter what wealth groups, or corporations or individuals, may possess, it is the application of the scientific knowledge possessed by the workers themselves that translates the raw materials into actual and true wealth. Therefore, I say that the workers play the most prominent part in the production of riches, and I consider that they are entitled to a greater share of that socially-produced wealth than they are enjoying to-day. We are also fighting for increased social service, slum clearance, better housing, greater unemployment benefits, public assistance, school feeding, the raising of the school leaving age, and maternity and child endowment. The Government and the rich sections of the community fight against any progressive move in those directions, because they realize that these things can only be provided to-day by increases in the taxation rates in Australia, and particularly in Victoria. Therefore, they resist with all the powers at their command to prevent the natural increases which the average working class man desires, not only for his own benefit, but also for those who depend upon him for maintenance. Such is the situation with which we are confronted to-day, and I believe it is our duty to try to evolve a plan to bring about better understanding. I never could account for the resistance offered by that small but wealthy group which owns industry, and controls the lives of the workers by the power which it exercises. It does not seem capable of realizing that sooner or later there will be enacted legislation dealing with the minimum basic wage and the maximum hours of work, and adding to the material prosperity of the workers. Why do not the captains of industry recognize the inevitable and offer their co-operation? If we study history aright, the change is absolutely certain to come about, and the party to which I belong desires that it should take place in a peaceful manner. We recognize that the anti-toxin of revolution is evolution; but sometimes a stage is reached when the workers become tired of pleading and resort to other than evolutionary methods.

I propose to give a brief survey of the struggle for a shorter working week. Right from the beginning opposition has been shown to the proposal because, it has been claimed, industry could not stand it. In the early days when industry was working fifteen and sixteen hours a day the employers advanced against any reduction the argument that it was only in the last hour that any profit was made. In fact, right down the ages when agitation or fights have taken place on the question, that same argument has been brought forward. When we consider the price levels in any period in which a reduction in working hours has operated, we find that society and industry have adapted themselves very easily to the change. The contention that industry could not stand a reduction of working hours and would go out of existence if that reduction was made has been brought forward. When we consider the price levels in any period in which a reduction in working hours has operated, we find that society and industry have adapted themselves very easily to the change. The contention that industry could not stand a reduction of working hours and would go out of existence if that reduction was made has not been proved with the march of time. From an historical review I am led to believe that workers are now passing through a stage similar to that which followed the first industrial revolution. I think that the conditions which developed in the early days from
the introduction of machinery are largely in evidence in these more modern times. There is this difference, that although in earlier times machinery displaced men and women and made extra provision for juveniles, the latest development is of such an automatic character that it displaces not only men and women, but juveniles also.

The first struggle in England occurred in 1784, and took the form of a protest by magistrates because orphan children who were in their charge were working sixteen hours a day in the textile industry. The magistrates decided to refuse to permit their charges to work those hours in the textile industry until a change was made. In the words of Spencer Walpole, it took 25 years of agitation to restrict the working hours of children of nine years of age to 69 per week. In 1815 Peel introduced a Bill providing for a working day of 10 hours for those under ten years of age. Hobhouse's Bill of 1831 provided for a 10-hour day for children under eighteen years. In 1847 the 10-hour day was extended to every adult in the textile industry, and in 1857 it was applied to some other industries. In 1898 the gas workers, who were working 12 hours a day, decided to resort to direct action to achieve a shorter working week, with the result that after a strike lasting a number of weeks they succeeded in obtaining an 8-hour day not merely without any reduction in pay, but actually with an increase in pay. Coming to our part of the world, we find that in New Zealand in 1848 the workers underwent a three months' strike rather than tolerate a 10-hour day. As one who has had some experience of the trials, tribulations, and sacrifices in which women and children are involved by a strike of such duration, I can appreciate the sufferings that were undergone by the workers of New Zealand and their dependants in support of an 8-hour day. In 1856 the stonemasons in Victoria obtained a shorter working week, on the 8-hour day basis. In 1877 that was extended to other industries in this State. Queensland adopted an 8-hour day in 1885, South Australia in 1876, and Tasmania in 1874. A 44-hour week was gained in New South Wales in 1920, in Queensland in 1924, and in Western Australia in 1926.

Mr. Holland.

As regards the effect of the early stages of the transformation in industry, particularly the textile industry, by the application of science, I am not one who advocates that we should put a sprag in the wheel of progress, as did the Chartists or the Luddites who decided to go out at the dead of night and destroy the new machinery and appliances. The result was that some of them were sent to Australia, and others were hanged. I desire that developments in machinery should be organized, and applied not for the aggrandizement of a few, but for the benefit of the large majority. The flying shuttle introduced, in 1733, an improvement in weaving. The spinning jenny introduced, in 1764, an improvement in spinning, performing eight times as much work as the machine previously in use. Further improvements were the Arkwright water frame of 1771, Crompton's mule in 1779, and the Cartwright loom in 1784. In 1763 Watt's steam engine made a profound difference in the application of power to machinery. These inventions gave rise to what we term industrialism, which broke up the home industries of the people of England and forced the workers to live in congested areas. A writer has described vividly in the following words the state of society in England after the introduction of machinery:

THE REVOLUTION IN MANUFACTURING, 1750-1830.

In manufacturing, as in agriculture, it was the introduction of machinery and scientific methods that made the years between 1750-1850 unlike any other period in the history of the world. Strange though it may seem, many of the fundamental principles of steam power had been understood by the ancient Greeks and Chinese, but in the middle of the eighteenth century new inventions were immediately brought to light and widely used, because conditions were ripe for them. In the first place, the ever-increasing rush of the workers to the towns furnished a cheap and abundant labour supply. Secondly, capital was plentiful. Thirdly, a large demand existed for manufactured products. One immediate effect of the new inventions was poverty and suffering for the working classes. Not only were the independent farmers expelled from their lands and impoverished by the extension of sheep-raising and the inclosure movement, but the handicraftsmen, too, were powerless to compete either in quantity or in quality with the products of the new machines, at least in the textile industries. The generation from 1800-1830 marks the lowest point in the welfare of the British working class, certainly...
in modern times and in many respects in all history. Even the American negro slave of the same period had at least fresh air, fresh country food, and some time for rest and recreation. But in the factory towns of Northern England entire families were huddled in damp, poisonous cellars at night, and for fifteen to eighteen hours a day were driven at the most wearing kind of labour in mills and factories. In mines the workers were often compelled to toil waist deep in water; in the factories they were forced to breathe flying dust and harmful gases. Wages, and consequently allowances for food and clothing, were incredibly small. Thousands of workers clamoured at the factory gates for employment, and the owners usually got as much as they could out of the workers and then discarded them ruthlessly for others.

I have quoted that brief description of the industrial revolution because I feel that associated with the new development in industry by which machinery is largely becoming automatic there is a tendency for history to repeat itself so far as the conditions of the workers are concerned. There is no need for me to refer again to the last census and the figures revealing the low incomes of the great mass of the people in Australia, in order to demonstrate that our present state of society is not far removed from the conditions described in the passage which I quoted.

The movement for a shorter working week has been investigated not only in Australia but in other parts of the world. In 1935 this House appointed a Select Committee representative of all parties to inquire into, among other things, the shorter working week in industry, and it was my privilege and honour to preside over that committee. We invited representatives of the manufacturing interests, in fact, employers generally, to give evidence before the committee. With one exception the request was refused point blank. The reason advanced was that it was contemplated in the near future that the Judges of the Commonwealth Arbitration Court would investigate the same problem, and the employers were not prepared to submit to our committee the evidence which they had prepared for submission to the Judges. Therefore the committee was compelled to examine witnesses engaged in industry. There appeared before the committee workers and representatives of men who had been engaged in industry for years. Those men understood fully the ramifications of industry, and they had noted the changes that had taken place in industry as the result of mechanization, rationalization, and specialization. From their knowledge and experience they furnished valuable information to the committee. I propose to read later some extracts from the evidence submitted to the committee on the effect of mechanization and mass production in the displacement of labour. After an exhaustive study of the evidence submitted, the committee arrived at a number of decisions by a majority vote. I shall not read the whole of the findings of the committee because the report is available to honorable members, but I shall quote the most salient parts of the report—

Although the shorter working week is at present advocated by many primarily as a remedy for and a preventive of "technological" unemployment, several other aspects have been advanced in its favour, viz., that 48 or 44 hours per week is excessive considering the noise, monotony, nerve-strain, and general tension required in machine production, that it imposes undue fatigue on the worker, and that it deprives him of reasonable leisure. These matters, especially the question of undue fatigue, are referred to in the evidence at pp. 170-2, 389-92, 445-60, 900, ct seq. Your Committee are of opinion that a shorter working week is, therefore, socially and economically desirable.

Your Committee agree that unless there is a world-wide reduction in the hours of labour, Australia's export trade might suffer through a reduction of working hours; but they feel that any possible loss in this connexion would be offset by an improvement of the home market.

In conclusion, your Committee report that the establishment of a shorter working week without reduction in pay is a social and economic necessity, and believe that a maximum working week of 40 hours should be established by law in the State of Victoria.

Your Committee further recommend that if the Commonwealth Government asks the States to ratify the Geneva Convention establishing the principle of a 40-hour week, the Victorian Parliament should pass the necessary legislation; and because of the possible consequences upon unemployment relief and Government finances, the matter should be made a question for consideration by a Premiers' Conference in order that united action by the States might be decided on.

That was a recommendation of a majority of members of that Select Committee. When a Premiers' Conference in Adelaide was dealing with that last question, unfortunately, for some reason or other, theoretical or practical, unanimity was not arrived at. In those Australian States where the Labour party is sometimes in
say, by the British Government—to sabotage the recommendations of the Joint Committee. Representatives of the employers of several countries, led by the employers’ representatives of Great Britain, remained away from the conference in the hope that there would not be a quorum; but, to the credit of the American representatives, there was a quorum, and the recommendation for a 40-hour week was adopted. A most notable statement was made by one of the representatives of the employers of the United States of America, as the following extract from a report shows—

One of the most significant statements made by any delegate at the Geneva Conference was that by Mr. Folsom, on behalf of the employers of the United States of America. After traversing the trend in his country with regard to hours of work during the last sixteen years, Mr. Folsom reflected the responsible view of enlightened employers in one of the most highly industrial of all countries when he gave full support to the principle of the 40-hour week. Pointing out that a year had elapsed since N.R.A. was declared invalid, Mr. Folsom stated that the 40-hour week was still being maintained over the greatest section of American industry, and commanded the support not only of labour but also of a considerable section of the employers themselves. As a matter of practical experience, he stated that the 40-hour week had aided in meeting the unemployment problem, while costs had not increased in the manner that theoretical calculations had suggested. In addition, stated Mr. Folsom, the increase in hourly rates had been offset by the increase in hourly output.

So American employers had instructed him to urge employers in other countries to join in the movement for the shorter working week.

Mass production methods must be balanced by a 40-hour week. The question is one of practical politics.

Mr. Folsom spoke on behalf of the United Employers’ Federation of the United States of America. He went on to show that, as a result of the shorter working week in the textile industry, there had been an increase of 16 per cent. in permanent employment, and that in the iron and steel industry there had been an increase of 13 per cent. The employers were satisfied, for many reasons, that the change had proved satisfactory, and they had no desire to revert to the longer working week. They were satisfied that industry and commerce generally had adapted themselves to the change.

Mr. Michaelis.—Have you any idea what percentage of workers in the United
States of America are working forty hours a week?

Mr. HOLLAND.—I understand that 461 codes were introduced by the N.R.A., covering approximately 96 per cent. of workers. I am quoting from my memory, which is sometimes treacherous. I am not able to say whether all those industries have retained the shorter working week. It is not obligatory upon them to do so now, but I am told that at least 11,000,000 employees are enjoying a 40-hour week, and that many others work only a 36-hour week. A reduction of hours of labour has taken place, not only in America, but in Great Britain, where some of the largest industries, notwithstanding opposition by the British Government, have introduced a shorter working week. When a representative of Boots Limited was giving evidence before the chain store inquiry in New South Wales, it was suggested that his firm had the reputation of having introduced the shorter working week in Great Britain. He replied that the reduction of hours was introduced as an experiment for three months, and was so successful that it was adopted by the firm, whose employees, numbering 5,000, now enjoy a shorter working week without any reduction in wages. I understand Boots Limited is one of the most highly mechanized industries in the world. It employs a remarkable number of automatic machines in manufacturing its products.

The Portland Cement Company, and other large industries in Great Britain, have adopted a working week of 42 hours. In Belgium and in France, too, a shorter working week has been introduced, and Spain, which is regarded as a backward country, had also effected a reduction of hours of labour prior to the outbreak of civil war there. In a report which I read last week, it was stated that, as a result of the introduction of a 40-hour week on the French railways, there had been an increase of 11,000 in the number of employees. Whether there will be a return to longer hours, now that the French Premier, Monsieur Blum, has been deposed, I do not know; but once the workers enjoyed the privilege of a shorter working week it would be most difficult to revert to longer hours without a strong protest on their part, and, in view of the characteristics and temperament of the French people, I do not think they would willingly accept a return to the former state of affairs.

I have been particularly struck with the attempt to introduce a shorter working week in Italy. Mussolini became tired of waiting for the League of Nations to arrive at a decision on the question of a general reduction of hours, and decided to implement a 40-hour working week in Italy. At a conference of representatives of employers, he intimated—no doubt, because of the situation confronting Italy—that there would have to be a reduction of the hours of labour from eight to six, or even four per day, if necessary, without any reduction of wages. The employers promised to consider the request and, as a result of their inquiries, decided to give the proposal a trial. Mussolini assured them that he would not attempt to socialize industry or impose a capital levy. Although the introduction of a shorter working week in Italy was actually accompanied by a reduction of 8 per cent. in salaries and wages, Mussolini introduced a system of child endowment, so that the workers received an increase in their earnings according to the size of the family.

Mr. Frost.—There is some merit in dictatorships after all!

Mr. Cain.—There is no merit in them.

Mr. HOLLAND.—I am not going to enter into a controversy upon the merits or demerits of dictatorships. As a matter of fact, they take various forms. There may be a straight-out dictatorship by a Mussolini, or a dictatorship by powerful financial institutions.

Mr. Michaelis.—And sometimes one by a caucus.

Mr. Lamb.—Or by the proletariat.

Mr. HOLLAND.—We have not yet had the opportunity of exercising such a dictatorship in Australia, and we are not looking for it. The shorter working week was introduced in Italy on the 1st of December, 1934, and by the 25th of December of that year over 200,000 additional employees had obtained work, and it is estimated that, including their dependants, 500,000 people benefited by the reduction of hours in industry in that country. I am informed that recently there has been a slight increase of hours in the ship-building and munitions industries. Of course, there is a reason for that.
Mr. MICHAELIS.—They are working overtime in Spain.

Mr. HOLLAND.—Unfortunately, we cannot tell whether we hear the truth about what is happening in that country! A perusal of various monthly journals will disclose that they frequently contradict statements appearing in the daily press. From reports appearing in the daily press, it would appear that over 5,000,000 people have already been killed in Spain. In Current Notes on International Affairs, issued by the Commonwealth Department of External Affairs on the 15th of June last, there is an article dealing with a shorter working week, from which I shall now quote:

The question of the 40-hour week has been under consideration by the International Labour Office and Conference since 1932. In 1934 the Conference passed a resolution in favour of the principle of the reduction of hours of work.

In 1932 the Conference adopted a draft Convention merely affirming the principle of the 40-hour week. A State ratifying this Convention undertakes to apply the 40-hour week to such industries as may be covered by draft conventions adopted by future Conferences, and eventually ratified by the Member Government.

Such proposed conventions were to be brought before the Conference from time to time in relation to particular industries, and this is now being done in the case of the three industries which are under consideration at the present time. Another convention was adopted in 1935 applying a 42-hour week, on the basis of four shifts, to automatic glass-bottle manufacturing.

In 1938 the Conference agreed to a draft convention applying the 40-hour week to public works.

That was last year. This year a 40-hour working week has been approved in respect of a large number of industries, but it cannot be applied until the necessary legislation is enacted by the various Parliaments concerned. The Commonwealth Government cannot be excused from implementing the findings of the Geneva Conference to which it sent a representative. It has suggested, as an excuse for its inaction, that there is some doubt on constitutional grounds of its ability to introduce generally a 40-hour working week. It is said that this reduction of hours can be applied only to its own employees. I am not a constitutional lawyer, so I cannot say whether that contention is right or not, but at least the Commonwealth Government should attempt to implement the findings of the Geneva Conference, to which its delegate, under its instructions, agreed. My party holds that the responsibility for the fixation of a shorter working week and a basic wage rests upon the Government, and not upon the Commonwealth Arbitration Court, which, being an appointed, and not an elected, body, is undemocratic, and is not responsible to Parliament or to the people.

Mr. LAMB.—Would you prefer a Wages Board to the Commonwealth Arbitration Court?

Mr. HOLLAND.—No. Because of their paramount importance, the responsibility of determining these questions should be the duty of Parliament. I have had a good deal of experience with Wages Boards during a period of ten years. The parties usually depend on the chairman and, as there must be a majority decision, he generally takes the line of least resistance, and compromises. I believe that the Commonwealth Government could delegate its powers to a body on which all sections of the community could have representation; it could be similar to the Piddington committee. That body could consider the questions of commercial prospects, the standard of living, and the amount of money required to provide for such a standard.

Mr. MICHAELIS.—Is that not the job of the Commonwealth Arbitration Court?

Mr. HOLLAND.—That is supposed to be the job of that Court, but it does not attempt to tackle it. Why are three Judges now required to hear certain matters? In the early days of the Court Mr. Justice Higgins presided over the historic Harvester case, and gave a decision as to the basic wage on the facts submitted by witnesses. He did the same with respect to the case connected with working hours. Now that powers have been delegated to three Judges, I say, with all due respect to them, that they are prejudiced by their environment.

Mr. CAIN.—Their job is to give sufficient to the worker to provide for his frugal comfort.

Mr. HOLLAND.—Society is changing. Responsibility rests with the Government, and, in my opinion, it cannot get away from it.
I wish briefly to deal now with the mechanization of industry, and its effect in displacing labour. Mechanization is detrimentally affecting adult labour, as is also the greater use of juvenile labour. In some industries, where there is much work of a repetitive character, and where a machine does practically the whole job, the boy or girl worker is only a machine minder. The average juvenile worker can become expert on a machine in a short period; but the children are not protected beyond the ages of sixteen or seventeen. At those ages they are displaced and thrown on the scrap heap, and younger employees are engaged for a period. That statement cannot be challenged insofar as it relates to the Australian textile industry.

Mr. Cain.—Too old at twenty!

Mr. Holland.—Yes. We remember agitating for protection in Australia. We believed it was futile that people living in the country that grew the best wool in the world should export the raw material 12,000 miles to have it manufactured into finished articles, and brought back again in that form. We set out on the principle of making the Commonwealth self-contained. As a result of the embargo placed by the Scullin Government on imports, to try to bring about a balanced Budget, industries grew up in Australia like mushrooms. We thought they would be avenues for employment, but we found that there was no control over the number of juveniles that could be employed; nor was there any protection for them when they reached the age of sixteen or seventeen years. In Current Notes on International Affairs, issued on the 1st of July last by the Commonwealth Department of External Affairs, there is reproduced an article on “New Aspects of the Unemployment Problem,” in which the Director of the International Labour Office, in his report to the International Labour Conference, says—

In spite of the almost universal recovery of production, large pools of unemployment persist. The fact that the working population is everywhere larger than seven years ago contributes to this situation. There is also the influence of technological progress, which has become so rapid that the reabsorption of workers displaced by machinery becomes daily more difficult; and there are continual structural changes in industry itself—the decline of some industries and the birth of others. Moreover, provision must be made for re-educating workers whose trade has died out; this is often impossible after a certain age.

Some quarters expected that, although the mechanization of industry displaced labour, it would create new desires among the people, and new avenues of employment. I agreed with that view to a certain extent, but no new industries are being developed to absorb employees who are being displaced by mechanization. That fact has been demonstrated by investigations in the United States of America, where there is always surplus labour that cannot obtain re-employment, possibly because of its lack of technical knowledge, or because of the changes in ideas brought about by new industries. It cannot be controverted that machinery is the greatest power in displacing men, and that no new industries are arising to absorb them. I wish to direct attention to statements made by Mr. W. Orr, secretary of the Miners’ Federation of Australia, in a pamphlet entitled Mechanization—Threatened Catastrophe for Coalfields. A big protest is being made by workers engaged in the coal-mining industry in New South Wales against the introduction of mechanical appliances into the mines. Some people are looking forward to the time when the coal miner will no longer be employed in a mine, because of the arduous nature of his calling. The New South Wales employers have decided to introduce electrical coal-cutting machines into their mines, and the men are protesting because they feel that their calling will be extinguished. Mr. Orr, in his pamphlet, makes the definite statement, based on his experience as a practical miner, that about 25,000 men will be displaced as a result of the introduction and development of coal-cutting machines. He says—

This period in which we have to give consideration to the problem of new methods of rationalization and the introduction of machines which will displace 90 per cent. of the present mine workers and destroy the economic life of the minefields, has no precedent in history. Today we face the threat of the addition of an army of 100,000 people to the ranks of the unemployed, when there already exists an army of tens of millions for whom capitalism cannot provide work and allows to starve. .

As he points out, not only will the use of the machines have the effect of taking
both coal and coal-miners out of the mines, but the towns will be destroyed. All those services that supply the needs of the mining communities and thus help to establish and maintain them will disappear because there will be no one to purchase the commodities offered.

Mr. Frost.—The same position obtains in South Wales.

Mr. Holland.—South Wales lends itself to changes because of the big coal faces existing there. Action was taken to bring about changes in connexion with the State Coal Mine at Wonthaggi, but it was found that the seams were too narrow and, therefore, were not adaptable to the proposed changes. Not only in this country, but in the world generally, science and the scientific application of the machine has led to a tremendous increase in production. In the realm of agriculture, new machines for sowing and reaping crops have been introduced, and new methods have been applied to the raising of different types of wheat. We used to think it wonderful if 16, 18, or 20 bushels could be grown to the acre. In America, by the selection of new wheats and by new methods of fertilization, a yield of 160 bushels to the acre is obtained to-day; and in that country 1,000 acres can be ploughed in a day by the use of automatic ploughs. Further, we learn that cereals, vegetables, and fruit are being grown without any soil at all. I have seen a film depicting a milking machine that milks 50 cows, sterilizes and bottles the product, and carries out the washing and drying operations all in fifteen minutes. That gives some indication of what can be accomplished in America. We might favour the introduction of machines of that kind in Australia if we could only control the position in the interests of the community, and abolish the employment of child labour, which goes on because of the uneconomic prices received by producers, particularly for butter. I have had some experience, and I know what it costs to produce butter. Even the price of 1s. 6d. a lb. is not economically sound from the point of view of those who engage in the industry.

Let us consider the remarkable development that has taken place with the new invention called the electric eye, which is in operation in this country. In America there is a steel rolling mill, and not a single human being works on the floor. By means of the electric eye molten metal is taken from the furnace, and put through rolling and other processes, until it appears in the form of steel rails. In jam factories in Australia there are machines for making both the top and lower parts of jam tins, and automatically filling and labelling the tins when complete. The tins pass over a ray of light from an electric eye, which discloses defects unobservable by the human eye. Automatically defective tins of jam are separated from the rest. In an interesting book dealing with the economic life of America I read of what is occurring in the production of the Ford motor car at Detroit. It was stated that when a vessel loaded with iron ore arrives at the quayside, the ore is taken out by magnets, and placed on an endless pulley which conveys the ore to the iron foundry. The necessary ingredients are mixed with it, the various casting operations are proceeded with, and finally the engine itself is assembled and sent out under its own power. All this is done in 24 hours. Formerly the services of 50 men were necessary to manufacture a motor car in a week, whereas to-day only seven men are required during the 24 hours.

One of the most interesting men who gave evidence before the Select Committee was the representative of the bottle workers' union in this State. He gave startling information regarding developments in machinery that was displacing the labour of men who had served a long period of apprenticeship in one of the oldest arts—glass bottle blowing. That art, which has been practised from the time of Pharaoh until recently, has now been practically eliminated. The honorable member for Williamstown and I took advantage of an opportunity to inspect glass bottle works at Spotswood, where we saw an amazing demonstration. The necessary material was brought automatically into the bottle making-machine by which fifteen or sixteen bottles were manufactured simultaneously; they were blown by the machine, tested, examined by the electric eye, and removed and stored without human hands touching them in any one
of the processes. Certainly, in that industry the engineer has received further employment in the direction of making moulds and servicing the machines, but the great majority of the manufacturing employees have been dispensed with. It is proposed, I understand, to make further additions to the machinery, which will make the industry entirely automatic; only the services of engineers will be required.

Interesting evidence was given also by the secretary of the rubber workers' organization, Mr. Kennedy, who submitted facts and figures relating to that industry before the introduction of certain machines. At that period hundreds of men and women were employed at high rates of pay, but the advent of the machines meant that they were almost entirely eliminated, that the output was increased a thousandfold, and that the wages of those employees who remained were reduced by half. The Select Committee was also informed that, owing to the advent of machinery, casks could be manufactured with the aid of very little labour; formerly all the work was done by hand. A representative of the bootmakers also submitted interesting facts and figures relating to the production of boots and shoes. He compared the costs of production in a 30-hour, a 36-hour, and a 40-hour week. He said that if the 30-hour week were adopted in that industry, every idle bootmaker in Australia would be placed in work, and the increased cost of production would be very little; it would represent not more than 3d. on a pair of the highest-grade shoes. I remember that Mr. Foster, one of the leading boot manufacturers of New South Wales, stated that if every boot manufacturer in Australia was prepared to reduce the working week to 30 hours without a reduction in wages, every unemployed man in that industry would be placed in employment, and the increased cost to the public on the highest grade of shoes would be only 3d. per pair. Who would not pay 3d. or 6d. more for a pair of shoes if the result was to be the absorption of the out-of-work employees in the bootmaking industry, of whom there are between 5,000 and 6,000 in Australia? Representatives of the great engineering unions gave evidence to the Select Committee on the effects of modern methods of production, with their specialization of machinery and their repetition processes. They pointed out that the machines are almost faultless in construction and operation, and they said they felt that the development of mechanization was becoming a menace to the members of their unions.

Similar evidence was given by the representatives of employees in other industries, who showed that the inroads of machinery were so great that industries were slowly being destroyed, so far as the workers were concerned. Even clerks are not immune from the danger of mechanization. I read in the newspapers recently that the Bank of England and the Westminster Bank had changed almost overnight from manual to automatic labour. Certainly, the banks compensated their displaced employees by offering them a weekly pension of £3 or a lump sum payment of £2,000. Adding machines, interest calculating machines which do the work of ten clerks, dictaphones, and the like, are throwing thousands of office workers out of employment. A cheque-protection machine can write and sign 7,500 cheques in an hour. There has been invented a typewriting machine which has 1,160 keys, and types in 40 languages. It can write at the rate of 230 words a minute, and a turn of a knob changes the alphabet from one language to another.

The brown coal mine at Yallourn is a good example of mechanization. On one occasion when I visited Yallourn our party looked down into the open cut. It was like a great anthill, black with men who were working with picks and shovels. On a subsequent visit, when I looked down into the open cut again, I did not see one man working there. I saw dredges tearing down the over-burden, huge grabs lifting in one bite 50 tons, and tipping the material on to an electrical conveyor. Trucks were being automatically filled with the coal, which was conveyed to the briquette factory, where the briquettes were being made without a human hand touching them. I saw motors electrically loaded, 80 tons of coal being placed on each. An electric plough pulverized the coal, and it was transported by electrical conveyor to the boiler house, from which it gravitated to an automatic stoker. We can appreciate the enormous displacement of labour as a result of the
introduction of that mass of machinery. We are aware of the remarkable changes that the introduction of modern machinery has made in the erection of large buildings. In the city we see buildings completed in two or three months; a few years ago two or three years would have been required to erect buildings like them. All operations have been speeded up and the workers are subjected to increased tension.

The workers want a wider distribution of the work available. They are demanding greater opportunities for leisure because of the intensity of modern methods of production and because they feel that they are entitled to more leisure as a right. There is latent in them a feeling for art, literature, music, and other amenities of civilization. It is not so much the actual number of working hours that counts in many cases, but the length of time that elapses from the time the worker leaves his home until he returns. Although he works eight hours a day, he may spend two hours travelling to his work and two hours returning. Being twelve hours away from home, he would not have much time for the development of cultural or social life.

Mr. Michaelis.—If a man took two hours coming home from work his wife would want to know where he had been.

Mr. Cain.—If you lived at St. Kilda and worked at the Newport workshops it would take you two hours to get home.

Mr. Michaelis.—It would not take me two hours. I would live nearer Newport.

Mr. Holland.—When I worked in the engineering trade in that part of Melbourne known as “Siberia,” I left home at 6.30 a.m., worked eight hours, and did not get home until 6 p.m.

On the question of leisure, I have two very important quotations, one from Professor Gordon Watkin’s book, Labour Problems:

The shorter working day is a great developing force in the life of the masses. It means leisure to learn to develop the cultural side of life, to enjoy family and friends, and to take a more active and intelligent part in labour organization and in the solution of the complex social and economic problems of the day. After all, the purpose of industry is (or should be) the enrichment of human life, and, since it is socially expedient that industry be subordinated to human well-being, hours of labour must be reduced to the lowest minimum required for the maximum happiness of the greatest number.

My next quotation is from the Right Reverend Monsignor John A. Ryan, D.D., Professor of Moral Theology and Industrial Ethics at the Catholic University of America, who is author of A Living Wage, Distributive Justice, and A Better Economic Order. In his books, A Living Wage and A Better Economic Order, he lays down as fundamental the following:

The right to live means the right to work; the minimum of justice, a living wage. Human needs constitute the primary title or claim to material goods. It would seem, however, that the most effective immediate method of increasing the purchasing power of the workers would be the general establishment by law of a 30-hour week, with no reduction in existing wage rates. The obstacles in the way of this measure are, indeed, formidable, but they are not necessarily insuperable. Leisure was essential if a man was to live a full life, and to seek out the things that ministered to his mind and to his soul. That groping feeling for beauty which was in all of us could only be developed if one had leisure for study. This claim is not a sentimental demand, nor a vague postulate of fairness. It is a strict right, a matter of strict justice based upon dignity and intrinsic worth of the labourer in a society where his wage is his only means of livelihood.

I think we shall agree with Dr. Ryan in regard to the views he lays down, based on human dignity. And what of the partnership we hear so much about between capital and labour? It cannot be controverted that the worker, by his skill and knowledge, is the greatest factor in the production of wealth. It is against the inequality in the distribution of wealth that I am protesting, and it is on that that I am basing my demand for a shorter working week without reduction of pay. Mr. Malcolm MacDonald, son of an ex-Prime Minister of Great Britain, who visited Australia a few years ago, advocates not merely an eight-hour day, but a four-hour day, and he bases his advocacy on certain fundamentals. He makes a statement from which it appears that he has read some of Dr. Ryan’s works, because the words are similar. He says:

Leisure was essential if a man was to live a full life, and to seek out the things that ministered to his mind and to his soul. That groping feeling for beauty which was in all of us could only be developed if one had leisure for study. He had been in Australia a month, but he had not had time, to look for the Southern Cross. Poetry, music, literature generally, and handicrafts all needed much time before they could be appreciated, and none
of them could be known without days and weeks and months of leisure every year. More attention should be paid in schools to teaching people what to do with their leisure.

I challenge the contention that industry cannot bear the cost of a shorter working week. I have come to my conclusions by studying the rise of big industries in Australia from very insignificant beginnings, with very little paid-up capital, and by observing the periodical issue of free shares and the employment of other means of watering stock. I have no doubt that the industries of Australia to-day might, without impairing their usefulness, go a long way towards giving the workers, who are partners in industry, greater leisure and greater purchasing power. That would, in my opinion, add to the common good, and would benefit Australia generally. In the United States of America a fight is also going on to implement the shorter working week and increase the national basic wage. In the national legislature of that country there is a system by which members can inaugurate a Bill as I am doing to-day, but the Bill is referred to a committee of members of both Houses. Those committees have power, as has a Select Committee of this House, to send for books and documents and summon the captains of industry before them.

Mr. Dillon.—A committee could not get such men to come forward.

Mr. Holland.—The committees have power to command their presence. It was a revelation to me to learn what they could do in the way of compelling the attendance of witnesses. Illustrations are to be found in the investigations made into oil scandals, and the action taken against J. P. Morgan, who said he had a moral right not to pay taxation if Parliament were foolish enough to leave him a loophole. I was interested in a statement made as recently as the 8th of June of this year. It has reference to a Bill, inaugurated by Senators Black and Connery, for a 40-hour week, which was introduced in the Senate of the United States of America. I shall quote from an American newspaper—

SHORTER HOURS AND HIGHER PAY HelD ONLY WAY TO PROMOTE REAL PROSPERITY.

Immediate raising of the wage level and shortening of the work hours would be the quickest way of "promoting real, not fancied, prosperity."

Session 1937.—[15]
Mr. LEMMON.—Our experience was similar in connexion with the reduction of hours from ten to eight per day.

Mr. HOLLAND. — American employers welcome the 5-day week, as it gives them an opportunity to carry out maintenance work on Saturday mornings. There are now fewer breakdowns of plant, there is increased production, and there is more contentment among the employees. A reduction of hours of labour is the order of the day throughout the world, and it is useless to contend that by reducing hours Australia will be at a disadvantage as compared with other countries. Our greatest competitors are meeting us on an equal footing, because they have already reduced hours of labour. Japan is taking steps to inaugurate a 7-hour day without a reduction of wages. Representatives of English employers, at a conference associated with the League of Nations, fought against a reduction of hours; but, at a subsequent conference at Washington convened by American employers they had the mortification of being told by Chinese delegates that they were preventing a reduction of hours in China because English finance controlled all industries that were working long hours in that country. We should have no fear of what might follow the introduction of a shorter working week in Australia. At the time when the historic fight for a reduction of hours took place in Great Britain and in Australia, America was engaged in a similar struggle. In 1863, Tara Steward, a Boston machinist, convened a meeting of unionists, which sought a reduction of hours of labour. Harry W. Laidler, in his book A Program for Modern America, says—

Steward conducted a vigorous agitation during those days in behalf of national, State and municipal legislation, maintaining that a shorter work day would lead rapidly to an increase of wages and ultimately would assist materially in doing away with the wage system. Steward's plan of action was endorsed at a great mass meeting in Faneuil Hall, Boston, after an address by Wendell Phillips, in the course of which Phillips declared: "When shut up an excessive number of hours in labour the workman comes out but the fag end of a man . . . Now, therefore, is it a fair division to give him eight hours for labour, eight hours for sleep, and eight hours for his own use as he pleases . . . ."

Laidler also says—

During the World War an investigation of hours worked extending over a several months' period showed that total output was 19 per cent. greater on a fifty-five and a half hour week than on a sixty-six and sevenths hour week.

Laidler quotes Donald A. Laird, efficiency expert, as follows:—

There is a limit set by nature on human work. Long hours simply defeat themselves by giving inadequate time for the sodium lactates, the "fatigue toxins", to be dissipated from the workers' muscles. Rest alone accomplishes this, and unless rest is provided fatigue accumulates, not only from hour to hour, but from day to day, Tuesday's production dropping below Monday's, Wednesday's below Tuesday's, and so on during the week. And this process gathers momentum the further it is carried. This is the reason that overtime is uneconomic, although some manufacturers never realize what is actually going on.

Honorable members have been very patient during my lengthy speech, but before I conclude I would make a final appeal on the question of the employment of youth. We have all been approached by parents anxious to place in employment boys possessing every qualification with which our schools can provide them. Mothers and fathers wish to see their boys go out into the world well equipped for the battle of life, but, unfortunately, a generation of youths has lost its opportunity, and the position confronting them is tragic. What are we going to do with our youths? The Minister of Labour, who visited New Zealand to investigate the problem there, has returned full of information, backed by an earnest desire to solve the problem, not only as regards unemployed youth, but in relation to unemployed workers generally. He believes in a placement system, in re-educating the boys to give them the opportunity they have lost; but, as he admitted last night, this proposal, even if adopted, will not find jobs for those lads. If the present system of partial training of youths is continued, an unscrupulous employer will exploit the fact that a lad may be only 30 per cent. efficient, and will allow the Government to make up the balance of the money due to give the employee the minimum rate of wage applicable to the trade in which he is engaged. On the other hand, a lad in many cases will find a job only by displacing an adult employee—perhaps his father. To overcome these difficulties,
it is necessary to plan an order of society.

(At 1 p.m. the sitting was suspended until 2.10 p.m.)

Mr. HOLLAND.—Just prior to the luncheon adjournment I was discussing youth employment, and was endeavouring to demonstrate that the placement scheme, and the proposed technical training the object of which is to re-educate a large number of young men who have missed their opportunity, will fail unless provision is made for the creation of new positions, or for meeting the situation by a reduction in hours so as to spread the available work. The only alternative is a planned organization of society, together with a utilization of public works of a reproductive character, which I claim, with all due modesty, would open up avenues for the creation of work, and, if properly carried out over a given number of years, would successfully meet the problem of employment, not only for a large number of adults, but for the young men who are to be technically trained. We must see to it that we provide that opportunity which is due to every young man who has missed his chance. I do not object to training, but unless the necessary positions are created by the establishment and development of further industry, or a systematic carrying out of essential public works, utilizing the credit of the community, there will be a great risk of failure. If we attempt the restoration of prosperity by borrowing we shall only lend further difficulty to the situation. It is true that our young men must be trained.

Many years ago, in company with the late Senator Russell, I was in Cole’s Book Arcade, and I picked up a magazine published by the late William Stead in which the author dealt with the lives of celebrated men. That book contained a reprint of the encyclical of Pope Leo XIII. on the condition of labour, and it made a very profound impression upon me. In fact, it changed the course of my life, because it compelled me to take a more serious interest in problems with which we were confronted at that time. I have since endeavoured to play my part in bringing about in Australia such a state of affairs as will enable every one to enjoy a full life. I shall quote from the learned encyclical only one passage, dealing with the question of hours. Other points, such as the right to leisure, a decent wage, and conditions of housing, were dealt with. I feel sure that the late Sir Alexander Peacock must have studied the same encyclical, because the genesis of the factories legislation which stands to his name and credit is largely on the same basis. That portion to which I wish particularly to refer is as follows:—

HOURS OF LABOUR: GRINDING EMPLOYERS: DISTRIBUTION OF WORK.

If we turn now to things exterior and corporeal, the first concern of all is to save the poor workers from the cruelty of grasping speculators, who use human beings as mere instruments for making money. It is neither justice nor humanity so to grind men down with excessive labour as to stupefy their minds and wear out their bodies. Man’s powers, like his general nature, are limited, and beyond these limits he cannot go. His strength is developed and increased by use and exercise, but only on condition of due intermission and proper rest. Daily labour, therefore, must be so regulated that it may not be protracted during longer hours than strength admires. How many and how long the intervals of rest should be will depend on the nature of the work, on circumstances of time and place, and on the health and strength of the workman. Those who labour in mines and quarries, and in work within the bowels of the earth, should have shorter hours in proportion as their labour is more severe and more trying to health. Then, again, the season of the year must be taken into account, for, not unfrequently, a kind of labour is easy at one time which at another is intolerable or very difficult. Finally, work which is suitable for a strong man cannot reasonably be required from a woman or child. And, in regard to children, great care should be taken not to place them in workshops or factories until their minds and bodies are sufficiently mature. For, just as rough weather destroys the buds of spring, so too early an experience of life’s hard work blights the young promise of a child’s powers, and makes any real education impossible.

Women, again, are not suited to certain trades; for a woman is by nature fitted for home work, and it is that which is best adapted at once to preserve her modesty and to promote the good bringing-up of children and the well-being of the family. As a general principle, it may be laid down that a workman ought to have leisure and rest in proportion to the wear and tear of his strength; for the waste of strength must be repaired by the cessation of work.

I feel sure that the opinions therein expressed must appeal to the majority of my listeners, for they are the essence of wisdom. A number of the propositions...
have been brought to fruition, but nevertheless I see Australia still entangled in problems that need solving. Some are basic, social, and industrial problems, which are man-made, and can be solved by the application of commonsense and a full use of all the discoveries of science and industry, thus changing the situation to make for one and all opportunities for a full life. I have been appalled by the conditions of financial servitude to which great numbers of Australians have been reduced by low prices, glutted markets, unpaid mortgages, compound interest, vanishing savings, and failing hope.

When the railway workers in New Zealand received a shorter working week, they decided to celebrate. If we do not desire to go outside Australasia for an example of the introduction of a shorter working week, what better one can we have than that afforded by New Zealand? There the shorter working week has justified itself. It has intensified industry and stabilized prosperity. A large number of men have been placed in permanent work. In addition to giving permanent work to a large number of men in the Railways Service, provision was made for the training of 2,000 young men between the ages of 18 and 22 who had lost their opportunity of getting into employment. In the Postal Service the shorter working week could not be put into operation immediately because a certain period was necessary in which to train men in the work peculiar to that service, but the men undergoing training were paid four hours’ overtime for the additional hours worked in the week. I have spoken to representatives of Victorian business firms who have branches in New Zealand, and they have told me that they are satisfied to meet the position of a 40-hour week with no reduction in wages. They have found that it has stabilized prosperity in New Zealand. I do not know whether the 40-hour week will be permanent in the Dominion, but undoubtedly it is laying down a sound basis for the proper control of industry. Prosperity of a practical and apparently lasting character has been reached in New Zealand. Not only has the 40-hour week been given to those engaged in secondary industry, but provision has been made for a reasonable basic wage for rural workers, and holidays on pay. By a system of guaranteed prices the Government was able to stabilize the price of primary products on a satisfactory basis which permits the primary producer to provide his employees with decent wages and conditions. When the 40-hour ‘week was introduced in the New Zealand railway workshops the employees conducted a mock burial. On a large cross the figures and words “44 hours” were painted. Preceded by a brass band, the funeral procession marched to a spot where a grave had been dug. The cross was placed in the grave and covered up, and the workers laid on the grave thistles and weeds. A mock clergyman delivered the following oration:

Dearly beloved fellow-workers: We are gathered here to-day to commit to the grave the body of the 44-hour week. We commit this child of drudgery to the grave without sorrow, and there shall be no resurrection whilst there is strength in the living. Dearly beloved workers: You are exhorted before the altar of your industries to see that the dead are not awoken; you are exhorted to love this spot as a milestone on your journey to the promised land where workers dwell in the peace and prosperity which is the reward of labour. From drudgery and sorrow to labour and happiness may the living pass.

The drafting of the Bill, which is one to provide for a shorter working week, has given the Parliamentary Draftsman a good deal of thought. I may explain that the methods of dealing with the fixation of wages and conditions of work in Australia are three in number. The Commonwealth has certain rights where trade and industry extend beyond the boundaries of one State. The Commonwealth also has the power of fixing wages and conditions by means of bounties and taxation, and also for those who contract for goods required by the Commonwealth. The States have the sovereign right to fix wages and conditions of work; and in Victoria the State delegates its powers to Wages Boards. Then there is the Commonwealth Arbitration Court, which can prescribe wages and conditions for those industries in which the employers are cited by the employees’ organizations. The Commonwealth has no power, except under certain expressed conditions, to impinge on the sovereign rights of the State. It will be seen therefore that the Bill had to be drawn in such a way that it would not conflict with the existing powers.

Mr. Holland.
Clause 1 of the Bill is the short title. Clause 2 provides that in all trades 40 hours shall constitute an ordinary week's work, and no employee shall be employed in any week for more than 40 hours. Eight hours shall constitute an ordinary day's work in all trades, and no employee shall be employed in any consecutive 24 hours for more than eight hours. Under the terms of sub-clause (1) of clause 3 wages fixed by any determination, award, or agreement in force at the commencement of the Act, or made or entered into after its commencement, shall not be reduced by reason only of any reduction of the hours of an ordinary week's or day's work by or under the Act. Sub-clause (2) provides that wages fixed by any determination, award, or agreement in force at the commencement of the Act as payable upon a daily, hourly, or piece-work basis shall be increased to such amounts as will provide for each employee working full time the same amount of wages as he would have received for working full time under the provisions of such determination, award, or agreement. Clause 4 sets out that any reduction in hours of work or increase in the rate of wages under this legislation shall be binding and enforceable in the same manner as if the same had been made by any determination or award or agreed upon in any agreement in force at the commencement of this legislation.

I appreciate the patience shown by honorable members while I have been setting forth the aims, ambitions, and desires of a large number of people. I cannot agree with the suggestion of the Commonwealth Attorney-General, Mr. Menzies, that the advocacy by the political and industrial Labour movement of Australia of the policy of a shorter working week is merely propaganda. I can assure you, Mr. Speaker, from my observations and associations, that there is a very earnest desire by a vast majority of workers for a shorter working week, and that their reasons are those I have enunciated. They have a right to participate, to a greater extent than they do now, in the increased productivity which has resulted from the application of science to industry. They feel that they are entitled to greater opportunities for leisure. They feel that the available work should be spread, so as to employ as many men as is humanly possible. There are many people who are denied their rights, and who have made many sacrifices for things that are beyond their control. Do I believe that the shorter working week is capable of realization in Australia? Do I believe or feel that it is possible for industry to meet the demands of the workers for increased wages, reduced hours, and greater leisure? I say, yes. The whole history of the struggle throughout the ages for reduction of hours and increase of wages has been followed, whenever it has succeeded, by a readjustment of conditions whereby industry has adapted itself to the alteration. From the beginning of the struggle it has been contended that industry would be broken down and that capital would be driven out of the country. Those predictions have not been justified.

Mr. Slater.—They are discovering in New Zealand that the reduction of hours is resulting in more prosperity in many branches of industry.

Mr. Holland.—Some of the highest commendation has come, in New Zealand, from manufacturers who have enjoyed, as the result of increased purchasing power by the workers, a greater turnover of business. The end of the agitation is that hours and wages shall remain stabilized, so that wages will have the same purchasing power now as in six months' time. I believe the Bill provides an opportunity for bringing about a transformation in the existing form of society by providing for a more equitable distribution of socially produced wealth. I commend the Bill to the careful consideration and approval of the House.

Mr. Michaelis (St. Kilda).—Whether we agree or not with the views just expressed by the honorable member for Flemington in moving the second reading of the Bill, we must, at any rate, realize that he has put his opinions forward in a very fair way, and that whatever he has said he firmly believes to be the truth. We must follow the honorable member's example, and try to deal with his remarks in the same spirit. We must be fair and good tempered, whatever our views may be. The only objection I have to the speech of the honorable member, apart from
some of the views he expressed, is that he took a considerable time to complete it, which debars many members from having the opportunity of saying what they want to say. Practically, it only remains for those who follow him to move a hearty vote of thanks to the speaker for his address, and then to go home. I find great difficulty in replying to many of the honorable member's remarks, not because there is not a definite answer to them, but because he has covered such an enormous amount of ground that it would be impossible, unless one were to take the same amount of time as he took, to deal with the questions he raised. Furthermore, I do not think that many of his remarks demand an answer from this House. The honorable member knows, as we all know, that he has been merely beating the air, because many of the matters he brought forward cannot be dealt with by this Parliament. It would be absolutely futile for it to pass legislation for a 40-hour week, because, in many industries, that legislation would conflict with Commonwealth Arbitration Court awards. If the Bill were passed by both Houses before the end of the session it would not be worth a snap of the fingers, because Commonwealth awards would still prevail. Where a determination and an award conflict, the award prevails. This Parliament is not competent to have such legislation carried into effect.

Mr. Slater.—It can pass it.

Mr. Michaelis.—That would be wasting its time in regard to all big industries, although there may be some small industries controlled by Wages Boards, and some others not controlled at all, to which the measure would apply. Even if it were possible for this Parliament to give effect to the legislation, it would be the death of Victorian industry, because, until similar legislation is passed in the other States, Victorian industry would have its head in a noose. Whether the 40-hour week is desirable or not I am not prepared to say—we have heard good arguments in its favour—but what I do definitely and emphatically say is that it is not a matter to be settled by a Parliament, but by a properly constituted body such as the Commonwealth Arbitration Court. That Court is now dealing with the question of wages and hours, and can call evidence from all sections of the community. It can call evidence from any section affected, such as the primary producers, who are greatly concerned in any readjustment of wages and hours, even if they are not directly brought into the award. The Court is a properly constituted body accustomed to sifting evidence, and it should decide the hours to be worked in any particular industry. Personally, I am prepared to accept and abide by the judgment of that Court, whichever way it may go. In matters relating to hours and wages the law should prevail.

Mr. Slater.—The trouble about a Commonwealth Arbitration Court award is that it affects only those workers who are bound by the award, while it leaves the majority of employees untouched.

Mr. Michaelis.—That might have been dealt with on the notice of motion in the name of the honorable member for Flemington, which was the first item on the Notice Paper to-day, but which was postponed. I take it that the object of that motion is to bring all sections under a similar award. I repeat that to give effect to this proposal in Victoria would be suicidal, as industry would have to compete to a far greater extent than at present with cheaper labour in New South Wales and South Australia. The honorable member for Flemington suggested that Parliament should fix wages and hours in industry, but that would be very dangerous. In recent years Parliament has discussed the question of fixing wages and salaries of its own employees—public servants, including school teachers—and honorable members will recall that it has constantly been said that such matters should be taken out of the hands of Parliament and placed under the control of a body which could deal with them from a non-political point of view. When a question relating to the fixing of hours or wages comes before Parliament, honorable members, generally against their will, are approached by interested persons, who endeavour by strong moral suasion to have effect given to their views. It is, therefore, very wrong to expect Parliament to fix hours and wages in industry.
In this connexion, I would say that the experience I had as a member of a Select Committee of this House, which some time ago investigated the question of a shorter working week, was such that I would never again be associated with a committee where matters involving political principles were to be discussed, because all such questions were debated on party lines.

Mr. LAMB.—I object to that.

Mr. MICHAELIS.—I am not asking whether the honorable member does or does not object to that statement. The fact remains that the matter referred to the Select Committee was dealt with practically on party lines.

Mr. LAMB.—That could not apply to decisions arrived at by the honorable member for Brighton and myself.

Mr. MICHAELIS.—During the investigation by that committee, there were three occasions on which the voting was equal and, in each case, the point at issue was decided upon the casting vote of the chairman. On each occasion members of the Labour party on that committee voted together. The honorable member for Brighton, the honorable member for Lowan, the honorable member for Stawell and Ararat, and I myself did at times change sides, voting as we thought fit, but the three members representing the Labour party on every occasion voted together and, whenever it was necessary for the chairman to give a casting vote, he always gave it in favour of his own party. I do not blame him for doing so. I realize that as Select Committees are constituted politics must come into the picture; but I consider that control by a Select Committee, or by Parliament itself, over questions of this kind is most undesirable. They should be referred to a judicial body, such as the Commonwealth Arbitration Court. That is the fairest way of dealing with them.

Mr. SLATER.—Very serious complaints were made about the decisions of the Judges of that Court.

Mr. MICHAELIS.—They are entitled to express their views.

Mr. CREMEN.—But not before they deal with a case.

Mr. MICHAELIS.—The fact remains that after hearing the application on behalf of certain unions, the Commonwealth Arbitration Court recently increased the basic wage and granted shorter hours of labour, so, whatever Judges of that Court may previously have said, their award showed that they favoured a measure of relief for the workers. When the Court has arrived at a decision, that decision should be respected by both sides. If either side desires better conditions, it should apply to the Court for a hearing, but while the Court is in existence its rulings should be honoured and observed in both the spirit and the letter.

The questions arising out of this proposal would not be restricted to local industries. If they were, I would agree with the honorable member for Flemington that the scheme could be brought into operation at a moment’s notice. Wages would, of course, rise, and the public would have to pay the higher prices demanded, but a very serious position would develop so far as primary products which are exported are concerned, and the situation could not be dealt with by a partisan body such as a Select Committee of the House, or Parliament itself. What is required is a body in a position to decide the case on its merits, after weighing all the facts and giving sympathetic consideration to the question of workers’ fatigue, and so on. After listening to the honorable member for Flemington, I was not very clear whether he was discussing the matter from the point of view of the relief of unemployment, or from the aspect that the hours of labour are too long for the well-being of workers.

Mr. HOLLAND.—I said, among other things, that there would be an opportunity of reabsorbing many workers in industry, that there would be more leisure for the workers, and, further, that consequent on the intensification of production more leisure is required.

Mr. MICHAELIS.—If the honorable member contents that hours of labour are too long, I would draw his attention to an application submitted to the Commonwealth Arbitration Court for a shorter working week in a certain industry. In support of the argument that the hours worked by employees in that industry were very fatiguing it was said that many of them were so tired that they staggered home at night holding on to fences as they passed.
The Court was sympathetic and granted a reduction of hours, but this involved working on Saturday mornings. The employees then said they preferred to work longer hours during the week and have their Saturday morning free. The honorable member for Flemington did not confine his remarks within the four walls of the Bill. He suggested as one reason for a shorter working week that two hours were occupied in travelling to and from work each day, and the honorable member for Northcote interjected, "If you lived in St. Kilda and had to go to Newport workshops you would know how long it would take." I have since examined a railway timetable, and find that the trip from St. Kilda to Melbourne occupies 9 minutes, and that 19 minutes is scheduled for the journey from Melbourne to Newport. Allowing a few minutes for changing trains, the time occupied in travelling from St. Kilda to Newport would be about three-quarters of an hour. That would be a fairly long journey, but I suppose quite an average one. However, most people enjoy the opportunity of reading their newspapers in the train before arriving at work.

Mr. Cain.—That is not a bad one.

Mr. Michaelis.—The honorable member did not hear the first of my remarks about the time occupied in train travelling. Another factor that has to be taken into consideration in regard to the shorter working week is that there will be higher costs, and they will react on all sections of the community, including the worker who will have to pay more for his goods. I was not convinced by the remark that a pair of boots would cost only 3d. more if the number of working hours were brought down from 40 to 30.

Mr. Cain.—The same argument was applied when people were working 60 hours a week.

Mr. Michaelis.—I was not alive then.

Mr. Cain.—You were.

Mr. Michaelis.—There has not been a 60-hour week in industry in my time.

Mr. Cain.—The tram men worked 60 hours a week 25 years ago.

Mr. Michaelis.—If that was the case, I was not in a position to do anything about it.

Colonel Harold Cohen.—How many hours a week do agriculturists work?

Mr. Michaelis.—No doubt members representing country districts will be able to answer that question. The number of hours that should be worked is a subject to be decided by experts. They should also say what is a fair day's work. I ask, where is this kind of thing to stop? Is the proposal to have a 40-hour week only a half-way house to something else?

Mr. Cain.—Yes, the working week will perhaps be 36 hours.

Mr. Michaelis.—Where are we going to stop? Is there going to be no work done at all?

Mr. Cain.—We shall stop at the point where, by the application of scientific methods, the work of the world can be done in a reasonable time.

Mr. Michaelis.—Then we are to stop working?

Mr. Cain.—You do not work 40 hours in a week.

Mr. Michaelis.—I do; here alone we work nearly 40 hours a week. The point that I am coming to is this: If some people are going to have all this leisure others must work to provide it for them. A great many will be engaged day and night in order to cater for the comparatively few who will work only 36 hours a week.

Mr. Murphy.—The same argument was advanced 40 years ago.

Mr. Vinton Smith.—There must be an irreducible minimum.

Mr. Cain.—Yes, the capacity of the community to produce the requirements of humanity by scientific methods in a reasonable time.

Mr. Michaelis.—It is interesting to hear these interjections, but what are the wives going to do if their husbands are to work only 36 hours a week? If the working hours of the husbands are limited to 36 a week then the wives will say that they will not be on duty for more than that time. After all, we can reduce these things to a farce.

Mr. Cain.—You can if you do not understand the development of things.

Mr. Michaelis.—I know that after a certain time a man's leisure becomes obnoxious to him, and he looks for various ways in which to occupy it. A man needs work in order to exercise his muscles if nothing else.
Mr. CAIN.—That is the trouble with the idle rich—they have difficulty in filling in their time.

Mr. MICHAELIS.—There will be the idle poor if some of these ideas are adopted.

Mr. VINTON SMITH.—A man does not remain rich long if he remains idle.

Mr. MICHAELIS.—The honorable member for Flemington, in referring to the mechanization of industry, spoke of the Ford motor works and of the men displaced by machinery in carrying out various processes in the manufacture of motor cars. I consider that he advanced an argument against his case for this reason: the motor car business is the very one in which the mechanization of the industry has enormously increased the number of employees in the trade.

Mr. HOLLAND.—No, it has not.

Mr. MICHAELIS.—I am talking about the number of people employed in the motor car trade. An expensive car, like a Rolls Royce, is nearly all hand made. A few very highly skilled employees turn out the parts of such a car by hand. When Mr. Ford and others entered the motor car industry they had the processes formerly done by hand done by machinery, and the result is that millions are now employed in the trade as compared with the small number when a few costly cars were bought by the rich. To-day, as the honorable member for Flemington mentioned, motor cars are very cheap in the United States of America. A great percentage of the working men in that country own their own cars. The mechanization of the industry has made the cars cheap. That applies to other industries that one could mention. This is due to the work being done by machines instead of by hand. It is regrettable that there should be unemployment among the men who were previously engaged as glass bottle blowers and who, perhaps, cannot adapt themselves to another industry. In my opinion it is the responsibility of the State to take care of old men who, through changes in industrial processes, cannot obtain work.

Lieut.-Col. KNOX.—Near my property the Country Roads Board is using a grader that is doing the work of twenty men.

Mr. CAIN.—Such things will go on from year to year, and yet the honorable member for St. Kilda wants to keep the working hours as they are.

Mr. MICHAELIS.—The honorable member for Upper Yarra has mentioned a good point. One of the prime necessities of this country is roads. I have often heard members speak of the need for good roads for the man on the land. The more cheaply they can be made the more will be made, and the result will be that instead of fewer men being employed in making roads more will be needed. The honorable member for Flemington mentioned industries in which he said mechanization was driving men out of their jobs. I wish to show that he is not quite correct, and will give figures dealing with four of these industries. In Australia in 1930-31 there were 60,000 men and women employed in the clothing trade, but in 1934-35 the number was 78,000.

Mr. HOLLAND.—What was the increase in the population?

Mr. MICHAELIS.—In 1930-31 the brick, pottery, and glass industries had 5,684 employees, but in 1934-35 they had 11,483. In 1930-31 the rubber industry found work for 4,592 persons, but in 1934-35 the number had increased to 7,369. In 1930-31 there were 26,228 employees in the textile industry, but in 1934-35 there were 38,043. The honorable member for Flemington suggests that he has an answer when he asks whether I have any idea of the increase in population that occurred between the two periods mentioned. Well, the population did not increase much in the few years, but even if it had done so that would not have been an effective reply to my point, because as more machinery was introduced the goods would be made more cheaply, more would be bought, and so there would be more employment. In this discussion we might well go back to first things. In the early days, when there were no wheelbarrows, men had to carry loads on their backs. No doubt in those times, people who entertained such views as the honorable member for Flemington now advances, said, “We cannot have wheelbarrows; the mechanization of the industry will throw our men out of work.”
Mr. Cain.—Is not the logical consequence of your argument that it would be a good thing to increase the number of working hours?

Mr. Michaelis.—No. I think that possibly in certain cases a smaller number of working hours might well be provided for, but this is a matter that should be dealt with by a properly constituted tribunal such as the Commonwealth Arbitration Court, which would decide the issue after taking into consideration every aspect as it affected the consumer, the man on the land, exporters, and everybody else, including the workers themselves. The honorable member for Northcote asked me if I would not go back to longer hours, and the honorable member for Flemington quoted some terrible cases of 100 years ago. We all know that in the old days men and methods were brutal; people worked very long hours under very bad conditions. We know also that the methods by which the criminal law was administered were such as would make men of our day throw up their hands in horror.

Mr. Cain.—It was only men like the honorable member for Flemington who changed those conditions.

Mr. Michaelis.—The change was brought about by the great Lord Shaftesbury, and others of the same character. It was claimed by one honorable member yesterday that men of wealth had never been known to introduce industrial reforms, but I could name some among the foremost of our wealthy people who introduced reforms to benefit the conditions of those who were called the under dogs. Because bad conditions prevailed in the past it does not follow that they exist at the present time; but if they do then let us get busy to eradicate them. If the honorable member for Flemington brings forward cases in which cruelty and hardship are occurring he will find me very willing to help put matters right. We must be just as well as generous, and see that every phase is taken into consideration. We should not be moved by ex parte statements. I heard what the honorable member had to say regarding New Zealand, but I do not think the experiments there have gone far enough to indicate that they will be successful. At the present time New Zealand is not a manufacturing country. It has a few factories, but imports most of its manufactured goods from England, and in some cases from Australia, which is now getting a good share of the New Zealand trade. The position in New Zealand is bound up with the higher prices for butter, cheese, and other primary products sent overseas, together with the exchange position. It is very difficult yet to say that New Zealand is doing any good for itself by the shorter hours. I know that taxation there has been increased enormously, and my opinion is that in the long run higher taxation does not make for the benefit of the people, every one of whom must eventually pay his share. I do not think that a State which has high taxation is as well off as a State where there is low taxation.

Mr. Slater.—With borrowing the time will come when there is a burst, and the people will urge repudiation.

Mr. Michaelis.—I am glad that the honorable member apparently agrees with me that heavy taxation is not a good thing for the State.

Mr. Slater.—I criticize borrowing more.

Mr. Michaelis.—Borrowing means high taxation, for the interest has to be paid. If money is borrowed and is not repaid further borrowing is difficult, if not impossible. Apart from the question of honesty, those in this country who did repudiate would be very foolish in the interests of others who wished to borrow more.

Mr. Holland.—England repudiated, yet she is still borrowing.

Mr. Michaelis.—I am referring to external borrowing. England has never repudiated her debt to her own lenders. All she did repudiate was war debts to America.

Mr. Mackrell.—England would have paid her American debt if America would have taken England's goods.

Mr. Michaelis.—Yes.

Mr. Creeman.—Would you say that Australia has always faithfully paid itself, but has not been so particular about paying others?

Mr. Michaelis.—Australia has always paid her debts in respect of loans, but if the time came when she failed to
repay overseas loans that avenue for borrowing would be closed. However, we are getting away from the question of a shorter working week. One could go on for a long time replying to various points made by the honorable member for Flemington, but I must be fair to others who desire to speak on the matter. Therefore, I shall simply content myself with observing that I will vote against the Bill, because I think the matter is one for decision by a properly constituted judicial authority. I am in favour of all such matters being decided in that way.

Mr CREMEAN (Clifton Hill).—In company with the honorable member for St. Kilda, I desire to commend the honorable member for Flemington for the immense amount of research which he must have undertaken to compile the matter which he used in his speech. I think we have become accustomed to expect him, whenever he addresses himself to proposed legislation, to set forth a mass of facts and figures which amaze us. I was interested in the speech of the honorable member for St. Kilda, who dealt very little with the actual subject of a 40-hour week, but rather heavily with what he considered would be the effect of the legislation, and also the remarks made by the honorable member for Flemington, and I wish to confine my attention to some of the statements emanating from the honorable member for St. Kilda. In the first place, he says that this Bill is not enforceable. I agree that it would be difficult to enforce in some respects, unless it was slightly amended. But I point out that actually the measure is enforceable, and might introduce a 40-hour week to a great many employees in industry in this State. It is true that, as drawn at the moment, the Bill might conflict in some degree with Commonwealth Arbitration Court awards, but it is capable of amendment so as to prevent any conflict with those awards. Further, either with very little amendment, or, perhaps, none at all, it might be made to apply to all employees who are working under Wages Board determinations, and, after all, that means a great deal. There are many thousands of men who to-day are not working under Commonwealth Arbitration Court awards. Some of our largest industries do not come under those awards, but under determinations, or agreements. A Bill of the nature of that which we are considering might be made to apply for a start to all workers who are not under Commonwealth Arbitration Court awards, and certainly by implication the measure could automatically be made to apply to all the workers at present employed by the Government of this State. The position, therefore, is that without amendment, or with very little amendment, this Bill, if passed, could be enforceable so far as workers in the Railway Department are concerned. It could be made enforceable in the case of the workers in the boot manufacturing industry.

Mr. MICHAELIS.—That industry is, I think, under a Commonwealth award.

Mr. CREMEAN.—I think that it comes under an agreement. Further, the workers employed by the Country Roads Board could be made to work only 40 hours a week if this Bill were passed. It will be seen that with only slight alteration the measure could be made to apply to a great many men who are working in industry in this State at the present time. Therefore, the House should treat the Bill as a serious subject for debate, and one entitled to a great deal of consideration. The principal argument advanced by the honorable member for St. Kilda was to the effect that the matter involved was one which could be more properly dealt with by the Commonwealth Arbitration Court. It sounds logical to argue that the proposed reform should be referred to a tribunal of that nature, which would take into consideration all its implications and the possible effect on industry. In making that statement I am disregarding the suggestion which I and other members of my party made by interjection that at least one of the Judges of the Arbitration Court undoubtedly prejudiced his position in this matter by making a statement which showed that he would not be in favour of a 40-hour week.

Mr. VINTON SMITH.—That is, at the present time.

Mr. CREMEAN.—Apart from that, the Commonwealth Arbitration Court arrives at its decisions according to what it terms the ability of industry to pay.
Mr. LAMB.—The trouble is that it does not do so.

Mr. CREMEAN.—It says it does. Any one acquainted with the work of the Court knows that applications for a 40-hour week can be so hedged round with technical difficulties and book-keeping doubts as to make a decision almost impossible. That has been the experience of the industrial Labour movement throughout the Commonwealth. Applications to the Court with regard to working hours can be met with so many technical objections which are not real objections, but which have some influence on the legal mind, as to foredoom the application to failure. The reform proposed by the Bill is a major reform. It would mean a drastic alteration in the working week of hundreds of thousands of employees. I challenge any member to mention one major reform, either industrial or social, in the history of the British Empire which has not been the result of the passage of legislation. We have had experience of the Commonwealth Arbitration Court dealing with the hours question. The industrial Labour movement has been hammering at the Court for years for a reduction of the working week. On several occasions one of the Judges of the Commonwealth Arbitration Court, Mr. Justice Higgins, agreed, notwithstanding the legal difficulties, to reduce the working week by at least four hours for specific industries. That was at a time when the standard working week in Australia was 48 hours, and Mr. Justice Higgins reduced the working week for specific industries to 44 hours. To the mortification of the industrial Labour movement, a Commonwealth Ministry some years ago made it impossible for that reform to be extended. That was done by making it mandatory for all applications for a reduction of the working week, amongst other things, to be heard by three Judges of the Commonwealth Arbitration Court instead of one Judge.

Mr. MICHAELIS.—Do you not think that a major matter affecting industry generally throughout the Commonwealth is sufficiently important to require the adjudication of three Judges?

Mr. CREMEAN.—I think it is a matter for determination by Parliament, and not the Commonwealth Arbitration Court. The argument used by the honorable member for St. Kilda in opposing the Bill, that the matter at issue is properly one for the Commonwealth Arbitration Court, might be used to demonstrate that the Court is not the final tribunal in determining the working week for the workers of Australia. If that Court prescribed a 40-hour week, its determination could be applied only to those workers under awards of the Court. Therefore, if this Bill were passed we would reach the reverse position to that stated by the honorable member for St. Kilda. For instance, in Queensland only a small proportion of the workers are under awards of the Commonwealth Arbitration Court. The vast majority of the workers are governed by awards of the Industrial Court of that State.

Colonel HAROLD COHEN.—That is beyond argument.

Mr. MICHAELIS.—Queensland is not a manufacturing State.

Mr. CREMEAN.—There are hundreds of thousands of workers there engaged in secondary industries.

Mr. VINTON SMITH.—No.

Mr. CREMEAN.—If there are only 10,000 workers governed by determinations of the Queensland industrial Court, an award of the Commonwealth Arbitration Court fixing a 40-hour week could not be applied to them. In New South Wales a large proportion of the workers are governed by awards of the State Industrial Court. A similar position obtains in Western Australia. In Victoria hundreds of thousands of workers have their wages and conditions fixed by Wages Boards, and an award of the Commonwealth Arbitration Court could not be applied to them. The most that can be said is, that, if the Commonwealth Arbitration Court can be regarded as a fair tribunal to deal with this question, it could only deal with it as affecting workers governed by its awards, and they represent only a proportion of the total number of workers in Australia. It is true that this Bill, if passed, could apply only to workers in Victoria under determinations of the Wages Boards, but as Victoria showed in the past that it was prepared to lead the way in a reduction of the working week, I should
be delighted to see this Parliament legislate for a reduced working week, even if the legislation applied only to workers governed by determinations of Wages Boards or in the employ of the State Government. Eighty years ago Victoria was the first country in the British Empire to bring about a reduction in the working week by means of legislation. That was when the masons secured an 8-hour day and a 48-hour week. For the last 80 years friends of the industrial movement, and sometimes, unfortunately, enemies too, have been going to other countries talking in grand terms about the industrial advancement of Victoria, and of how this State was the first to gain an 8-hour day for its workers. Yet, notwithstanding all the statements that we have been proud to make about Victoria’s advanced industrial legislation, the situation now is that, because of strong opposition from one section of the community, the hours worked by Victorians have not been reduced correspondingly with those in other countries whose standards 80 years ago were not to be compared with ours. The average working day in England, for instance, was twelve hours, and men in secondary industries were working from 70 to 75 hours a week, when Victorians gained a 48-hour week. In 1919 the average working week in Victoria was 47 hours; in England, despite the advance of modern thought, it was from 53 to 55 hours. To-day, eighteen years from that time—I quote from the latest statistics available—the average working week in Victoria is 46.74 hours, while in England it is 47. In the last eighteen or twenty years the English people have progressively reduced their working week to an extent that would astonish people who previously were prepared to say that Victoria’s industrial legislation led the world. In the last eighteen years England has reduced the average working week by seven or eight hours, while we have reduced ours by only about a quarter of an hour.

I heard with some amazement—I will not be so churlish as to say amusement—the argument of the honorable member for St. Kilda about certain industries in Victoria which to-day employ a larger number of men by comparison with the numbers employed a few years ago. He said, for instance, that the rubber industry employed some years ago only 4,000 workers, and that to-day it employs 7,000 workers—or something to that effect. I am amazed that the honorable member should try to use that as an argument. It is apparent to every one that the same argument could be used to defeat an application for a 40-hour week in any industry. Take, for instance, the motor car industry, or the aeroplane industry. If any one said that 25 years ago there were not six men employed making aeroplanes in Victoria, and that to-day there were hundreds, surely we could not assume that the additional number of men in that industry was due to the installation of machinery.

Mr. Michaelis.—Be fair! I mentioned, also, other industries, including clothing, brickmaking, pottery, and textiles.

Mr. Cremean.—Let me take the brick industry. Honorable members are all aware that a much larger percentage of houses has been built of brick in the last few years than ever previously. While I admit that I tried to reduce the honorable member’s first example to an absurdity, I remind him that the same argument is applicable to the brick industry. A few years ago the demand for rubber was not so great as it is now.

Mr. Vinton Smith.—That would apply to the industries mentioned by the honorable member for Flemington.

Mr. Cremean.—Not at all. Here is an example mentioned by the honorable member for Flemington, which cannot be reduced to an absurdity in the same way as the examples quoted by the honorable member for St. Kilda, because its implications are apparent. In 1922 every motor car made by a certain company occupied 55 men for a week. To-day a motor car manufactured by that company occupies seven men for a week. The honorable member cannot make anything more out of that statement than that machinery has so altered the industry as to make it unnecessary now to employ 48 of the 55 men formerly needed.

Mr. Michaelis.—Will the honorable member compare the total number of employees in the motor industry then and now.

Mr. Cremean.—That would only show that the demand for motor cars has
increased. Only when you get down to particular cases can you show how machinery has made a difference.

Mr. CAINE.—There are 5,000 fewer employees in the boot trade now than ten years ago, they are working fewer hours, and they are producing more boots and shoes.

Mr. CREMEAN.—In 1920 workers in the boot industry were working 48 hours per week. The average output per man employed was 14.3 pairs of boots per week. In 1934 they were working 44 hours a week, and the average output per man had risen to 24 pairs per week. It is impossible to come to any other conclusion from such figures than that the use of machinery in the boot trade has increased the number of boots produced per man employed.

Mr. CAINE.—Plus speeding up.

Mr. VINTON SMITH.—The surplus men have been going to other industries—the aeroplane industry, for example.

Mr. CREMEAN.—The fact that that is not so is evidenced by a careful examination of the normal—if I may use the word—amount of unemployment in recent years. Before the depression, ten or twelve years ago, normal unemployment averaged 6 to 7 per cent. of the then registered members of trade unions. But to-day, we are informed by authorities on economics from the University of Melbourne, the normal unemployment which we may expect on that basis of registration by trade unions—and it is not a good basis for ascertaining the normal percentage of unemployment—is 10 per cent. Any one who has studied the position knows that as the years go on, if nothing is done to check the drift, the normal percentage must increase with every passing year. The Labour party suggests, therefore, not that the 40-hour week will provide a panacea for all the ills of mankind, but that it will definitely tend to lessen unemployment each year. If it does not tend to lessen the number of unemployed, then a modern community, recognizing its responsibility to the forgotten section of mankind, must still further reduce working hours until some impression is made on the amount of unemployment. In addition, as pointed out by the honorable member for Flemington, my party desires a shorter working week in order that the worker may gain portion of the increased benefits enjoyed by industry through the more intensive use of machinery and the adoption of more intensive methods of standardization. As evidence of the necessity for an alteration in the present position, let me quote figures supplied by the Commonwealth Statistician. Although they do not disclose the actual position, they support my argument that the worker should obtain an increased share of the benefits accruing to industry by the use of modern devices. In 1925-26 the percentage of the total value of production absorbed by salaries and wages amounted to 21.66, while the percentage represented by other expenditure, including interest and profits, was 17.16. I am, as I say, aware that it is difficult to regard this as a real comparison, but it is a sufficiently good one to enable honorable members to appreciate the position. In 1934-35, the percentage of the total value of production absorbed by salaries and wages had fallen from 21.66 to 19.96, and the percentage represented by other expenditure, including interest, profits, &c., had increased from 17.16 to 19.37.

Mr. MICHAELIS.—Taxation, which has increased enormously, is a big factor.

Mr. CREMEAN.—Taxation has increased in the case of the man in receipt of a salary or a wage, too. I admit that the figures I have quoted do not afford the most effective comparison possible, but they indicate the trend of developments.

Mr. CAINE.—They indicate that the employer is getting all the advantages of recent developments.

Mr. CREMEAN.—Yes; that the man who owns the machine is reaping all the benefit obtained by its use. My party urges that portion of that benefit should be shared by the worker, and the best we can do in the circumstances is to ask Parliament to reduce his hours of labour wherever possible. We say without fear of successful contradiction that if a shorter working week, not necessarily limited to 40 hours either, were introduced throughout the Commonwealth the benefit would be shared not only by the unemployed, but by the community at large, because of the increased purchasing power that would be gained. If we cannot reach finality upon the Bill to-day
because of the lateness of the hour, I trust that on some future occasion during the session it will be further debated, so that honorable members may be able to voice their opinions in decisive terms upon this very important question.

Mr. LAMB (Lowan).—I agree with the honorable member for Clifton Hill that the Bill has some very important aspects and should be debated by the House, but I doubt for many reasons whether a final conclusion upon it could be reached. In the first place, I am inclined to think that the business set out on the Notice Paper to-day has been taken in the wrong order. If we could have discussed first the advisability of introducing a unified form of arbitration instead of the dual methods at present operating, we might then have been able to get a little closer to this question. I could not accept the Bill in its present form, but I think it could be amended to apply to certain industries or, for instance, to the Public Service.

Mr. Michaelis.—What about the farmers?

Mr. LAMB.—I said certain industries. I am not shirking my responsibility to the electors, or to primary or other industries, I wish to deal with the question as a problem of economics which we all have to face.

Mr. Cameron.—The 40-hour week will be no good unless it is universal.

Mr. LAMB.—I do not know whether it is necessary to make it universal. I think it could be introduced by stages and made to apply to certain industries at first.

Lieut.-Col. Knox.—Then, all the farmers would come to the city. How could you get any work done in the country at all?

Mr. LAMB.—That is beside the question. Side issues are being raised to divert me from my argument. I did not expect that the Bill would be debated to-day, and as a result all the information I have collected on the subject is at my home, so I shall have to speak more or less impromptu. I was a member of the Select Committee of this House which, two years ago, considered the question of introducing a shorter working week in industry. When appointed to that committee I frankly was opposed to the idea of a 40-hour week, although my mind was not at that stage definitely made up on the subject as has, rightly or wrongly, been imputed in respect of other members. However, after hearing the evidence submitted and reading a great deal of literature on the question written by men of all points of view, I am now satisfied that industry in this country is capable of supporting a 40-hour week and that, far from having any ill effects—

Mr. Zwar.—What is your authority for that?

Mr. LAMB.—I have just given it.

Mr. Cain.—It was not a manufacturers' journal!

Mr. LAMB.—Yes, some of the publications I read were of that type, and I shall quote one or two instances. Unfortunately, the committee was faced with the refusal of practically the whole of the manufacturers and employers throughout the State to give evidence before it. The only body representative of employers which accepted the opportunity of appearing before the committee was the Master Tanners' Association of Victoria, represented by Mr. Roy Michaelis and Mr. Fox, who submitted an excellent case from their point of view. I am sure that if other employers had taken advantage of the opportunity offered they would have been able to contribute evidence of such a nature as to provide further substantial reasons for the decision arrived at by the committee. One point that struck me most forcibly during the inquiry was that the consideration of the number of hours worked was certainly not taking us to the root of the trouble of unemployment. We had been engaged upon that Select Committee for the express purpose of trying to determine whether the unemployment in our midst could be seriously reduced by the application of a smaller number of working hours. I will admit, though, that a reduction in the number of hours worked would necessitate a certain amount of extra employment; but I am inclined to think that there is a good deal in what the honorable member for St. Kilda asserted when he said that the introduction of machinery caused increased employment in allied trades. That has been amply proved, but it all...
We refused.

'salaries, accept

Accepting the paragraph was being considered as to the

'actual distribution that the real basis of the problem was to

'be found in the distribution of wealth and added value of

'output and added value of factories’ which were supplied to them by the Commonwealth Statistician.

Mr. Michaelis.—We refused to accept the construction you put on them.

Mr. Lamb.—Nobody can deny the accuracy of the construction placed on the figures in the paragraph. There is only one construction that can be placed on them and that was the construction placed on them by the majority of the members of the committee—

(a) Reward for industry (wages and salaries)

—a decreasing proportion; and

(b) unearned income (rent, interest, dividends, profits)—an increasing proportion.

The figures of the Commonwealth Statistician go to prove nothing else. The history of the industrial movement shows that, although production has been increased by machinery, wages have not increased proportionately. Consequently, in advocating the 40-hour week, the object we have is to force more people into industry without reducing the rate of pay received by each individual; otherwise, obviously, the reduction of hours would be of no effect. In doing this, we are not reducing the number of working hours for the purpose of assisting more men to be absorbed so much as we are trying to make a distribution of wealth that will enable the working masses to exercise a more effective purchasing power. The whole of the evidence given to the Select Committee was fairly conclusive in its presentation of the facts as to what would happen if the number of working hours were reduced. There is one particular example that I have in mind which I read in the Manufacturers’ Journal, issued by the pottery trade in England. That publication contained an account of a specific effort to try out the effect of a reduction in the working week. The general manager of one of the largest English pottery works attended a Labour conference at Geneva. When he returned to England, he persuaded all the pottery and glass manufacturers in his district to give a six-months trial of a reduction in the number of working hours. There were 60,000 employees affected, and their working week was reduced from 48 to 42 hours, and their

Mr. Lamb.
weekly rate of pay was not decreased. After six months the general manager said that the increase in the output, due to what he considered to be greater efficiency following the shorter working week, was 15 per cent. In case that result might have been regarded as due to a general increase in the volume of trade, he had another computation made, and came to the conclusion that the output per man had increased by 11.4 per cent. About 8 per cent. more workers were engaged. Thus there was more employment and a considerable increase in the output, and nobody, not even the owners of the industries, could be said to have suffered from the experiment.

Colonel Harold Cohen.—Two years ago Colmans, the mustard firm, came to the same conclusion after four years' experience.

Mr. Cain (to Mr. Lamb).—Your point is that the profits of the firm are as great as they were before.

Mr. Lamb.—Yes. It has been contended that the proper place for the question of working hours to be decided is the Commonwealth Arbitration Court. To show a consistent attitude of those of us who advocated that the Public Service should have a tribunal should also say that this Parliament is not the place where the matter now under consideration should be decided. But owing to the fact that there is such a conflict of law between the various authorities who decide these questions, I believe that this Parliament should be prepared to lay down some general lines of action, and that could be done in a Bill such as that now before us. Whenever an appeal is made to the Commonwealth Arbitration Court for an increase or decrease in hours or pay, the attitude of that Court has been that it wishes to test the capacity of industry to pay. But that is not the basis of the Court's award, because that has never varied in real value since the first award was made in 1907. It was laid down under the Harvester award that £2 2s. per week should be a fair and reasonable wage for the industry concerned to pay. But that was based then upon the evidence presented by certain people—butchers, bakers, and householders—as to what a worker and his family could reasonably exist on. It was not based upon what industry could actually afford to pay. The situation has never been any different because since the time I mentioned wages have risen and fallen with the cost of living, so that roughly speaking they are the same in their buying capacity now as they were in 1907.

It appears that the object of the Commonwealth Arbitration Court is merely to keep wages from falling any lower, if possible, and from being increased above what was in 1907 deemed to be an equitable standard of living for the ordinary working man. I think that is a false basis for the Court to work on. If it discussed the actual capacity of industry to pay, I am sure it would have to consider the moral side of the question, and would have to be prepared to say whether a person who receives unearned income is entitled to get what he receives to-day. The Court would be forced to consider also whether those who carry on industry as a whole should not receive a greater reward for their services. That is the contention, and I suppose it is also the reason why a question such as has been raised to-day, whether it be discussed on the Bill now before us, outside Parliament, or by a Select Committee, cannot have anything else than a political aspect. We cannot get away from the fact that we either uphold the present distribution of wealth or the system which compels that distribution, or we condemn it. In considering a question of this kind we cannot escape the fact that there must be some political attitude towards it. I tried as much as I could to avoid that throughout the discussions we had on the Select Committee. On this occasion I am expressing certain views merely because my experience and study have led me to believe that the only means of assisting the actual producer—the worker—is to ensure that he gets a greater reward from industry.

Very often we hear the question, "Can industry pay?"; but we do not frequently stop to consider what is meant by "industry." From the point of view of Judges of the Commonwealth Arbitration Court industry comprises both producers and non-producers, and, naturally, looking at present conditions it is declared that the person who has his money invested has a certain right to get a return
from it, irrespective of whether he earns the income or not, and that the worker has also a definite right to payment. I do not see how we can escape that point. When the honorable member for Flemington was speaking he mentioned the Pope's encyclical of 1880, but even that encyclical, valuable as it is, is only descriptive of the condition of labour; that is all we could hope to derive from it, because His Holiness, in that encyclical, did not give any specific remedies for alleviating the distress. The only specific reference which the encyclical made to remedies was the condemnation of the principle which is upheld by the honorable member for Flemington, a condemnation of Socialism and Communism. Immediately after the encyclical was published it was pointed out, by such high authorities in the same church as Dr. McGlynn, the Archbishop of York, and Bishop Nulty, of Meath, that it was obvious that there should be further inquiries into the possibilities of alleviating the conditions of labour which had been so admirably and ably described, and condemned, by the leader of their church.

The reply of all financiers and of employers generally to requests for shorter hours or higher wages is always the same. It is the reply given to-day by the honorable member for St. Kilda—that if the concessions were granted there would be costs incurred which industry could not meet. I claim that that is not a reason, and I do not see how I can successfully be contradicted. Every time the so-called reason is advanced it means nothing else than an ultimatum. Those who advance it say, "If you succeed in getting shorter hours, or in your application to the Court for more wages, we will retaliate by passing that cost on to the consumers, and hence on to the workers themselves." The "reason" was always used as a threat, and was intended to be used as such by the honorable member for St. Kilda to-day.

Mr. VINTON SMITH.—What knowledge have you regarding what industry can pay?

Mr. LAMB.—I suppose I have as much knowledge as is available to the honorable member, and any other member of this House, by extensive research, by very wide reading, and by listening to evidence. I do not see how one can get information in any other way.

Mr. ZWAH.—Have you had any experience as a manufacturer?

Mr. LAMB.—I do not see that that has anything to do with it at all. I have had practical experience in the employment of labour, but it is not necessary for a person to be a manufacturer of a certain article in order to make full inquiries, and—if he has normal intelligence—to appreciate the problems of a particular industry. I am not a farmer, but I think I can appreciate the problems of rural industry as well as any other member on this (the Ministerial) side of the House. I believe that that would be admitted by my colleagues. It is certain that while the present economic conditions prevail the only way of giving the workers in industry the benefit of an increase in industrial output is that which has been advocated to-day by the honorable member for Flemington. We must see that the worker gets a greater share of industry and a shorter working week.

Mr. VINTON SMITH.—The wise employer does that.

Mr. LAMB.—I agree with the honorable member. Employers like Sir Frederick Stewart, who do not merely talk but act, do that. Sir Frederick applied the principle to the industry which he controls, and he has reported that the shorter working week has been effective, and he is satisfied with the result of his experiment. The method of recording divisions at meetings of the Select Committee on the shorter working week makes it rather difficult for the ordinary reader of the committee's report to understand what took place. I moved an amendment to the final finding of the committee, but my amendment does not appear in the report, because we did not take the ordinary kind of division. As far as I can see, the shorter working week can be only a palliative. It cannot be regarded in any way as a permanent cure for unemployment, but as merely an amelioration of present conditions. It has to be admitted that a shorter working week does increase the efficiency of the individual worker. The Bill would have to be amended considerably to be acceptable to me. However, as I supported
the findings of the Select Committee, I will vote for the second reading of the Bill. I hope the House will be given an opportunity later in the session to discuss this important subject.

Colonel HAROLD COHEN (Caulfield).

—I move—

That the debate be now adjourned.

I think it has been suggested that the debate should be adjourned until the 9th of September.

Mr. CAIN (Northcote).—If the debate is adjourned until the 9th of September, for which day a motion and a private member's Bill have already been placed on the Notice Paper, there might not be time available for further debate on this Bill. I suggest that the debate be adjourned until the 21st of October. On that day the honorable member for Melbourne is to submit a motion, and the honorable member for Flemington, who is in charge of this Bill, has two Bills in his name on the Notice Paper. I hope we shall be able to make arrangements to complete the discussion on this Bill prior to the other question being raised.

Mr. HOLLAND (Flemington).—I have no objection to the debate being adjourned until the 21st of October.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until October 21.

The House adjourned at 4.5 p.m. until Tuesday, August 3.

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LEGISLATIVE COUNCIL.

Tuesday, August 3, 1937.

The President (Sir Frank Clarke) took the chair at 4.58 p.m., and read the prayer.

CORONATION OF KING GEORGE VI. AND QUEEN ELIZABETH.

Sir JOHN HARRIS (Minister of Public Instruction) presented the following message from His Excellency the Lieutenant-Governor:

The Lieutenant-Governor informs the Legislative Council that the following telegraphic despatch has been received from the Right Honorable the Secretary of State for Dominion Affairs, London, vis.:

"I have laid before the King your telegram of the 13th July communicating a message from the Legislative Council and the Legislative Assembly of Victoria on the occasion of Their Majesties' coronation.

The King has commanded that you will convey to the Parliament of Victoria, through the President of the Legislative Council and the Speaker of the Legislative Assembly, the deep appreciation with which His Majesty has received this message of congratulation and good wishes.

Government Offices,
Melbourne, 23rd July, 1937.

MELBOURNE AND METROPOLITAN BOARD OF WORKS (CONTRIBUTIONS) BILL.

This Bill was received from the Legislative Assembly and, on the motion of the Hon. G. L. GOUDIE (Minister of Public Works), was read a first time.

CONSTITUTION (REFORM) BILL.

This Bill was received from the Legislative Assembly and, on the motion of Sir JOHN HARRIS (Minister of Public Instruction), was read a first time.

PARLIAMENTARY DEBATES PUBLICATION BILL.

This Bill was received from the Legislative Assembly and, on the motion of the Hon. G. L. GOUDIE (Minister of Public Works), was read a first time.

ADMINISTRATION AND PROBATE (TESTATOR'S FAMILY MAINTENANCE) BILL.

This Bill was received from the Legislative Assembly and, on the motion of the Hon. G. L. GOUDIE (Minister of Public Works), was read a first time.

JUSTICES (ENFORCEMENT OF ORDERS) BILL.

This Bill was received from the Legislative Assembly and, on the motion of the Hon. G. L. GOUDIE (Minister of Public Works), was read a first time.

CLERK OF THE PARLIAMENTS.

The President (Sir Frank Clarke).—I have to announce that Mr. Percy Thomas Pook, the Clerk of the Council, has been appointed by His Excellency the Governor in Council to be...
also Clerk of the Parliaments as from the 28th of July last, in the place of Mr. William Robert Alexander, C.B.E., retired. This appointment gives me, and I am sure, the House, great satisfaction.

BOURKE-STREET TRAMWAY CONVERSION.

The Hon. E. L. KIERNAN (Melbourne North Province) asked the Minister of Public Works—

Will the Government, before the conversion of the Bourke-street cable tramway system is commenced, appoint a Board of independent experts to inquire and report as to the best method of traction to which this tramway system can be converted?

The Hon. G. E. GOUDIE (Minister of Public Works).—The Melbourne and Metropolitan Tramways Act 1928 authorizes the Melbourne and Metropolitan Tramways Board, without having to obtain approval, to convert any cable tramways or parts thereof under its management into electric tramways, or operate self-propelling cars thereon. Before the Board may operate electric railless trolley omnibuses, the consent is required of the Governor in Council and the council of each municipality in whose municipal district it is proposed to operate the electric railless trolley omnibuses. In the circumstances, the Government is not prepared to accede to the request of Mr. Kiernan.

DISTINGUISHED VISITOR.

Sir JOHN HARRIS (Minister of Public Instruction).—The Hon. Robert Semple, who is Minister of Public Works and Transport in the New Zealand Government, is within the precincts of the House. By leave, I move—

That a chair be provided on the floor of the Council Chamber for the Hon. Robert Semple, Minister of Public Works and Transport in the Government of the Dominion of New Zealand.

The motion was agreed to.

CONSTITUTION (REFORM) BILL.

Sir JOHN HARRIS (Minister of Public Instruction).—I move—

That this Bill be now read a second time.

In submitting this motion I should like to refresh honorable members' memories concerning certain matters that I placed before this Chamber last session. I shall preface my remarks by saying that I regard this as one of the most important Bills brought before the Legislative Council for 33 years. I should like to say something about the history of this House. When government was first established in this State there was only one Chamber, and that was the Legislative Council. When the Colony was sufficiently well developed the Constitution Act was passed, which divided the legislature into two Houses—the House of the people and the Legislative Council. In that Constitution, which forms the basis on which this House has operated since the legislature was divided, there are two important sections which govern, and have governed right through, the history and power of the Legislative Council, and the privileges it enjoys. The first section I should like to quote to members is section 28—

It shall be lawful for the Governor to fix such places within Victoria, and subject to the limitation herein contained, such times for holding the first and every other session of the Council and Assembly, and to vary and alter the same respectively in such manner as he may think fit, and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly by proclamation or otherwise whenever he shall deem it expedient. Provided that nothing herein contained shall empower the Governor to dissolve the Council.

This House, therefore, is an indissoluble House. Under the Constitution, as it subsequently developed, provision was made that half the members of the Council should retire every three years, and that at least half should not retire at the end of each three-year period. This House has preserved that privilege right through to the present time. The next section that I should like to bring before the attention of members, to show the power that at present exists, is section 61—

Notwithstanding anything herein contained it shall be lawful for the said legislature from time to time by any Act or Acts to alter the qualifications of electors and members of the Legislative Council and Legislative Assembly respectively, and to establish new electoral provinces or districts, and from time to time to vary or alter any electoral province or district, and to appoint, alter or increase—

And then, by section 37 of the Irvine Reform Act—the Constitution Act Amendment Act—there were interpolated the words, "or decrease"—

the number of members of the legislative Houses to be chosen by any electoral province
or district and to increase the whole number of members of the said legislative Houses, and to alter and regulate the appointment of returning officers and to make provision in such manner as they may deem expedient for the issue and return of writs for the election of members to serve in the said legislative Houses respectively, and the time, place and manner of holding such elections respectively.

That section is exceedingly important in the consideration of the Bill now before the House. It has always existed in the Constitution. It is in operation at the present moment. If honorable members will study the section they will find that the electorates and the franchise may be altered—and very greatly indeed, so that the character of the representation in this House may be altered. The other section I want to draw attention to is section 37 of the Constitution Act Amendment Act. While section 36 of that Act gave this House extra privileges that it did not have before, the Act also applied, under section 37, a method of undoing deadlocks as between the two Houses of Parliament. Prior to the section becoming operative, the only powers this House had with respect to money Bills were to pass or reject them, but under section 36 of the Constitution Act Amendment Act it now has power to suggest amendments at three different stages of the passage of a money Bill through this House, provided the suggested amendments would not increase the burdens on the people. That is a very great privilege which will continue to exist under the Bill now before the House, if it is passed. The Bill is brought in with the object of replacing section 37.

I have mentioned that this House is indissoluble. There is, however, one occasion on which it can be dissolved, and that is provided for in section 37. This House can be dissolved in the face of a very serious deadlock. The section I refer to is very cumbersome and difficult to operate, and has never been put into practice in any deadlock. Sub-section (1) reads—

If the Assembly passes any Bill and the Council rejects or fails to pass it—

And any Bill means any Bill, not only money Bills—

or passes it with amendments to which the Assembly will not agree, and if not later than six months before the date of the expiry of the Assembly by effusion of time, the Assembly is dissolved by the Governor by a proclamation declaring such dissolution to be granted in consequence of the disagreement between the two Houses as to such Bill, and the Assembly again passes the Bill with or without any amendments which have been made suggested or agreed to by the Council, and the Council rejects or fails to pass it or passes it with amendments to which the Assembly will not agree, the Governor at any time not being less than nine months nor more than twelve months after the said dissolution may notwithstanding anything contained in the Constitution Act dissolve the Council and the Assembly simultaneously.

That provision, as I pointed out last session, is so cumbersome that it would be impossible for any Government successfully to function and, at the same time, keep a Bill in dispute before the public during the period which would elapse while complying with the terms of the provision. It has been estimated that that period would be at least two years, and, having regard to the necessity for Supply being obtained and to other exigencies arising out of the carrying on of the business of the country, it is probable that a much longer period than two years would elapse. The object of the Government in introducing this measure is, therefore, to provide a better method for settling deadlocks between the two Houses.

The Government has no intention, and at no time had any intention, of making possible, by the passing of the Bill, the abolition of the Legislative Council. The Government believes in the bicameral system. It is of the opinion for several reasons that a second Chamber is necessary in connexion with the framing of laws for the good order and government of the State. The Bill provides for a certain period of time to elapse after the passing of any measure in another place so that representations from bodies or persons interested in it may be made to this House. It also permits, if I may use the term, of second thoughts to prevent the possibility of legislation being passed in a hasty fashion. The Government, as far as is consistent with getting rid of the present cumbersome method of dealing with disputes between the Houses, is determined to preserve the powers and privileges of this House. At present, the Legislative Council is in an impregnable position, and the question for honorable members to decide is whether such a
powerful second Chamber as that at present constituted can or will be tolerated in the year 1937 or in future years. The excessive power at present possessed by this House has on many occasions been used illegitimately, and for the benefit of honorable members I shall cite one instance which occurred during the régime of the second Hogan Government, while I was unofficial Leader. At the end of the session the Appropriation Bill was submitted. The House refused to pass it, and instead granted the Government only three months' supply. That action was taken against the advice of the unofficial Leader.

The Hon. M. Saltau.—Did you ever give advice in the other direction?

Sir JOHN HARRIS.—I have cited an instance showing how the power possessed by a Chamber of this character can be used illegitimately. Such power could not have been wielded but for the fact that this House was in an unassailable position under the provisions of the sections to which I have referred.

The Hon. G. L. Chandler.—But the Bill will not prevent that happening.

Sir JOHN HARRIS.—I am not offering any opinion as to what the Bill will do. I say that the tremendous power possessed by this House can be and has been used illegitimately. I do not desire to multiply examples, but there have been many occasions during my seventeen years' experience in this House when a large majority of members of one shade of politics has so used that power. I have cited the worst example that has come under my notice. I believe the House has not the right to hold up an Appropriation Bill. It was possible for that to happen only because the Council is practically indissoluble. The Government has introduced this Bill to balance the powers of the two Houses of legislature, so that in future, should a deadlock occur, the managers on behalf of the Council shall not feel themselves in a position, when at a conference between Houses, to insist upon the views of the Council without compromise. That, however, has been the attitude of the Council's managers at conferences, as I know well, because I have attended so many. I recollect only one occasion on which a compromise was agreed to, and then I was taken to task on the floor of this Chamber for having made it.

The Hon. C. H. A. Eager.—Managers for the Council met the managers for the Assembly in connexion with the Financial Emergency Bill, and agreed to many compromises. These resulted in the good financial legislation which was passed.

Sir JOHN HARRIS.—No records are kept of what is said at conferences.

The Hon. C. H. A. Eager.—What I say would be borne out by a comparison of the Bill as it came to this Chamber with the measure which was ultimately passed.

Sir JOHN HARRIS.—I have a good memory for what happens within my own experience, and I am putting the facts as I recollect them. Furthermore, I say that when I have had to choose managers for a conference, I have chosen men who would stand firm.

The Hon. C. H. A. Eager.—I do not say that the Council's managers have not stood firm in a right cause.

Sir JOHN HARRIS.—In suggesting managers, I have always picked out men who would stand firm. In doing so I have acted, so to speak, illegitimately. Of course, on very many questions the members of this Chamber have come to wise decisions, and have stood by them. When an unemployment relief taxation Bill came to us from another place it carried a schedule under which the revenue that could have been collected would have been one-third more than is being collected now; but at a conference between the Houses the managers for the Council got the schedule amended to read as it now stands in the Act. Then, while I was unofficial Leader, an unemployment insurance Bill came before us. A member of another place has said that the Council rejected that measure. We did not reject it, but we brought about the appointment of a Joint Select Committee of the two Houses which, during a whole session, sought information as to whether the proposals in the measure were, or could be made, actuarial. That Select Committee ceased to function when the session ended, and was never reconstituted, it being patent to most of those who had been members of it—certainly it was so to me—that the proposals were not actuarial, and should not be passed into law. In
those two instances, the members of the Council acted for the good of the State in standing firmly by their decisions, and I hope that members of the Council will act similarly in future. But section 37 of the Constitution Act Amendment Act is an impracticable provision, and therefore should no longer remain on the statute-book. Under it, two penalties can be imposed on the members of the Assembly, and only one on the members of the Council. Further, if there were a double dissolution under the section as it stands, it would be possible for both the Houses, although their members would have gone to the electors under different franchises, to remain practically unchanged. In such a case the dispute between them could not be settled, because each Chamber would assert that its views had been endorsed by the electors. This being the position, the Government asks the Council to surrender some of its powers, so that when deadlocks occur the managers for the Council may be compelled to show some spirit of compromise.

The measure is one to provide for the settlement of disputes between the two Chambers, and I advise honorable members to examine it carefully. Personally, I do not think that the Council should give away too much of its powers; but the powers of the two Houses should, as far as possible, balance. The provisions of the measure have been drafted by experienced draftsmen, in consultation with the highest constitutional authority in Australia; they have been carefully considered by Ministers, and agreed to by the Legislative Assembly. Therefore I propose the Bill with considerable confidence. Its main provisions are contained in clause 2—the deadlock clause. That clause reads—

(1) For section thirty-seven of the principal Act there shall be substituted the following section:

"37. (1) If any Bill is passed by the Assembly in two successive sessions (and notwithstanding that those sessions are not of the same Parliament) and having been transmitted to the Council at least one month before the end of the session, is rejected by the Council in each of those sessions, that Bill shall on its rejection in the second of those sessions by the Council unless the Assembly directs to the contrary, be presented to the Governor and become an Act of Parliament on the Royal assent being signified thereto, notwithstanding that the Council has not consented to the Bill. . . ."

There are certain provisos, however, the first of these being—

(a) nine months have elapsed between the date of the second reading in the first of those sessions of the Bill in the Assembly and the date on which it passes the Assembly in the second of those sessions.

Last session when speaking on this subject, I quoted a letter in which Viscount Bryce, addressing the Prime Minister of England, defined the right of a second Chamber to interfere with the legislative power of the initiating Chamber. He therein laid it down that a second Chamber was not justified in delaying the legislation of the first Chamber for any period longer than should be necessary to ascertain the will of the people regarding that legislation.

The Hon. C. H. A. EAGER.—We all agree with what Viscount Bryce said; but he did not mention an election as a course for ascertaining the will of the people, though he mentioned half a dozen other courses.

Sir JOHN HARRIS.—This House is entitled to delay legislation which has been passed by the Legislative Assembly only for a time sufficiently long to enable the will of the people of Victoria in regard to that legislation to be ascertained.

The Hon. C. H. A. EAGER.—No one disputes that. The question is, how shall the will of the people be ascertained?

Sir JOHN HARRIS.—This Bill provides for that. It is the members of the Legislative Assembly who determine whether a Government shall remain in power. The Council cannot displace a Government. It may disagree with a Government's proposals, but its adverse votes cannot put an end to that Government's existence. If a Government does not possess a majority in another place, it loses the number of its mess. Therefore, the Government's view was that it is right to determine the will of the people through the governing House. These provisos have been placed in the Bill, so that the will of the people can be ascertained and this Chamber protected. The proviso in paragraph (b) is very important:—

before such Bill is introduced in the Assembly in the second of those sessions the Assembly
is dissolved by the Governor by a proclamation declaring such dissolution to be granted in consequence of a disagreement between the two Houses as to such Bill and as to that one Bill only.

There has been a great deal of talk that the Assembly could go out on a political programme and that a particular dispute would be mixed with the politics of various parties. The proposal in the Bill is that a dissolution of the Assembly will be made in respect of the Bill which is the subject of the deadlock.

The Hon. C. H. A. Eager.—But it does not say that the election shall be on that one issue. You should provide that in the Bill.

Sir John Harris.—I think it is pretty plain that a dissolution would be on one specific issue only.

The Hon. C. H. A. Eager.—But the question is what would the election be about?

Sir John Harris.—I daresay that the honorable member could base an election contest on many things.

The Hon. C. H. A. Eager.—What would the generality of the electors do?

Sir John Harris.—I think that the generality of electors are pretty intelligent. If they knew that the Governor of this State had caused a dissolution of the Lower House because of a deadlock between the two Houses, and that that had occurred on a specific issue, there would not be much hope of clouding the issue, notwithstanding all the political propaganda that might be indulged in.

The Hon. C. H. A. Eager.—I do not want it to be clouded. I want to confine it to the one issue.

Sir John Harris.—I think that that point is made pretty definite.

The Hon. C. H. A. Eager.—It should be provided in the Bill that the election shall be on one issue.

Sir John Harris.—Paragraph (b) continues—

Provided that the Assembly shall not be dissolved by proclamation on one issue, and that a particular dispute is that a dissolution of the Assembly will be on one issue. You should provide that in the Bill.

The Hon. C. H. A. Eager.—But it does not say that the election shall be on that one issue. You should provide that in the Bill.

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Sir John Harris.—I think that that point is made pretty definite.

The Hon. C. H. A. Eager.—It should be provided in the Bill that the election shall be on one issue.

Sir John Harris.—Paragraph (b) continues—

Provided that the Assembly shall not be dissolved by proclamation as aforesaid later than six months before the date of the expiry of the Assembly by effluxion of time.

There we find the penalty. If the Lower House thinks it is right and that this House is wrong, the Lower House must be prepared to take its courage in both hands and be dissolved at least six months before the date when it would expire by effluxion of time. I think that is a pretty fair safeguard for this Chamber, and it provides a penalty for another place in respect of undoing a deadlock. I do not think this House could ask very much more than that. Sub-section (2) of the proposed new section 37 provides—

When a Bill is presented to the Governor for assent in pursuance of the provisions of this section there shall be endorsed on the Bill the certificate of the Speaker of the Assembly signed by him that the provisions of this section have been duly complied with.

Then, in sub-section (3) there is an interpretation in regard to the rejection of a Bill, as follows:—

A Bill shall be deemed to be rejected by the Council if—

(a) it is not passed by the Council; or

(b) (where the case so requires) the second and third readings are not passed with the concurrence of an absolute majority of the whole number of the members of the Council—

It really means that an ordinary measure and a constitutional Bill will come under the provisions of the deadlock clause—

in the session in which it is transmitted to the Council, either without amendment or with such amendments only as may be agreed to by both Houses (and for the purposes of this and the next succeeding sub-section any omission or amendment suggested by the Council pursuant to the last preceding section shall be deemed to be an amendment made by the Council).

Sub-section (4) of the proposed new section reads—

A Bill shall be deemed to be the same Bill as a former Bill transmitted to the Council in the preceding session if, when it is transmitted to the Council, it is identical with the former Bill or contains only such alterations as are certified by the Speaker of the Assembly to be necessary owing to the time which has elapsed since the date of the former Bill, or to represent any amendments which have been made by the Council in the former Bill in the preceding session, and any amendments which are certified by the Speaker to have been made by the Council in the second session and agreed to by the Assembly shall be inserted in the Bill as presented to the Governor for His Majesty's assent in pursuance of this section:

That is to say, if amendments are not agreed to, they become the subject of a deadlock. But the certificate of the Speaker must be given regarding such amendments as have been made by the Council and agreed to by the Assembly.

Amendments made by the Assembly in the second session may be placed in the
Bill—they would be printed in italics—and sent to this House for consideration. The proviso in that connexion reads—

Provided that the Assembly may, if it thinks fit, on the passage of such a Bill through the House in the second session, suggest any further amendments without inserting the amendments in the Bill, and any suggested amendments shall be considered by the Council, and, if agreed to by the Council, shall be treated as amendments made by the Council and agreed to by the Assembly, but the exercise of this power by the Assembly shall not affect the operation of this section in the event of the Bill being rejected by the Council.

If the Assembly sends forward proposals inserted in italics, the Council considers them, and if they are agreed to they become part of the Bill. If they are not agreed to the position in regard to a deadlock and an appeal to the people is not altered. Sub-section (5) of the proposed new section provides—

A certificate by the Speaker of the Assembly given under this section shall be conclusive for all purposes and shall not be questioned in any Court of law.

Sub-section (6) is only a machinery provision and need not be quoted, but sub-section (7) is very important. It sets out—

Any Bill providing for the abolition of the Council or by which an alteration may be made in Schedule D to the Constitution Act or amending or repealing this section shall not be within the operation of the foregoing provisions of this section.

The Hon. C. H. A. Eager.—The little prefix "sub" has disappeared from before "section." I understand that it was a slip.

Sir John Harris.—Yes. The Hon. C. H. A. Eager.—I do not think that is actually the case. The recent Legislative Council contests were supposed to be fought largely on the matter.

Sir John Harris.—I am afraid that the honorable member is suspicious. Schedule D to the Constitution Act relates only to the salaries of the Supreme Court Judges and the Governor. The provision means that the deadlock clause cannot be used to abolish this House. It has been proved to be good in law that one House of Parliament can bind another. That was demonstrated in the Privy Council appeal which arose when a Government in New South Wales endeavoured to abolish the Legislative Council of that State contrary to a similar provision in what is known as the Bavin Act. The matter went to the Privy Council, and it was ruled to be good in law that in connexion with constitutional matters one House of Parliament can bind another. Some explanation is required regarding sub-clause (2) of clause 2, which reads—

Nothing in the preceding sub-section shall in any way affect any amendment heretofore made in section sixty-one of the Constitution Act.

That is inserted in order to save the small sub-section relating to the power of the legislature to decrease the number of members. The existing section 37 proposed to be repealed contains a small provision giving power not only to increase the representation, but to decrease it.

Sub-clause (3) of clause 2 provides—

The Acts mentioned in the schedule to this Act to the extent to which the same are in and by the said schedule expressed to be amended are hereby amended accordingly.

The Bill which was presented last year was drafted to suit a measure brought in by the Government to provide for a redivision of seats. It was thought that this House might allow itself to be dissolved on the basis of new provinces throughout the State. Instead of that, the House finally determined that only half the total number of its members should go before the electors at the one time. Amendments have been made in the Bill to bring it into consonance with that alteration.

I think I have given honorable members what I may term the heart of the Bill. I have endeavoured to inform their minds especially and particularly, because the Bill is the most important that has come before us in 33 years. Wrapped up in the proposals for providing a solution of deadlocks between the two Houses there are a number of smaller matters having to do with the election of members to this House. The first of these proposed amendments is directed to a reduction of the minimum age qualification required for candidates for the Council from 30 years to 21 years, and the next to a reduction of the present property qualification for candidates—freehold property of an unencumbered yearly value of £50—from that amount to £25.
The Government believes that the minimum age qualification of 30 years is rather out of date. Seeing that an elector aged 21 years who possesses the necessary property qualification has the right to vote for the candidate who he desires should represent him in this Chamber, the Government feels that if that elector possesses also the property qualification required of a candidate for the Council, he should be eligible to stand for election.

The Hon. W. Tyner.—The provision specifying the age of 21 years was not in the Government's original Bill. It was introduced by amendment in the Assembly.

Sir John Harris.—No.

The Hon. A. J. Pittard.—Did not the member for Ballarat, Mr. Hollway, introduce that proposal?

Sir John Harris.—No, he did not introduce it.

The Hon. G. L. Chandler.—The minimum age qualification for a candidate was set down in the original Bill as being 25 years.

Sir John Harris.—No, the qualification was 21 years. Mr. Hollway's amendment is out of this Bill.

The Hon. W. Tyner.—The Government took it over.

Sir John Harris.—No. I said last year that if a member of this House were to move for the excision of that particular age minimum the Government would vote for the excision.

The Hon. C. H. A. Eager.—You said that. There is no doubt about that.

The Hon. M. Saltau.—Do you not think that the Bill goes a bit too far in providing for such a minimum?

Sir John Harris.—Well, I think the existing minimum of 30 years is wrong.

The Hon. C. H. A. Eager.—Do not say that we are too old at 30!

Sir John Harris.—With respect to the proposal in the Bill to bring about a reduction of the existing property qualification for candidates for the Council, the Government is not proposing that the candidate must have been possessed of freehold property of an unencumbered yearly value of £25 for twelve months prior to the election. All that will be necessary will be for the candidate to be in possession of the property at the time he nominates. The Bill will not alter the existing provision which makes it necessary for a member of the Council to continue to sign a declaration each session of Parliament that he is possessed of the required value of property. If the Bill is passed a candidate will require to be possessed in his own right, free of all encumbrances, of property worth £500, instead of £1,000.

The Hon. C. H. A. Eager.—Do not all these proposals for the democratizing of the Council mean that we shall have to raise the allowance for members of this House to the same figure as is received by members of the Assembly? Young men of 21 years cannot be expected to enter the Council for the small allowance that we are made to-day.

Sir John Harris.—Personally, I have not the slightest objection to that being done.

The Hon. C. H. A. Eager.—I think it will be the inevitable consequence of the Bill, if it is passed.

Sir John Harris.—The next proposed amendment to which I direct the attention of honorable members is that for a reduction of the amount of the deposit required from candidates for election to the Council from £100 to £50. The purpose is to bring the deposit into line with that required in the case of elections for the Assembly. I do not suppose any member of the Council will object to that.

Another amendment to which I draw the attention of honorable members is designed to abolish plural voting at Council elections. I could never understand why plural voting should have been introduced in respect of elections for the Council. There are many large landholders in the Western District, as well as elsewhere, who own property in the one Council province valued at perhaps £200,000 or £300,000. An owner of such a property is given only one vote. I invite honorable members to contrast that with the case of a man who possesses a number of little houses in different provinces in the metropolitan area. They may be only of sufficient value to qualify him to vote, but he can go round the metropolitan provinces and vote half a
dozen times. There is such inequality in connexion with the plural voting system that it is about time we got rid of it.

I have practically traversed the whole Bill, and I have taken considerable time in explaining it because I wanted honorable members to understand it so that there should be no doubt in their minds when they come to record their votes. The Government believes it has placed in the Bill a method of settling disputes that will be very much more elastic than the method hitherto existing—one that will provide a balance as between the two Houses, and will not give one House tremendous power against the other. Provision has been made so that if this House in future is called upon to elect managers to confer with those from the other House, the Council managers will attend the conference prepared to listen to the other side, and to make compromises in order to settle disputes. It is the full belief of every member of the Government that the proposed new deadlock provisions will be as little used as section 37 of the Constitution Act Amendment Act has been used. The Government feels that in future a big majority in either House will not be allowed to use its weight and dictate when a deadlock has been reached. I do not think there is any more that I should say. It seems to me that I have pretty well raked out the ashes.

The Hon. C. H. A. EAGER (East Yarra Province).—I move—

That the debate be now adjourned.

I suggest that the adjournment be for a fortnight. Whether it is for a week or a fortnight is immaterial to me, but I do not know whether honorable members generally consider that a week will be sufficient.

Sir JOHN HARRIS (Minister of Public Instruction).—The Bill is one that will be required to be passed by an absolute majority of the House, in accordance with the provisions of the Constitution Act. In the circumstances, I should like to consult the desires of honorable members. If the adjournment of the debate for a fortnight was likely-to result in a larger attendance of members than may be available next week, I should have no objection to that course.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Tuesday, August 17.

(A t 6.16 p.m. the sitting was suspended until 7.56 p.m.)

MELBOURNE AND METROPOLITAN BOARD OF WORKS (CONTRIBUTIONS) BILL.

The Hon. G. L. GOUDIE (Minister of Public Works).—I move—

That this Bill be now read a second time.

This measure is to continue the operation of the Melbourne and Metropolitan Board of Works (Contributions) Act of 1927, and is to extend the agreement entered into by the Board with various municipalities for another five years. I think it was about fourteen years ago, when I was Minister of Public Works, that various municipalities started an agitation to have legislation introduced to permit of the rating of certain properties held by the Board in their districts. I drew the attention of those bodies to the fact that a large proportion of the land held by the Board consisted of forest areas, and that, if the Board had not had that land reserved for water supply purposes for the metropolis, in all probability the land would have been under the jurisdiction of the Forests Commission, and therefore would not have been rated. Even if the property were rateable, it would be hard indeed to value it, because it is not improved land; most of it is heavily timbered and of a mountainous character. As a result of negotiations between the Board and the municipalities I arranged that the parties should make a contract under which the Board was to pay an annual contribution in lieu of rates. That was a gentlemen’s agreement, but in 1927 a Bill was passed authorizing the Board to make these grants to the municipalities. That arrangement was continued in force for ten years, and it will expire next month. As the arrangement has been satisfactory to all the parties concerned, the Government thinks it advisable to continue it for another five years.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.
PARLIAMENTARY DEBATES

PUBLICATION BILL.

The Hon. G. L. GOUDIE (Minister of Public Works).—I move—

That this Bill be now read a second time.

The Bill is directed at resolving some doubts recently revived in New South Wales as to whether the publication of Hansard was properly authorized. In 1935, in an action in New South Wales, His Honour Mr. Justice Stephen appears to have held that an extract from a speech made in Parliament was not “an extract from or abstract of any report, paper, votes, or proceedings published by order or under the authority of either House of Parliament,” so that the New South Wales Defamation Act 1912 did not afford privilege to the publication of the extract. The basis of this finding was presumably that there was no evidence that the New South Wales Hansard was published by order or under the authority of either House.

Inquiries in Victoria suggest that technically there may be no authority for the publication of Hansard, and it is desirable to ensure that those responsible for the printing and publication of Hansard are completely protected against actions for defamation. I think it is desirable to have the doubt cleared up. The Government thinks so, too. Although members of Parliament are, under an Act of Parliament, privileged in regard to what they say in Parliament, there is a doubt whether those responsible for the publication of Hansard are similarly privileged.

The Hon. C. H. A. EAGER.—What about the press? They are privileged, and if they are, one would think Hansard would be.

The Hon. G. L. GOUDIE.—There is a doubt about it which it is desirable to clear up.

The Hon. C. H. A. EAGER.—You may be putting the press in a difficulty. You are making an exception of Hansard, and it may be said that the provision made for Hansard excludes by implication other publications.

The Hon. G. L. GOUDIE.—I do not think that can be said. The Bill will make it certain that those officers of Parliament who are responsible for reporting the proceedings of Parliament shall not be liable to be sued for libel.

The Hon. C. H. A. EAGER.—There has never been any suggestion of an action against Hansard in Victoria?

The Hon. G. L. GOUDIE.—Not that I know of, but there can be no harm in making it absolutely certain that officers of Hansard and the Government Printer are privileged. Many legal points arise. If members require any further information I shall be able, when the Bill is in Committee, to quote legal opinion and judgments in actions decided elsewhere.

The Hon. C. H. A. EAGER (East Yarra Province).—It seems extraordinary that it should be suggested that a bona fide report of a debate taking place in this House, whether published in Hansard or in the press, should be open to attack by any person. If there is any doubt, by all means let us put it at rest. In putting one doubt at rest, however, we may create other doubts. I would not think much of the chances of a litigant who picked up Hansard and said, “This contains a defamation.” His prospects of a successful action would not be very rosy. His complaint would be met with the defence that a bona fide report of what happens in Parliament is privileged. If there is any doubt about it, however, I shall not oppose the Bill.

The Hon. J. H. DISNEY (Melbourne West Province).—It seems that members are asking for more protection than they have at present. There are many times when members say things in Parliament only because they know they are protected. They would not say some of those things if there was a possibility of the person attacked taking legal action. Another practice that strikes me as very wrong is that members receive copies of their speeches before publication in Hansard, and alter them to suit whatever they desire.

The Hon. W. H. EDGAR.—You should not go that far.

The Hon. J. H. DISNEY.—It is very wrong that it should be so. That is my opinion. The dotting of an “i” or the crossing of a “t” may make a wonderful difference in the meaning of a report. It is very wrong, and the public should be protected more than they are protected at present. On many occasions persons
outside have been vilified, and very wrong things have been said about them under the protection of Parliament—things which the members concerned dare not have said outside.

The Hon. C. H. A. Eager. — The general good sense of members keeps that sort of thing within reasonable limits.

The Hon. J. H. Disney. — Honorable members know that persons have been accused inside and outside the House, and that they have had no redress. It is not right that members should be allowed to make charges in the House which they would not dare to make outside. The public should be considered just as much as any member who makes a speech. No doubt, the Government has given the subject full consideration. Let us hope that the Bill will have the effect desired.

The President (Sir Frank Clarke). — Before putting the motion for the second reading of the Bill I should like to speak a word in defence of Hansard. Hansard does not permit honorable members of either House to alter their speeches materially. It allows them to improve the language to a certain degree, and I have, I suppose in four or five instances during my term as President, been consulted by the Chief Hansard Reporter as to whether he should make an alteration which an honorable member wished to make, because he thought the member’s request was going beyond what was permissible. I would direct Mr. Disney’s attention to the fact that that is the practice of Hansard.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1—(Short title, construction, and citation).

Sir Frank Clarke (Monash Province). — Personally, I think that the Government, having discovered that the publication of Hansard is dangerous, has missed a glorious opportunity in not stopping its publication.

The clause was agreed to, as were the remaining clauses.

The Bill was reported to the House without amendment, and passed through its remaining stages.

Administration and Probate (Testator’s Family Maintenance) Bill.

The Hon. G. L. Goudie (Minister of Public Works).— I move—

That this Bill be now read a second time.

This is a Bill to amend that portion of Part V. of the Administration and Probate Act 1928 which deals with the maintenance of dependants of deceased persons. In the rest of Australia and New Zealand, the legislation dealing with this matter is known as “family maintenance.” The first legislation was enacted in New Zealand in 1908, and was copied in Victoria shortly afterwards. Since that date, all the Australian States have enacted legislation on this subject, and the New Zealand legislation has been extended to cover cases which did not come within the original Act. In other Australian States, the powers conferred on the Court to rectify injustices done by testators to their dependants are considerably wider than those conferred in Victoria. It appears to be desirable, therefore, to extend the Victorian legislation to keep in line with the legislation in other parts of Australia and New Zealand. It should be borne in mind that all the powers conferred by the Bill are to be exercised by a Judge, who will be able to use his discretion in any particular case which comes before him. The general scope of the legislation is as follows:—If a testator has not provided for the maintenance of his widow, child or other dependant, the person who has been harshly treated may apply to a Judge. The Judge may look into the whole circumstances of the case, including the value of the estate left, the position in life of the applicant, the personal conduct of the applicant and the relations existing between the testator and the applicant, and, if he comes to the conclusion that the applicant has been harshly treated, he may order the executor of the will to make provision or more liberal provision for the applicant.

I shall now explain the directions in which it is proposed to liberalize the legislation. Male children over eighteen years of age, and female children over 21 years or married, are excluded from the operation of the Victorian Act. It is proposed to remove these restrictions and to make the Act applicable to any child, notwithstanding his or her age. That is to say,
If the child of a testator feels aggrieved under the provisions of the will, he may apply to a Judge of the Supreme Court for an investigation of his case. It would, of course, be quite exceptional for the Judge to give any relief to an adult male child, but even this might be done if, for instance, such child were an invalid. The Bill also provides for an appeal to be lodged by any widower who may feel aggrieved. For instance, he may be an invalid or a man advanced in years.

The Hon. C. H. A. Eager.—He may have given all his property to his wife before she died, and she may have given it to somebody else.

The Hon. G. L. Goudie.—There are cases of that sort, and the only alternative for an elderly widower in such circumstances would be to apply for the old-age pension. However, the Court is not likely to exercise its discretion in the case of an able-bodied man who is able to provide for himself. Under the Victorian Act, the power of the Court with regard to widows is very much more restricted than it is in other States. A widow cannot be given more than the income on such portion of the estate as she would have been entitled to had the deceased person died intestate; that is to say, the income on not more than one-third or one-half of the estate. It is proposed to omit this restriction, and to allow the Court to assist the widow to such an extent as it considers just. That is the substance of the Bill. While it will give considerably more power to the Court than exists at the present time, the Judge will, no doubt, use his discretion in dealing with any cases which may arise. Honorable members have, I am sure, every confidence in Judges of the Supreme Court doing the right and proper thing in connexion with applications made under this legislation.

The Hon. C. H. A. Eager (East Yarra Province).—I am prepared to adopt either of two courses in dealing with the Bill, subject to the approval of the Minister. I shall either move that the debate be adjourned for a week or for such time as the Minister suggests, or allow the Bill to go into Committee and then ask that progress be reported. The Bill, in addition to extending the benefits made available under the original Act, extends the time during which an application may be made from six months to twelve months. The passing of the Bill would necessarily tie up the administration and distribution of many estates for twelve months, so that any one who desired might make application for consideration. It has been represented to me by the chairman of the associated trustee companies of Victoria that an extension of the period to twelve months would have a very adverse effect upon the administration of estates in the interests of beneficiaries. I should like to consider that point, and perhaps other members would also direct their attention to it and communicate on the question with any trustee companies they thought fit.

The Hon. G. L. Goudie.—I think the best course would be to move the adjournment of the debate.

The Hon. C. H. A. Eager.—I move—That the debate be now adjourned.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Tuesday, August 17.

REGISTRATION OF BIRTHS DEATHS AND MARRIAGES BILL.

Sir John Harris (Minister of Public Instruction).—I move—

That this Bill be now read a second time.

Arising out of experience in the administration of the Registration of Births Deaths and Marriages Act, and the recording of entries relating to these matters, it has been found necessary to make certain amendments in the existing law on the subject. It will be obvious to honorable members that the accurate recording of particulars of deaths is a duty of the greatest importance to both the individual and the community, and while the measure is only a small one, the difficulties which past experience has revealed should, in the interests of the people both individually and collectively, be corrected at the earliest possible moment. It is particularly desirable that the matter should be dealt with at this juncture, in view of the fact that the Cemeteries Act, which contains certain provisions affecting the administration of the Registration of Births Deaths and Marriages Act, is undergoing amendment at the present time, and it is necessary to preserve harmony between the requirements of the two Acts:
I shall briefly explain the clauses. Clause 1 is the short title. Sub-clause (2) of clause 1 provides that the Act shall be brought into operation by proclamation of the Governor in Council. This provision is to enable the necessary instructions to be issued to registrars and advice to be given to medical practitioners as to their duty in respect of certificates of death, pursuant to the requirements of the amended law. Sub-clause (1) of clause 2 empowers a registrar of births and deaths, in writing, to require any person whom he believes to be acquainted with the facts to furnish the particulars required to enable him to make an appropriate entry in the register. The reason for this requirement is that difficulties are constantly encountered in obtaining correct particulars by reason of the fact that the responsible informant—the occupier of the premises in which the death took place—is not acquainted with certain details, such as age, parentage, issue, and so on, of the deceased. As probably 60 per cent. of deaths occur in hospitals and other institutions, it frequently happens that the person on whom the giving of information devolves has not the knowledge of the required particulars. The provision is similar to one embodied in the Registration of Births Deaths and Marriages Acts of England and of New South Wales. Sub-clause (2) provides for a maximum penalty of £10 for failure, without reasonable cause, to furnish the particulars required by the registrar.

Sub-clause (1) of clause 3 requires a medical practitioner who has attended a person during his last illness to forward to the registrar of births and deaths a certificate of death in the form of the first schedule, and to forward to the person responsible for the registration of the death a notice that he has signed a certificate of death. The principal Act does not directly place upon medical practitioners the responsibility of giving certificates of the cause of death for the purpose of registration, and although doctors as a general rule follow the practice of issuing such certificates, the fact of there being no legal obligation upon them leads to much looseness in this regard, and frequent delays and difficulties in death registration result from omissions on the part of doctors to supply essential particulars. The forms of certificate in the first and second schedules are similar to those used in the United Kingdom, and adopted by the Federal Capital Territory, and other Australian States, consequent upon a resolution passed by a conference of statisticians. Such a certificate will effect an improvement in the classification of deaths, and will be most valuable, both for registration purposes, and for the compilation of vital statistics. Sub-clause (2) renders a medical practitioner who fails to carry out the requirements of the law liable to a maximum penalty of £5. The effect of the addition made by sub-clause (3) is to require the Government Statist to supply to every legally-qualified medical practitioner a sufficient number of forms for certifying the cause of death and giving notice thereof.

The third schedule to the principal Act is the form of registration of a death, and paragraph (a) of clause 4 proposes to add the “usual place of residence” to the existing particulars of “when and where died.” This is to ensure the maximum reliability in the allocation of death statistics to their proper districts. For example, a very large number of deaths take place in hospitals, and it is desired to record officially the usual place of residence of the deceased. Paragraph (b) requires “conjugal condition” to be added to the other particulars already recorded. The information which will be given under this heading is very desirable for the purpose of sociological statistics. The forms contained in the schedules have been carefully compiled in the light of experience and, as already explained, have as a precedent legislation in the United Kingdom and the other States.

The motion was agreed to.

The Bill was read a second time, and committed.

Clause 1 was agreed to.

Clause 2—(Provision for further information, &c.).

The Hon. C. H. A. EAGER (East Yarra Province).—My only objection to the Bill is that it seems to place a new and a heavy obligation on the legally-qualified medical practitioners of this