

the Eastern wheat belt, principally because that hon. member has decried the possibilities of that dry area. If he went he would realise that while perhaps those districts have cost the country a good deal of money, yet in the near future the outlay will be well repaid. It would be wise to adjourn to the 30th, to let hon. members avail themselves of the opportunity of visiting Geraldton to see the show.

THE MINISTER FOR EDUCATION
(Hon. H. P. Colebatch—East—in reply)
[6.11]: I am always anxious to meet the wishes of hon. members. I am a good deal impressed with the remarks made by Mr. Mills. I do not want to agree to so long an adjournment that members will go away for a holiday instead of taking part in a trip, which has been arranged strictly in the interests of the country. However, on considering the condition of the Notice Paper, and with the knowledge I have of the position of legislation in another place, it is possible that if we met again on the 23rd we should not have a great deal to occupy our time. Therefore, if members prefer the longer adjournment, on the understanding that when we do meet again we shall have to sit in the evenings to get through the work, I am agreeable to amending my motion to read "30th September."

Question, as amended, put and passed.

House adjourned at 6.12 p.m.

Legislative Assembly,

Thursday, 11th September, 1919.

	PAGE
Urgency Motion: Royal Commission on Nationalist Workers	565
Questions: Railway Freight, pyritic ore	591
Maimed Soldiers, rail and tram passes	591
State Sawmills, projected sale	591
Public Servants accrued holidays and A.I.F. enlistments	592
Railway project, Narrambeen-Bruce Rock	592
Repatriation, Pastoral holdings and Midland Co.'s lands	592
Peace Loan and State Revenue	592
Mallee Lands Development	592
Railways fire breaks	593
Agricultural Water Supply	593
Adjournment, Special	593

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

URGENCY MOTION—ROYAL COMMISSION ON NATIONALIST WORKERS.

Mr. SPEAKER: I have received the following letter from the member for Boulder—

I desire to give notice that it is my intention to move the adjournment of the House for the purpose of discussing the question of the appointment of the Royal Commission to inquire into the case of the Nationalist workers on the Fremantle wharf, and the methods of conducting that inquiry.

Under the Standing Orders, it will be necessary for seven members to rise in their places before the hon. member can proceed.

Seven members having risen,

Hon. P. COLLIER (Boulder) [4.35]: I move this motion for the adjournment for the purpose of discussing the appointment of the Royal Commission that is now sitting to inquire into the claims of what are known as the Nationalist workers, and also for the purpose of discussing the methods by which that inquiry is being conducted. It will be within the recollection of members that the origin of this business dates back to August, 1917, when the lumpers engaged on the Fremantle wharf refused to load on the s.s. "Minderoo" a cargo of flour consigned to Java. The wharf labourers refused to load that flour because they contended that there was a possibility of its eventually finding its way into the hands of the enemy. I am not going to discuss that phase of the question. It will be sufficient for me to say that, on the authority of no less a person than the Prime Minister of Great Britain, in a statement made in the House of Commons in reply to a question, it was admitted that large quantities of food stuffs did find their way to Germany through Dutch territory. As a result of that, cessation of work the Government of the day, acting at the request of the Federal Government, called for volunteers to carry on the work on the wharves. Incidentally let me say that although at that time it was, and ever since has been, freely stated in the Press and elsewhere that the workers on the Fremantle wharves refused to load all ships, including troopships, there is no foundation whatever to that statement. It is only due to the Fremantle lumpers to say that throughout the prolonged strike, or cessation of work, they were ready at all times to load troopships or ships carrying supplies to our armies.

The Minister for Works: It did not appear so at the time.

Hon. P. COLLIER: But it did. The hon. member is quite wrong. He is like so many thousands of people in this State who have accepted the biased half-truths that have appeared in the Press from time to time in regard to the matter. There is abundant evidence to prove it was officially stated on behalf of the lumpers that they were not

only prepared to work the troopships, but were prepared to work them free of cost, without any wages, if necessary.

Hon. W. C. Angwin: And as a matter of fact they did so.

Hon. P. COLLIER: The lumpers never refused to work troopships or ships carrying supplies to the troops. However, the result of that cessation of work was that the Government called for volunteers to do the wharf work generally. It was at that stage that the men interested in this inquiry came upon the scene. The Government have now appointed a Royal Commission to inquire into the claims of the Nationalist workers for compensation for what is claimed to be a breach of contract; that is, that the Nationalist workers when they took up the work on the wharves were promised that they would be given permanent employment there. Under the terms of contract between the Government and the Nationalist workers, the Government have no obligation to the men for any compensation. Those men, when they offered their services—I believe some 3,000 offered their services.

The Minister for Works: More than that.

Hon. P. COLLIER: Well, several thousands offered their services.

Hon. W. C. Angwin: Under the condition that they should get the sack if they did not do the work.

Hon. P. COLLIER: They offered their services with the knowledge and understanding that it was only until such time as the lumpers should resume work. That is an established fact. The Minister for Education in defending in the Legislative Council his attitude in this trouble quoted correspondence proving clearly that the contract was that those men were only asked to give their services until the lumpers should resume work. Let me for the information of hon. members quote the conditions under which those men were employed, as follows—

On the 24th August, 1917, the State Government, at the request of the Commonwealth Government, commenced the enrolment of persons willing to offer themselves for national volunteer service. The documents prepared for this enrolment by the Government were headed "The National volunteer service." "We the undersigned do hereby offer our services to the Government of Western Australia, and we agree to do to the best of our ability any labour that we may be called upon to perform until a suitable settlement has been made with the industrial workers now on strike."

It was clearly set out in those terms of contract between the Government and those who took up the employment.

Mr. Thompson: When was a suitable settlement made?

Hon. P. COLLIER: When the trouble was over, when the work was resumed again on the wharves, with preference for the time being to the Nationalist workers. It is

quite clear from the terms of contract that the Government had no obligation to find work of a permanent character for those men on the wharves. If that is so, and I claim it is, I should like to know why the Government are engaged in this farce of considering what amount of compensation should be paid to those Nationalist workers. For the past three or four months much influence has been used to secure the appointment of a Royal Commission.

Mr. Thomson: Was not that promised?

Hon. P. COLLIER: It may have been promised in the dark, small hours of early morning, when the settlement was arrived at, but the then Colonial Secretary when announcing the terms of settlement, did not say so. I should like to know whether the Commonwealth Government are parties to this Royal Commission. The State Government have been endeavouring to secure the co-operation of the Federal Government in this matter. I should like the Minister to inform us whether the Federal Government are parties to this Royal Commission, and whether the Federal Government or the steamship owners have agreed to make themselves responsible for any portion of any compensation that may be awarded to those men. My first point is that the Government should never have appointed a Royal Commission to inquire into their obligations, if any, to the Nationalist workers, because the question of the Government's obligation was clearly set out in the terms under which those men started work on the wharves. It is true, of course, that, subsequent to those men beginning work, the Government extended the original conditions and added to this contract which I have just quoted by saying they would guarantee the men permanent work on the wharves.

Hon. W. C. Angwin: Not on the wharves. It just said "future employment."

Hon. P. COLLIER: That was an absurd promise for the Government to make.

Hon. W. C. Angwin: They did not say "on the wharves"; they said they would give these men future employment.

Hon. P. COLLIER: I suppose "on the wharves" was implied. If so, it was a foolish promise to make, because the Government were not in a position to guarantee those men permanent employment on the wharves. The Government did not control the wharves or the shipping. They were not in a position to say that the private ship-owners would honour the promise made by them. If the Government now hold that the added promise made by them renders them responsible for compensation to these workers, I say that the Government put themselves entirely at the mercy of the ship-owners, because if immediately after the trouble had been settled the shipowners refused to employ these men any longer, then, notwithstanding the Government might be willing and anxious to continue the employment on the wharves, that could not be done in the absence of the shipowners' consent.

The fact is that that extension of the terms of the contract by the Government was made entirely at the behest of the shipowners. The shipowners were looking further ahead than the settlement of that immediate strike or trouble. They were concerned for the future working of the wharves as well, and they desired to have a complaisant body of tools in the shape of these National workers at their disposal. With that end in view they succeeded in inducing two Governments, State and Federal, to make a pledge that these men were to be permanently employed on the wharves.

Hon. W. C. Angwin: The shipping companies made tools of the Government, too.

Hon. P. COLLIER: Subsequently they did. That pledge having been given at the request of the shipowners to meet their convenience, as was subsequently shown, the shipowners stand aside and retire from the scene and hand over the responsibility, if any, to the Government of the State. Any expenditure of public funds in this connection is nothing short of a scandal. It is a scandal that a Royal Commission should be sitting day after day spending public funds on a matter of this kind, and it will be a double scandal if as the result of the Commission's inquiries any payment of public money is made to these men. That would be placing a premium on blacklegging, offering an inducement to persons to play the part of blacklegs in future disputes, in the hope of securing compensation from some Government. The Government should never have appointed this Royal Commission. They have no financial obligations whatever to these men.

The Minister for Works: That is a matter for difference of opinion.

Hon. P. COLLIER: I do not think it is, having regard to the terms of the contract under which these men took work on the wharves. They cannot claim that, because afterwards certain privileges were offered to them, that has anything to do with the contract. There was a clear, definite, and specific contract made between the Government and these men when they took up the employment—that they were to work on the wharves until the wharf lumpers resumed their employment.

The Minister for Works: But every contract can be varied if the two parties are agreeable.

Hon. P. COLLIER: These men have no claim on the ground that they have not been allowed to work on the wharves two years after the event. They have no undertaking that they would be permitted to do so. They went there, they said, believing they were performing a national service. The need for that national service no longer existed after the dispute had been settled. The Government, having fulfilled all their part of the contract, ought not at this stage to be expending public funds in an inquiry as to what amount, if any, these men should be

paid by way of compensation. In fact, it was stated at the time by these National workers themselves through the Press that they had voluntarily and freely retired from the wharves as a national and patriotic duty. Just as they entered upon the wharves in a spirit of national service, so they retired from them as a matter of patriotic duty. Having freely and voluntarily retired from the wharves in pursuance of what they believed a national duty—so they said—they now want to turn to some material advantage what they claim was done as a matter of public duty some months ago. The then Premier, Mr. Colebatch, in making a statement the day after the men had retired from the wharves, said—

They (the National workers) added that just as they had come forward in 1917 in what they regarded as a great national crisis, so they were prepared to-day to do what seemed to them best in the public interest and withdraw from the wharves entirely, in the hope that industrial peace might be restored and the wants of the community relieved.

Mr. Colebatch went on to say—

I can only add that I think the Government and the community owe a debt of gratitude to the Nationalists for their action in connection with the matter.

Apparently the Premier of that day considered that the Government and the people owed only a debt of gratitude to these National workers; but now, after the lapse of three or four months, it is contended that something more substantial than gratitude is due to them, something in the nature of a substantial cash allowance in addition to the gratitude of the general national community at that time. In my opinion the appointment of the Commission constitutes a scandalous waste of public funds. It ought never to have been appointed; but, the Government having decided to appoint a Commission, I want to ask what was the influence guiding the Government in selecting as a Royal Commissioner the gentleman whom they have selected? We have this extraordinary spectacle, that where the Government say they want an unbiassed, impartial review of all the circumstances which will enable them to do justice to these National workers, they appoint one of the strongest and bitterest partisans in the State as a Royal Commissioner. Mr. Lazarus is an ex-president of the Chamber of Commerce. He was a candidate again for the presidency of that body only within the last few weeks, being defeated by one or two votes. He is a member of the Employers' Federation. He is a gentleman who for many years has in this State represented the employing section on tribunals. He represented the traders on the Royal Commission that sat within the past year or two inquiring into the prices of clothing and boots.

Hon. W. C. Angwin: He did not make much of it, either.

Hon. P. COLLIER: Generally Mr. Lazarus has been an open and avowed member of the employing section of the community. This question of the National workers has resolved itself largely into a dispute between the National workers and the organised section of the Labour movement of this State. That being so, I want the Minister for Works to justify the action of the Government in selecting a man to adjudicate upon this matter who is a recognised member of the Employers' Federation of this country, and an open and avowed opponent of the Labour party in this State. If I were occupying the position which the Minister holds at present, and a similar dispute existed, what would be said if I were to appoint Mr. McCallum a Royal Commissioner to inquire what compensation should be paid to some section of the trade union movement of this State?

The Minister for Works: Perhaps we can dissociate the gentleman as a judge from his partisanship.

Hon. P. COLLIER: Perhaps we can. I contend it is a positive and shocking scandal that a partisan like Mr. Lazarus should have been appointed to such a position. Mr. Lazarus has all his life been concerned, and will during this inquiry be concerned, in something detrimental to labour. As a member of the Employers' Federation, and as an associate of the shipowners of this State, he has supported the National workers all along, and has extended financial assistance to them all along. If one may judge from what one sees, he is extending financial assistance to them even now. And that is the man who is appointed to consider in a judicial and impartial manner what compensation should be offered to the National workers. Did the Government consider the advisability of appointing an ex-president of the Trades Hall to determine the amount of compensation that should be paid to the widow of the late Mr. Edwards, who was killed in that trouble on the wharf? Of course they did not. They selected a member of the police court bench, a man quite free from political and industrial strife, a man entirely dissociated from all parties, and consequently in a position to give an unbiased and impartial judgment. But in this case the Government select a man who belongs to the very side that he is called upon to deal with. It looks as if the Government were anxious to pay the largest amount they possibly can to the National workers, but have not the courage to do it straight out themselves, and therefore appoint a partisan to make a recommendation behind which they will be able to shelter themselves.

The Minister for Works: You have an imagination.

Hon. P. COLLIER: There is no other conclusion to be drawn from the facts. Every action of the Government in connection with this matter bears the construction that they are willing and anxious to pay large

amounts to these men, but want to do it under the cover or cloak of some recommendation of a Royal Commissioner. I assert that that is the only conclusion which can be drawn from the Government's proceedings. I repeat, it is a positive scandal that a man like Mr. Lazarus has been appointed to deal with this question, a man who is biased and prejudiced from the very outset of the inquiry through his lifelong associations. Necessarily, he is prejudiced in favour of these men, who are the pets of the Employers' Federation, and the pets of the shipowners, and the pets of the associations and organisations with which Mr. Lazarus has been identified throughout the period of his life that he has spent in this community, and it is an absolute scandal to find that this man is inquiring into what compensation an unfortunate, bleeding country shall pay to these patriots for their valuable services for 18 months on the wharf.

Hon. W. C. Angwin: They will not go to work. The Premier has told them that there is plenty of work for them in the country.

Hon. P. COLLIER: Just let us read the report appearing in the newspapers of yesterday and to-day about this inquiry. Here we have a body of men who have been knocking at the Government's door for weeks past saying that their wives and families have been starving, that they are down on the Charities Department for a living. Yet this stony-broke body of men who are living on the Charities Department are in a position to fee a barrister to appear for them, a barrister who is a member of a firm of solicitors who are not noted for their philanthropy in giving legal advice free of cost. How does it come about that Mr. Jackson happens to appear for these National workers? Who is paying his expenses? Who has approved of the gentleman appearing before the Commission?

Mr. Duff: He has been with them from the start.

Hon. P. COLLIER: Yes, but who is paying him? He is the solicitor of the Employers' Federation in this State; he attends the council meetings of the Employers' Federation; he has, I believe, even been sent to Melbourne at the expense of the Employers' Federation to attend to matters connected with that body. The fact of the solicitor of the Employers' Federation appearing for the National workers before this commission and the fact that Mr. Lazarus, the Commissioner, is a member of the Employers' Federation, makes the scandal greater than ever.

Mr. Duff: Mr. Jackson was not sent by the Employers' Federation to Melbourne.

Hon. P. COLLIER: The hon. member does not keep a diary of Mr. Jackson's movements.

Mr. Duff: I know he did not go there on the men's behalf.

Hon. P. COLLIER: I did not say so. I said that he went to Melbourne on behalf of the Employers' Federation.

Mr. Duff: I beg your pardon.

Hon. P. COLLIER: We see the connection. Here is a solicitor appearing for the National workers who are living on the Charities Department and the same gentleman is the solicitor for the Employers' Federation, and he attends the commission to help the Commissioner. As I have said, the Commissioner is also a member of the Employers' Federation. Where does the unfortunate country come in in this respect? Why are the Government allowing the Nationalist workers to be represented by a solicitor and are not represented themselves?

The Attorney General: You are quite wrong.

Hon. P. COLLIER: How am I quite wrong.

The Minister for Mines: As soon as they appointed Mr. Jackson we appointed someone to look after our interests.

Hon. P. COLLIER: I do not think so. At yesterday's sitting it was announced that the Government were not going to be represented by counsel.

The Attorney General: You are quite wrong. I will explain all that.

Hon. P. COLLIER: All I know is that according to the report of yesterday's proceedings, the Government were not represented by counsel.

The Attorney General: That is correct. Counsel appeared for the Government to-day.

Hon. P. COLLIER: It was about time yesterday's scandalous events woke up the Government. I should think so. Any Government reading the report of the proceedings in last night's and this morning's papers could not refrain any longer from seeing that they were represented. Why was not the Government represented in the first instance?

The Attorney General: I will tell you later on.

Hon. P. COLLIER: The fact that the Government had not intended to be represented by counsel is in marked contrast to the attitude of the Government in regard to other Royal Commissions. I might mention the Andinach case.

The Attorney General: It depends on whether the other side are going to be represented.

Hon. P. COLLIER: I have known the Government to be represented without the other side having counsel. In connection with the Andinach inquiry, the other side were not represented at all, but because the interests of a public servant were concerned, the Government were represented by counsel. Also in connection with the granting of licenses in the country districts, no counsel appeared for the other side but the Government were represented. In the case of the Andinach inquiry, the Government were not concerned, but a public officer was. Here, however, where it may be a matter of handing out several thousands of pounds of the public

funds, it is not deemed of sufficient importance to allow the State to be represented by counsel.

The Attorney General: The Government did not know until to-day whether the other side were going to be represented. We had reason to believe they were not going to be represented.

Hon. P. COLLIER: Even if the other side were not represented, that is no reason why the Government should not be represented.

The Attorney General: This Government desires to be fair.

Hon. P. COLLIER: Then, does the hon. member mean to infer that other Governments on previous occasions have not acted fairly?

The Attorney General: It all depends on circumstances.

Hon. P. COLLIER: And the circumstances in this case are as I have indicated.

The Attorney General: Vastly different.

Hon. P. COLLIER: No difference whatever. The Government in this case are quite willing to pay or are anxious to pay, though they want to do it behind the back of the Commissioner.

The Attorney General: That is not correct.

Hon. P. COLLIER: And they are placing no obstacle in the way of that Commissioner making his recommendations for as high an amount as he likes.

The Attorney General: You are stating what is not correct.

Hon. P. COLLIER: The Attorney General cannot get away from facts. It is not a matter of opinion. The fact is that on all Royal Commissions appointed in this State in recent times the Government have been represented by counsel. The Commission in question opened its sittings yesterday and the Government were not represented by counsel.

The Minister for Works: We are represented now.

Hon. P. COLLIER: Yes, of course. Anyone reading the report of yesterday's proceedings would make a public howl if the Government had not since then been represented by counsel. Mr. Jackson practically took charge of the proceedings yesterday. He was appearing as counsel one moment and witness the next, making long statements. As a matter of fact, he was Commissioner, counsel and witness all in one, and in the space of half an hour Mr. Jackson really occupied those three positions and the Commissioner accepted him as a witness as well as counsel because he proceeded to ask him questions on various points.

Hon. T. Walker: Cross-examined him.

Hon. P. COLLIER: And when the witness gave evidence that did not suit, Mr. Jackson stopped the witness and gave the evidence for him. He said after one of the witnesses had given evidence that "the best way to put it was that serious trouble on the wharves occurred and it was thought it would be wise

for the Nationalists to retire," actually making a statement for the witness. Would any man with any idea of judicial proceedings or any idea of the value of evidence, permit a solicitor to silence his witness and say it would be much better to put it this way and then put the case for the witness? The fact that Mr. Lazarus permitted Mr. Jackson to carry on in the manner that he did is proof in itself, if further proof were needed, of Mr. Lazarus's unfitness for the position he holds. The Minister can see what I have stated by reading the report for himself. I noticed in the terms of the Commission which was published in the newspaper, and which, by the way, has not yet appeared in the "Government Gazette," it is appointed "To inquire into and report upon whether the Nationalist workers who on 7th May, 1919, voluntarily relinquished their employment on the Fremantle wharves are entitled to compensation by reason of the loss of employment," and then it goes on to say, "Such obligation, if any." One of the Commissioner's particular duties was to ascertain whether the Government had any obligation to these men, and yet we find that the first day the Commission meets this point is raised by the counsel for the Charities Department's customers. Mr. Jackson said—

That whilst he was appearing generally for the Nationalists, he wanted it to be understood that it was open for any individual to appear. The terms of the appointment of the Commissioner were peculiar in some sense, but he understood that the Commissioner would determine what was just in all the circumstances to be done for the Nationalists, whether in the payment of compensation or otherwise. The words "obligation of the Government, if any" appeared in the wording of the Commissioner's appointment, and if there was any doubt on that matter he desired to address the Commissioner on the circumstances which led up to the position. He did not suppose the Government was going to take up the attitude that it had no obligation.

Then the Commissioner interjected—

I don't think we need argue that question. The obligation is recognised.

What has the Minister for Works to say about that? In the terms of the Commission the Commissioner is asked "to inquire into the obligation, if any." That is part of his duty, and the first day that the point is raised by the solicitor for the other side, the Commissioner states, "I do not think we need argue that question, the obligation is recognised." Where is the obligation recognised? If the obligation of the Government is recognised, why is it included in the terms of the commission as "such obligation, if any." The Commissioner accepts it as a fact on the first day that the Government had an obligation without going into the matter. He was appointed to inquire into it and he says it is recognised. If it is recognised, why include it in the

terms of the Commission? Why have a Commission sitting at all at considerable expense paying fees to Commissioner and witnesses, calling witnesses and listening to long rigmaroles? All the events transpired on the waterside for a period of 18 months. Why is the Commission going through all these affairs? If the obligation of the Government is recognised, all the Commissioner would have to do would be to consider what fair compensation was. Why does he want to go through the farce of calling this long string of witnesses? All he need do, if the obligation is recognised—he knows these workers were practically forced off the wharf—would be merely to confine himself to apportioning the amount of compensation to which they would be entitled. Clearly, that is the position, but the Commissioner sets to work and says "This obligation is admitted; it is only a matter of how much I am going to give them." Right through the proceedings is shown the point of view and bias of the Commissioner. There is no doubt in the world, and he cannot get away from the fact that he is not there as a judicial officer inquiring into and deciding on the merits of the case, as he should be, but he is there as a representative of the Employers' Federation of this country, who believe that these men ought to be paid compensation. That is the position. There is no doubt at all about it. The very manner in which he is conducting the inquiry proves that this is so, and the whole thing amounts to a gross public scandal, that the Government should be prepared, at this stage, to hand out public funds to a body of men merely on the recommendation of a biased partisan Commissioner. I assert, without any hesitation whatever, that of all the men in this country who might reasonably and fairly have been selected for this post, Mr. Lazarus is one of the last who should have been selected. Yet it will be on the recommendation of this man that public funds will be handed out to those individuals.

The Minister for Works: How do you know he is going to hand out public funds?

Hon. P. COLLIER: I say, if he makes a recommendation that compensation should be paid—

Hon. W. C. Angwin: He has recognised the obligation.

Hon. P. COLLIER: He has admitted that he recognises the obligation and it is only a matter of the amount to be paid. He said yesterday the obligation is recognised.

The Attorney General: What do you mean, to the National workers?

Hon. P. COLLIER: Yes, to those whom he may think are entitled to it, I suppose.

The Attorney General: The meaning of your words escaped me.

Mr. Duff: The Acting Premier admitted that.

Hon. W. C. Angwin: The member for Claremont was glad to get them.

Mr. Green: Afterwards he said they ought to be shot.

Hon. P. COLLIER: The hon. member was one of those men who helped to win the war.

Mr. Jones: Dagoes!

Mr. SPEAKER: Order!

Hon. P. COLLIER: He was one of those who divided the honours of winning the war.

Mr. Underwood: You wanted to associate with the Kaiser.

Hon. P. COLLIER: I would almost as soon associate with the Kaiser as with the member for Pilbara (Mr. Underwood)—the old reprobate!

Hon. W. C. Angwin interjected.

Mr. SPEAKER: Order!

Hon. W. C. Angwin: We cannot stand these insults, Mr. Speaker.

Mr. SPEAKER: If the hon. member has been insulted and will draw my attention to it, I will have it rectified, but he must not interrupt.

Hon. P. COLLIER: The Commissioner proceeded to ask the witnesses whether the unions had refused to work with them. He did not ask them to bring evidence that the unions had refused. He merely asked whether the unions, not any particular one of them, had refused to work with them. One of the witnesses—

Point of order.

The Attorney General: I rise to a point of order. I have no desire whatever to limit the speech of the hon. member, but what I am going to say, I think, will appeal to him.

Hon. T. Walker: What is the point of order?

The Attorney General: That on a motion to adjourn the House, the ordinary rules of debate apply. One of those rules is that a matter ought not to be debated in the House when that matter is subject to a decision pending in a court of law. The term "court of law" is used simply as an instance of the principle that, when a matter is being adjudicated upon by a competent body, then it is not seemly—

Hon. W. C. Angwin: Emphasise "competent body."

The Attorney General: I do emphasise "competent body." Then it is not seemly for this House to comment on the actual proceedings. It is only in respect of those proceedings that I think the hon. member is going too far. The question here is whether any compensation is payable to certain individuals by the Government and what is the amount of that compensation, and it is exactly a question which, in ordinary circumstances, is adjudicated upon in the Supreme Court in an action for damages. It is essentially a matter which in ordinary circumstances would have been brought by action in the Supreme Court. The Royal Commissioner, under the Royal Commissioners' Powers Act, has the same powers as a judge as regards the calling and examination of witnesses, and obtaining evidence generally. He is, so far as the matters referred to by the Royal Commission are con-

cerned, in the position of a judge and in that respect he is exercising judicial authority, or authority analogous to the powers of the bench. The principle as regards matters sub judice or being adjudicated upon by a court is stated in "May." The principle relates to matters being adjudicated upon by anyone whose findings will be binding, and I submit, upon the recognised procedure in the British Parliament, that this debate, so far as it concerns the proceedings of the Commission, is out of order.

Mr. Speaker: The point of order raised by the Attorney General hinges on the question whether this Commission can be termed a court of law. If it be a court of law, under "May" I would not have allowed the discussion to have been entered upon in the House, but there is no provision which describes a Royal Commission as a court of law. It might be such in effect, but I cannot find anything which definitely lays that down. If the Commission, or any Royal Commission, were considered a court of law, the motion of the hon. member would not be out of order, because he is not discussing the subject matter before the Commission. He is discussing the appointment of the Commission and the method of conducting the inquiry. I do not think I should rule the hon. member out of order, but I hope he will not attempt to discuss the matters before the Commission.

Debate resumed.

Hon. P. COLLIER: I am glad I am to have freedom to discuss this matter because, however unwise it might appear to the Attorney General or any other member of the House, in my judgment it is essential this matter should be discussed. When we have proceedings which can only be characterised as scandalous, it is essential they should be discussed in this House. When we have a gentleman, occupying a position in which he should display strict impartiality, showing such transparent bias and prejudice as has been shown by Mr. Lazarus, it is time someone criticised and commented upon it, and I am going to do so. I shall quote from the evidence where the Commissioner asked a witness—

Do you know of any individual case where the unionists have consented to work with the Nationalists?

Mr. Jackson: No.

That shows how the inquiry is being conducted. The Commissioner asked a question of a witness, "Do you know of any individual case where the unionists have consented to work with the Nationalists?" How would any man who knew anything of judicial proceedings have framed the question? Surely it would have been, "Do you know of any case where unionists have refused to work with the Nationalists?" But the Commissioner asks whether the witness knew of any case where unionists had consented to work with Nationalists. The

unionists may not have consented to work with the Nationalists because they may not have been asked to do so. The question whether these unionists will work with these men hinges on their refusal or otherwise, but no unionist may have come into contact with the Nationalists or been asked to work with them.

The Minister for Works: They showed very plainly that they would not work with them.

Mr. O'Loghlen: They are working with them.

Hon. P. COLLIER: And instead of the witness answering the question, Mr. Jackson steps in and answers for the witness, "No." Mr. Jackson is counsel one moment and witness the next moment, and the Commissioner permits counsel to take charge of the proceedings in that way. What is the value of any evidence obtained in such a manner, when ex parte statements can be made by a solicitor who represents what he alleges has been said by someone else on some occasion or other. That sort of stuff is accepted as evidence. One of the witnesses said, "There is a large number of Nationalists out of work, and that is proof of victimisation." There are hundreds of decent, honest men out of work in this country. Is that proof of victimisation? There are 900 returned soldiers out of work at the present time; does that prove they are being victimised? The fact that these men are loafing around the town and crawling around the Charities Department is not proof of victimisation. One of the witnesses said he had been to the fields and had been unable to obtain work on the mines. Who are victimising him in that case? Surely, the employers. These men infer that they cannot get work because they do not belong to a union. There are thousands of men in this State who do not belong to unions and they are not being victimised for it.

Mr. Munzie: On the fields they will soon have to get into the unions or clear out.

Hon. P. COLLIER: The Commissioner is listening to evidence of that kind, soliciting, prompting, drawing it out; because they cannot get work, that is proof they are being victimised. The Commissioner asks that kind of silly question and adds, "So you cannot get work." Then he listens to a lot of tripe from one witness, who said all his relations had been to the war and he had been rejected several times. What has that to do with the matter? What has that to do with the terms of the Commission or the question whether compensation should be paid? Was this witness trying to enlist sympathy from the fact that all his relations had been to the war? Even if all his relations had been to the war, a large number of other people in the State are in a similar position and, on the same reasoning, should be entitled to compensation. A large number of men at Fremantle were subjected to semi-starvation for 18 months because of the actions of these men. Their sons and

brothers and relations were at the war. Are they entitled to compensation? These Nationalists, associated with the Employers' Federation, were the cause of subjecting those men to semi-starvation. They did not care whether the wharf lumpers died of starvation. They took no trouble to see that they were supplied with food. Yet the Employers' Federation have shown the utmost despatch in consigning food supplies to Germany immediately the war was over. The Germans were not to suffer from starvation, but they did not care twopence whether the wives and families of the men at Fremantle were suffering from starvation. Yet this man comes along and takes up the time of the Commission—I suppose he is to get witness's fees day after day—while he talks about his relatives having gone to the war, and goes through the whole rigmarole of how they were treated on the ships and so forth. What is it all to do with the question before the Commission? If the Government admit their responsibility, why does not the Commissioner decide the amount that should be paid?

Hon. W. C. Angwin: Why do they not get as Commissioner a man who is not biased?

Hon. P. COLLIER: The position is that first of all the Government had no justification for the appointment of this Commission. If the men are to receive compensation, I want to know whether the Federal Government and the shipowners are going to pay part of that compensation.

Mr. Duff: They promised it.

Hon. P. COLLIER: The hon. member seems to know all about this question. Of course it must be remembered that the Nationalists selected the hon. member's constituency for their meeting place. Claremont was the only place where they ever met.

Hon. W. C. Angwin: Mr. Colebatch said in the House the other night that he would not.

Mr. Duff: You know what he promised.

Hon. P. COLLIER: We are entitled to know whether the Federal Government and the shipowners are going to shoulder their share of the responsibility, if any.

The Minister for Works: If they do not, what is going to happen?

Hon. P. COLLIER: Not a penny should be paid out of the funds of this State.

The Attorney General: And suppose they do?

Hon. P. COLLIER: Still this State should not have to pay any money whatever. The responsibility is that of the shipowners. When the wharf trouble was over, the responsibility of the Government ceased and if now, two years afterwards, those men are not allowed to continue their work on the wharf, the responsibility is on the shipowners, and not on the taxpayers as represented by the Government. That is my first point. Secondly I say it constitutes an absolute scandal for the Government to select a partisan such as Mr. Lazarus is well known to be. Could they not in all the State have

secured the services of a man who is not associated with any political party?

The Minister for Works: No; you could not find anybody.

Hon. P. COLLIER: I did not look for anybody.

The Minister for Works: You could not have found anybody if you had looked. You could not find one man in the State who is not connected with politics.

Hon. P. COLLIER: Absurd!

The Attorney General: Who is willing to take the job?

Hon. P. COLLIER: I do not know. Surely we are not so bankrupt in intellect that we cannot find one available man who is not a partisan.

The Minister for Works: We are all partisans. You are, of course.

Hon. P. COLLIER: Of course I recognise that, and I would be disqualified for the post. The Commissioner also is equally a partisan and so should be disqualified. This man is a partisan incapable of doing justice to his commission. He is assisted in the conducting of the inquiry by a solicitor who has acted for the Nationalists and is acting for them still. Although they have to go to the Charities Department for a bare sustenance, they can afford to employ Mr. Jackson as solicitor, which shows that the Employers' Federation is behind them, and is paying the solicitor's fees. The Employers' Federation has feed a solicitor to appear before the Commission. Surely no man, a member of that Employers' Federation, should be appointed Commissioner to carry out this inquiry! Even the first day of the proceedings of the Commission serves to show the unfitness of Mr. Lazarus, serves to show that he is leading the witnesses along the way he wants them to go, serves to show that he has already found that the Government have obligations to those men, notwithstanding that that was the first point which he was to inquire into. Having regard to all those circumstances I move—

That the House do now adjourn.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [5.35]: It is somewhat difficult for me to reply to the hon. member, seeing that I have here no papers giving the information which would enable me to do so. It is true that a few minutes before the House met the hon. member told me of his intention to move the adjournment. I do not propose to follow the hon. member in the remarks he has made in connection with the origin of the trouble. If I did so there are many things I remember which were said to myself and to other Ministers by the representatives of those people whose action occasioned the trouble, things which I could recount, but I do not wish to do so, because I do not think it is desirable that while the inquiry is proceeding anyone, whatever his views, should make statements which might have any influence or bearing on the case. The Govern-

ment in their wisdom appointed a Royal Commission to make a certain inquiry. While that inquiry is being held it seems to me it would have been better and fairer to let the matter rest until we could see the result of the Commission. As for digging into the archives of what took place about the flour which was supposed to be on its way to Germany, and the Royal Commission that was asked for and granted in regard to the cost of living, and inquiring why work was not immediately resumed as promised—those things are best left alone at a time like this. Of the hon. member's two objections, one is his objection to any Commission. Apparently that is the real objection. He has frankly shown us his partisanship in connection with this matter. The hon. member can no more control his feelings in connection with the Nationalist workers than could I if I were standing in his position. The Government have taken the responsibility of appointing a Commission. On that there is nothing more to be said. The next point the hon. member takes is in regard to the Commissioner, Mr. Lazarus, who, he states, is a partisan, and so unable to fairly deal with a question of this sort. In the hon. member's view, those men who represent themselves as Nationalist workers have no claim upon the Government or upon the State, and if they have a claim upon anybody it should be upon the shipowners. That is a matter to be dealt with by the Government when the Commissioner shall have given his views as to whether compensation should or should not be granted. As to going into the question of Mr. Lazarus's character or standing, I do not propose to put up any defence in connection with that gentleman. The fact that the Government have appointed him to be a Royal Commissioner shows that those responsible have satisfied themselves that Mr. Lazarus is likely to give an impartial decision.

Mr. O'Loghlen: It shows you have money to burn.

The MINISTER FOR WORKS: No, we have not, and if we had I should not burn it; I would sooner put it into employment. The hon. member says he is very anxious to know who is to pay, whether the Federal Government, the shipowners, or the State Government. That is a matter which cannot be dealt with to-day. Even if I had the necessary papers here I would not deal with it.

Mr. O'Loghlen: Tell us what transpired when Mr. Baxter went East.

The MINISTER FOR WORKS: I do not know. If I had the papers here it would be another matter. I cannot tell the hon. member what I do not know. That is why I am so guarded in what I am saying. The hon. member said that there never was on the part of the lumpers any refusal to deal with troopships. If so, there were some grave misrepresentations about. If I were in the hon. member's shoes, I should endeavour to prove what I said in that respect

and not merely make a statement. Again, the hon. member made certain statements in regard to the terms on which the Commission was appointed, and he objected because the scope of the Commission was enlarged.

Hon. P. Collier: No, I did not. What I said had reference to the terms of the employment of the Nationalist workers.

The MINISTER FOR WORKS: Well, take it at that. The hon. member started off by saying that the Government should not have appointed the Commission, as the terms of engagement of the Nationalist workers were clearly set out at the start. Then he stated that the Government had added to those terms in respect of future employment. I am not denying that, but I want to point out that if the Government appoint a Commission and then find the Commission does not go so far as their sense of fairness tells them it should go, surely they are within their rights in amending the Commission. What is underlying the hon. member's motion, I think, is that he objects to any inquiry at all. It beats me what his reason can be, because the castigation so pleasantly administered to me last evening was based on the fact that the hon. member did not believe in secret methods, that he wanted everything above board. If he was sincere in his statements last night, why is he objecting to a Commission inquiring into matters in a manner quite above board?

Mr. O'Loghlen: Because you could get hundreds of non-partisans for the job.

The MINISTER FOR WORKS: It is all very well for the hon. member to make that statement, but to show that it is correct would not be so simple.

Mr. O'Loghlen: It admits the poverty of intellect in this State to be deplorable.

The MINISTER FOR WORKS: If there is poverty of intellect in this State, the hon. member should have the courtesy to sympathise with those suffering from it.

Mr. O'Loghlen: I do not admit that it exists. You do so by appointing a partisan.

The MINISTER FOR WORKS: I do not know that I can add much more, seeing that I have not the necessary papers, but I think the motion comes with ill grace from the leader of a party, which, if it is any charter at all, has for charter that there shall be fair play to everyone.

Hon. P. Collier: What fair play can one expect from a partisan?

The MINISTER FOR WORKS: An inquiry of this sort is at any rate a proof that fair play is desired for the Nationalist workers, who are as much entitled to it as any other section of the community; but the hon. member knows well that what is at the bottom of his movement is the fact that the work of the Nationalist workers has been resented by the gentlemen of the Trades Hall and their unions, from the very start. That it should be is only natural. They are determined to carry this spirit as far as it can possibly be carried.

Mr. O'Loghlen: They are not.

The MINISTER FOR WORKS: The stipulation of "no victimisation" should apply on both sides, and not on one only.

Mr. O'Loghlen: There is no victimisation. The position is working out to 100 per cent. of trade unionists.

Hon. P. Collier: A lot of those men are working on the timber mills.

Mr. O'Loghlen: The Government should send them back to the Charities Department.

The Minister for Mines: You should prove they came from there.

The MINISTER FOR WORKS: The plea of "no victimisation" put forward by trades hall followers when there has been a cessation of work or a strike and the men resume, should apply all round. Without the slightest fear of contradiction I say that in this case it has not applied all round. There has been victimisation by the very men who claim that there should be no victimisation.

Mr. O'Loghlen: Where?

The MINISTER FOR WORKS: I can give the proof. The proof is in the very disturbances that were occurring on the wharf day after day, in the assault cases which took place.

Mr. SPEAKER: I would ask the Minister to keep to the terms of the motion.

The MINISTER FOR WORKS: I am attempting to show that this is simply following up the course of action which was adopted when the trouble first arose, in 1917.

Hon. P. Collier: The Royal Commissioner is a partisan, and the Minister cannot deny that.

The MINISTER FOR WORKS: The leader of the Opposition, in response to an interjection from the Attorney General, admitted practically without any reservation that he objected to any commission. Therefore he would object to any commissioner.

Hon. P. Collier: If there is to be a commission, we want an impartial one.

The MINISTER FOR WORKS: My argument is that the hon. gentleman objects to any commission and therefore objects to any commissioner, whether it be Mr. Lazarus or anybody else.

Hon. P. Collier: The appointment is a scandal.

The MINISTER FOR WORKS: The hon. gentleman is entitled to express his opinion, but his interjection shows that he does not approach the subject with a fair and impartial mind. The Government found it necessary to appoint a Royal Commission, and for good reasons they have appointed the Commissioner who is there. I appeal to the House to consider whether it is fair and just, whether it is in the interests of trades unionists themselves, that while the tribunal is sitting the impartiality of the Commissioner should be aspersed.

Hon. P. Collier: His record is sufficient.

The MINISTER FOR WORKS: As regards the employment of legal practitioners,

I do not know sufficient to be able to reply. No doubt the member for Kanowna (Hon. T. Walker) will be able to deal with all the pros and cons as legal representative of the other side, and no doubt the Attorney General will be able to cross swords with him quite good-humouredly in that respect.

Hon. P. Collier: You are letting the case go by default.

Hon. W. C. ANGWIN (North-East Fremantle) [5.50]: The Minister for Works, as leader of the House to-day, has said that there is something at the back of the motion of the leader of the Opposition. I admit quite cheerfully that at the back of the motion is the fact that the Commissioner who has been appointed is not competent to carry out his duties. In the public Press there appeared yesterday a statement that the Commissioner recognised an obligation on the part of the Government to the men who are termed Nationalists. He made that admission before taking any evidence whatever on the point. He made it as the result of a little discussion with a solicitor who attended the inquiry, doubtless paid by those who wish to get out of their responsibility by throwing it on the shoulders of the Government. The Commissioner, I say, recognised an obligation in that respect. To-day I learn that the Commissioner has tried to alter his declaration somewhat. No doubt he has had a chat with his co-commissioner, the solicitor, this morning, and has been advised by that co-commissioner that he has gone too far.

The Attorney General: That is unfair.

Hon. W. C. ANGWIN: It is not unfair at all.

The Attorney General: I say that did not take place.

Hon. W. C. ANGWIN: I say that it took place to-day, and that an attempt was made to alter the Commissioner's declaration. I challenge anyone to deny that the "Daily News" report is correct in substance, no matter what the Commissioner may assert.

The Minister for Works: How do you know?

Hon. W. C. ANGWIN: I know.

The Minister for Works: You are surmising.

Hon. W. C. ANGWIN: I will give the hon. gentleman an opportunity of proving that the "Daily News" report is not a fair report of what took place before the Commission yesterday with regard to recognition of the Government's obligation. No doubt the "Daily News" reporter has curtailed the Commissioner's remarks and has not published them in full. But the purport is there, and is given truthfully. These facts prove to my mind conclusively that the Commissioner is unfit for his position.

The Minister for Works: You have not proved that statement yet.

Hon. W. C. ANGWIN: I challenge the Minister to contradict it.

The Minister for Works: I can easily contradict it, because I know no more than you do.

Hon. W. C. ANGWIN: The Minister does not know so much. Within the last year or two it has become a common practice—it was not common previously—for persons appointed to official positions, such as Ministerial portfolios, to contradict published reports of their utterances. When such persons find that they have made fools of themselves and have proved their incompetency for the duties which they are supposed to carry out, they claim that the published reports of their utterances are incorrect, whereas the reports are in fact perfectly correct.

The Minister for Works: That has been the practice from time immemorial.

Hon. W. C. ANGWIN: It may have been all along the practice of those who do not stick to the truth. However, I defy contradiction when I say that the report of the "Daily News" is substantially correct.

The Minister for Works: You cannot say that of your own knowledge.

Hon. W. C. ANGWIN: The Minister does not know where I got my information. From the Commissioner's declaration I infer that the Government told him, before any inquiry whatever was made, that they recognised their obligation. There is a possibility—though I do not suppose the Government would do it—that the terms of the Commission may eventually be altered. This is the first instance known in Western Australia, at any rate so far as I am aware, of the appointment of a Royal Commissioner not being published in the "Government Gazette" prior to evidence being taken. The appointment has not yet been published in the "Government Gazette." I know there is no necessity for doing that, but it has always been the practice. On this point we have to rely on Press reports, which some people say are wrong. We have to rely on the Press reporters for information as to what the Commissioner is supposed to inquire into. Relying on the Press reporters, we learn that the Commissioner has been appointed for the purpose of ascertaining whether there is any obligation on the part of the Government to these men. Within half an hour of starting his investigation the Commissioner says, "There is no need to discuss the matter any further; there is no need to go into it at all; the obligation is recognised." Let me ask hon. members, if the obligation is recognised, what necessity is there for the employment of a Commissioner for two or three weeks, or even for one day, at a cost of three to five guineas per day, when he has already decided that the obligation exists? That being so, he has nothing further to do but fix the damages. I believe that the late Premier, Mr. Colebatch, was bluffed by three bodies which were really one body—a trinity, as it were—the shipping people, who were members of the committee of the Fremantle Chamber of Commerce; the committee of that Chamber of Commerce; and the Nationalists or

loyalists. Those three bodies bluffed the late Premier to agree to certain things proposed in the Eastern States according to a statement made by the Prime Minister. However, even then the loyalists were only promised that they would get work in the future. The present Premier, in answering a question asked here on the 4th September by the member for Kataning (Mr. Thomson), said—

I am advised by the Government Labour Bureau that there is plenty of clearing with reasonably good remuneration available in the country.

That is all the Nationalist workers were promised.

The Minister for Works: Why did not you tell your crowd that there was plenty of work in the country?

Hon. P. Collier: What do you mean by our crowd?

Hon. T. Walker: None of our crowd has gone to the Government.

Hon. W. C. ANGWIN: I am not allowed to follow up that interjection to the Minister; I could tell him something if I were allowed.

Hon. P. Collier: They are living here on public funds.

Mr. SPEAKER: Order!

Hon. W. C. ANGWIN: I want to keep to the question. Like many things the Minister for Works brings before the House he professes to know all about them, but in fact, he knows nothing. The member for Pilbara (Mr. Underwood) told the Minister for Works what he was

Mr. SPEAKER: Order!

Hon. W. C. ANGWIN: I was pointing out that the Commissioner found within a few minutes that the obligation had been recognised, if there was any obligation at all. Mr. Colebatch denies that the obligation was brought about through the letters which I have read from the Trinity—the combined body to whom I have referred. These letters were sent to the then Premier, Sir Henry Lefroy, and he replied in such a manner that upheld some of "Billy" Hughes' wild statements which they have refused since to carry into effect. The Federal Government were written to by Mr. Colebatch but they refused to take any action and desired to throw the whole responsibility on the State. That position was brought about for the purpose of relieving the employers of the responsibility of providing future employment after the matter was settled. They did not care about the responsibility of the State so long as the interests of the shipping people were conserved. These men were invited to find employment and the present Premier told them where it could be obtained, but they would not take it. That being so, I maintain there is no obligation on the Government to do anything further for them. If a man is offered employment and he has been given to understand he can get it if he requires it, and he refuses to accept it, is there an obligation any longer? I noticed that one man in giving evidence said he could fill a job as

manager or boss of a mine. I do not know whether the Government propose to "sack" Mr. Hamilton and give that man his job.

The Minister for Works: I will take a note of what you say.

Hon. W. C. ANGWIN: The hon. member will have to take many notes before we have finished with the matter. It is a great surprise to me, even apart from Mr. Lazarus' biassed position, for he was at one time President of the Chamber of Commerce—that the Government appointed him as a Royal Commissioner. Have they not had sufficient of Mr. Lazarus in that regard? Did they not try him before? Did not they know the failure he made?

Hon. P. Collier: He gets Government jobs. He ran the jam factory.

Hon. W. C. ANGWIN: He went to the jam factory and walked out, and those who remained inside shifted £1,000 worth of property.

Hon. P. Collier: What political pull has he?

Hon. W. C. ANGWIN: This jam factory affair is what might be called business acumen.

The Attorney General: What was his first job?

Hon. W. C. ANGWIN: He represented the traders on the Cost of Living Commission and made a mess of it. Goodness knows how much that Commission cost the country. Now we have him appointed as a Royal Commissioner, getting perhaps three to five guineas a day.

Hon. P. Collier: He is a parasite picking up Government fees and it is time the Government dropped him. He is a boodler and a parasite.

Mr. SPEAKER: Order, order!

Hon. W. C. ANGWIN: It is a splendid thing of course from a financial point of view to be a favourite of the present Government.

Hon. P. Collier: Three jobs in 12 months. He certainly has a friend at court.

Hon. W. C. ANGWIN: I do not know what is coming over the Government. It seems to me they do not know what to do to waste the money of the State. They are doing nothing but wasting money from start to finish. The Government would act wisely seeing that this gentleman has shown clearly and distinctly by his action on the very first morning of the sitting of the Commission that he is not a fit person to occupy the position of a Royal Commissioner if they removed him at once.

Hon. P. Collier: No wonder they are selling our assets; it is to pay men of this character.

Mr. SPEAKER: Order!

Hon. W. C. ANGWIN: So far as I am concerned, the Minister will have some difficulty to get a vote through this Chamber when the Estimates are before us to pay the compensation that Mr. Lazarus will recommend.

Mr. SPEAKER: The hon. member is not in order in threatening the House.

Hon. W. C. ANGWIN: I have no desire to threaten the House. I maintain, however, there should be more than one Commissioner appointed. It is an impossibility to get any single person to fill a position of this kind impartially. There should certainly be more than one unless he be a judge of the Supreme Court. Outside of a judge I maintain it would be a difficult matter to find a man who has not a certain amount of bias in connection with a matter like this. Certainly, if any man has displayed bias and has shown it oozing from every pore it is Mr. Lazarus. Speaking at Claremont on the Friday night before the eventful Sunday, I stated that if there was an unbiassed committee or board appointed representative of all parties, and they decided fairly and squarely that these men were honestly entitled to some compensation, the Government would have my support in paying that compensation. In a case of this description, however, I cannot give it to them. It would not be honest on my part.

Mr. Davies: That is very fair on your part.

Hon. W. C. ANGWIN: Here we have a Royal Commissioner who admits the Government's obligation before the inquiry is actually commenced. In all probability when he has finished his work he will have run the country into an expenditure of thousands of pounds. The Government should close this Commission and appoint a fair one. If they cannot get one man to act, they should appoint three and have all sides represented.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [6.10]: I shall certainly be reluctant to go back into the history of what happened in 1917 and to ask whether or not those who were in charge of the wharves were willing to facilitate shipping and load transports to help the troops to get to the seat of war. The hon. member who has just sat down said they were. Whether they were or not, there can be no doubt that at that time the Prime Minister of Australia believed they were doing damage to the Allies in the prosecution of the war. He believed that, and that being the case, it was his duty as Prime Minister to take measures to ensure that the shipping left the port of Fremantle in the ordinary course with as much speed as possible. The Prime Minister knew what the actual facts were. The present position arises from the action of the Prime Minister of Australia and the late Premier endorsed, as it was his duty to do, that action.

Hon. T. Walker: Why?

The ATTORNEY GENERAL: A promise had been given by the Prime Minister to those who were helping and willing to assist to get the shipping away from Fremantle with as little delay as possible. Everyone knows at that time it was exceptionally vital to the interests of the Empire that there should be no delay. Under such circum-

stances is it not fair that those who came forward and helped on that occasion—

Hon. P. Collier: Under definite conditions.

The ATTORNEY GENERAL: If men came forward from patriotic motives, I have no hesitation in saying that everything they did should be endorsed, and by reason of the rules and regulations of the bodies to which they do not belong—I am not casting a slur on those rules and regulations—if they made any sacrifice for the benefit of their country, is it not fair, is it not necessary, that they should be protected when their employment ceases?

Sitting suspended from 6.15 to 7.30 p.m.

The ATTORNEY GENERAL: Before the adjournment I was dealing with the question of the necessity for the appointment of a Commission, and it appears to me that it is really incontrovertible that, if the National workers were entitled to any compensation under the pledge which had been given to them by the Government, it was necessary to have some court which could assess that compensation. I go further and say that if the mover of this motion had been sitting upon this side of the House, he would, under Constitutional practice, have been placed in exactly the same position as the present Government, whether he liked it or not, and would have been bound to honour the pledge given by the late Premier and by the Prime Minister of Australia. That, I submit, is the correct Constitutional practice.

Hon. T. Walker: I say it is not.

The ATTORNEY GENERAL: Notwithstanding the interjection of the hon. member, he knows I am perfectly correct. That being so, in the ordinary course of events there may be 10, 15, 20, or 100 men—I do not know the exact number, it will not be everyone who will make claim, but there will be a large number—who are entitled to some compensation. Does the hon. member suggest that a reasonable, expeditious, and cheap method of assessing such compensation is for every complainant to commence an action in the Supreme Court before a jury?

Hon. P. Collier: That is absurd.

The ATTORNEY GENERAL: Is that the attitude of the hon. member?

Hon. P. Collier: No.

The ATTORNEY GENERAL: Or, would he adopt a ready, quick, and a reasonable method of assessing compensation, namely, by appointing a Royal Commission?

Hon. P. Collier: You know perfectly well they have no claim in the court.

The ATTORNEY GENERAL: There is only one answer, and it is that the Government were perfectly right in appointing a Royal Commission for the sake of economy, celerity, and of doing justice. Of course, if the attitude of those sitting on the other side of the House is this—and it is so judging from their utterances—that under no circumstances, whether compensation is

payable or not, must compensation be paid, then I can understand the attitude of the leader of the Opposition.

Hon. T. Walker: That is not the attitude.

The ATTORNEY GENERAL: If the hon. member who interjected sat on this side of the House, that would not be his attitude. It is easy enough, sitting on the other side of the House, and not being conscious of responsibility to people who have claims, to adopt that attitude merely for the sake of party politics and to gain some popularity. I do not propose to say anything more upon the necessity and the justice of the course the Government have decided upon to assess any compensation that may be due. I will deal now with the appointment of Mr. Lazarus as a Commissioner. Mr. Lazarus has no interest in shipping. The hon. member may be better informed than I am, but so far as the Government are concerned, they are not aware, nor have they any reason to suspect, that Mr. Lazarus has any interest in shipping. Mr. Lazarus has, on a previous occasion, been appointed to act as a Commissioner.

Hon. T. Walker: And was a signal failure.

The ATTORNEY GENERAL: That is a matter of opinion. He was appointed as a representative of the merchants at that time, just as Mr. Driver was appointed as a representative of the workers on a Commission, and I believe the Government appointed Prof. Shann as chairman. Mr. Lazarus, so far as the Government are aware, is just as capable of assessing the compensation which may be payable as any other ordinary business man. All we require is a person who is conversant with the difficulty of getting employment, with the proper recompense to be given for employment, and who is also capable of assessing, from a business point of view, the amount of compensation which may be payable. Let me remind hon. members of this, that it is not an easy matter to get a Commissioner. If the Government had been able to carry out what they desired, they would naturally have appointed a Supreme Court judge, who would have been acceptable, I take it, to the members on the other side. But it is not always advisable to drag judges of the Supreme Court into the arena of politics. It weakens their position upon the bench.

Hon. T. Walker: This is a political matter, then.

The ATTORNEY GENERAL: The hon. member is making it one. It is the duty of judges to, as far as possible, keep out of matters in which political passions and feelings may be brought to bear and, much as the Government desired it, they were unable to obtain a Supreme Court judge who was willing to accept the position of Commissioner in this case. They did not stop there. They tried to get other persons to act.

Hon. P. Collier: You did not ask Mr. McCallum.

The ATTORNEY GENERAL: No; we did not ask anybody who was immediately connected with the actual ranks of either the National party or the Official Labour party. We had some difficulty in obtaining a Royal Commissioner, and the Government appointed an individual whom they considered would give fair consideration to any claims made. I have yet to learn that the Commissioner appointed will fail to justify his trust. It is no legal point to be decided. It is purely a matter of money. Members in this House, and people in the street, every day say "If it is a question of assessing an amount, you might just as well have a business man as anyone else." Otherwise, how do you justify having juries to assess questions of damages? It has been stated over and over again, in fact ad nauseum, that the Commissioner immediately said that the liability was unquestionable and that he assumed that the Crown was liable. That is not a fair statement. It is not in accordance with the facts. But, for the sake of argument, assuming that he made the statement, it would only mean that, for the purposes of the case, there might be one, two, or several who were entitled to compensation. It is not a general admission that in every case to be decided the Commissioner at once assumes and declares that the Crown is liable to pay compensation. It is not a fair or reasonable construction to place upon it.

Hon. P. Collier: That is what he has declared.

The ATTORNEY GENERAL: He has not.

Hon. P. Collier: He has.

The ATTORNEY GENERAL: I happen to have here a note of what took place. It is this; I have got it from a proper quarter: the Commissioner, in the "Daily News" report last night of these proceedings, is reported as saying, in reference to the obligations of the Government, if any—

I don't think we need argue that question. The obligation is recognised. Is the hon. gentleman satisfied with that? In reply to a question by Mr. Jackson as to whether he required evidence on this point, he said—

In order to curtail the inquiry as much as possible, I do not think we ought to argue that question at present. We can consider for the time being that the obligation is recognised.

Hon. P. Collier: Is that the official report?

The ATTORNEY GENERAL: No.

Hon. P. Collier: Then produce it. You have an ex parte statement.

The ATTORNEY GENERAL: The hon. member will not believe it because it does not suit his book.

Hon. P. Collier: It is not a fact.

The ATTORNEY GENERAL: As far as I am instructed, I believe it to be correct.

Hon. P. Collier: Will the hon. member call for the official report?

The ATTORNEY GENERAL: The attitude adopted by the Commissioner is one which is not uncommon in a Supreme Court, or any other court. I have frequently heard judges in the Supreme Court, and magistrates in the Local Court, take up this attitude, "Let me know the facts; I can then decide upon the facts, and the question as to whether there is any liability or not can be decided later." There is nothing in this attitude which is unreasonable or contrary to the ordinary practice and conduct in the courts. The next point taken was about the appointment of counsel. Members on the Opposition side, in their own estimation, know far more than I do or than any member of the Government does, about that.

Hon. P. Collier: We all know what the practice has been. One need not be a lawyer to know that.

The ATTORNEY GENERAL: The hon. member does not know the practice in many cases. There are many cases—I do not say it occurred in this one—in which the parties agree not to be represented by counsel. There are many cases also where, tacitly, neither party employs counsel, and especially in cases of arbitration is that so. In the first instance, the Crown had every reason to believe that no counsel would be employed. Directly we found that counsel was appearing for the National workers, we took steps to appoint counsel to appear in behalf of the Crown and, therefore, Mr. Downing appeared on behalf of the Crown this morning.

Hon. P. Collier: It is very belated.

The ATTORNEY GENERAL: Under the circumstances, I fail to see any merits in the motion put forward by the other side of the House. We have a cheap and expeditious method—

Member: Cheap and dirty.

The ATTORNEY GENERAL: Of assessing any compensation which may be due by the Crown, and the very gentlemen opposing our action, if they occupied the Treasury benches, would have been bound to honour the pledge of a previous Premier, and to act in the same way as we have done.

Hon. T. WALKER (Kanowna) [7.46]: The Attorney General has apparently been defending a criminal judging by the appeal to sentiment he has just made to this Chamber. I have never heard him at a greater disadvantage.

Hon. P. Collier: That is because he has no case.

Hon. T. WALKER: He surely cannot seriously argue, as the legal adviser for the Crown, that a statement, made upon a public platform under the excitement of a political crisis—

The Attorney General: A statement relied upon and acted upon.

Hon. T. WALKER: A statement made by a Prime Minister at a time of great national excitement—

The Attorney General: And danger.

Hon. T. WALKER: I accept the Attorney General's word—a time of great national danger, when people's nerves were not normal—

Hon. W. C. Angwin: They were all insane.

Hon. T. WALKER: When people were agitated in such a way that they were scarcely responsible for their utterances upon the public platform, when all kinds of exaggerated statements were uttered and all kinds of emotions were given full play—even a Prime Minister under these circumstances says things he himself would not act upon deliberately in his calmer moments—can be regarded as a deliberate pledge. Whatever promise there was, whatever pledge there was, was purely a pledge of that kind. It was not a deliberate pledge made *ex officio*, but it was a pledge—if it is worthy of that designation—uttered in the heat of rhetoric at a time when people's feelings had to be moved to attain a particular end, and when the emotions of the multitude were probed to their very depths. That statement, the Attorney General now would have us believe, has the sacredness of law, the sacredness of a solemn undertaking. He knows that the kind of statement made to us here to-night is utter rubbish from a constitutional standpoint—to use his own words. No Government in the world would stand by the platform utterances of a political appellant when pure emotion was the order of the day; and there is no other foundation for this alleged claim of National workers than that utterance to the mob, to the crowd, to the multitude, within hearing at that particular time. Men say rhetorically what they would not like to translate into binding phrases. That is the only groundwork the Nationalists have for a claim, but the Attorney General himself does not believe that. The Attorney General himself does not accept it as a pledge, as a thing which must be honoured. The Government do not accept it because, if the Government accept it, what is the need for this Commission? Why have a Commissioner to inquire if there be an obligation on the part of the Government?

Hon. P. Collier: Why include it in the terms of the Commission?

Hon. T. WALKER: This is the kind of Commissioner we have: a man who assumes from the beginning that there is an obligation upon us. The Attorney General says in honour we are bound to carry out the pledge made by the then Premier and the Prime Minister.

Hon. P. Collier: Why ask the Commissioner to inquire if there was an obligation?

Hon. T. WALKER: Undoubtedly. The Attorney General's own inconsistency and want of logic are exposed by his speech. He would not go into a court of law to enforce a claim for damages upon a platform speech. If so he would have our ex-Premier, Sir Henry Lefroy—

Hon. P. Collier: In gaol.

Sir H. B. Lefroy: You would not go so far as that, I hope.

Hon. T. WALKER: No, in court. His pledges have not been honoured.

The Attorney General: If he got in gaol, I would let him out.

The Minister for Mines: Do not you take any notice of a pledge given by a Premier?

Hon. T. WALKER: It depends on the circumstances under which the Premier uttered it. I have heard the Minister for Mines singing "Who killed Cock Robin," but I should not bring him into the dock for murder on that account.

The Minister for Works: You were an accessory to that.

Hon. T. WALKER: At these political meetings, the very best and coolest speakers sometimes have heated brains and utter sentences they would not like to literally carry out.

The Minister for Mines: You would not suggest that the ex-Premier would get heated at a public meeting?

Hon. T. WALKER: Probably not, but sentences are often uttered which are not in accordance with sound judgment.

The Minister for Mines: You are making an attack on the hon. member's sincerity now.

Hon. T. WALKER: Particularly is this the case with the Prime Minister of Australia. We know he is liable to these fits, these spasms of irresponsible excitement. What is the name of that place where the egg was thrown at him?

Hon. P. Collier: Warwick.

Hon. T. WALKER: Warwick provides an instance. Immediately the flavour of a deceased fowl was upon him—

Hon. P. Collier: A fowl in embryo.

Hon. T. WALKER: The Prime Minister created an army of police. This was on a par with the Kiama ghost that stuck to Sir Henry Parkes all through his career. This utterance, arising during a moment of excitement, was one such instance; precisely that, and it would be so estimated by men of sound judgment if there were not political reasons to serve by giving it special prominence and significance. As a matter of fact, what binds the Government, what binds the Nationalists, is the contract upon which they entered on this work.

Hon. P. Collier: Which they signed.

The Minister for Mines: I will give you £1,000 if you can produce my signature.

Mr. Lutey: Probably there were thousands beside you on that list who did not sign any contract.

Hon. T. WALKER: The very instance referred to by the Minister shows what was done in those times of political excitement. The Minister's name was published as a National volunteer.

Mr. Green: To go to work!

Hon. T. WALKER: I know a Premier who did not volunteer, but his name was supplied.

The Minister for Mines: See what tone it lent to the rest.

Hon. W. C. Angwin: And his colleague would not allow the fact to be contradicted.

Hon. T. WALKER: The Minister's name was published in the list—

The Minister for Mines: Like a few thousand more; they saw me walking along the Terrace one morning.

Hon. T. WALKER: That shows the excitement of the time, the liberties taken and the points worked. It was a matter of all points for a specific purpose.

The Minister for Works: No, you are quite wrong.

Hon. T. WALKER: The object was—and the Minister for Works knows it, if he will only be frank—to break down organised unionism, to make a split, a division to weaken the ranks of the Labour movement.

The Minister for Works: Not at all.

Hon. T. WALKER: That was the direct object, planned and contrived, and if the Government had an independent Commissioner, with free access to all sources of information, it could be demonstrated to the letter beyond quibble or question.

The Minister for Works: No.

Hon. T. WALKER: That was the object of it, and I say all that bound anyone to that contract is what is contained in the document signed by the volunteers, and they were volunteers and nothing more. They worked with the expectation of leaving the wharf as soon as the then existing dispute was settled, and the Government, of which the present Minister for Works was a member, understood it in that light. I say the then Premier, the member for Moore, understood it in that light.

Hon. P. Collier: Mr. Colebatch asserts he understood it in that light.

Hon. T. WALKER: Yes, they all understood it in that light, and the ex-Premier will admit that he took no notice of representations from the shipping combine or from the Employers' Federation, or the Chamber of Commerce. They were all at him, every one of them, but he took no notice of their representations until it was forced upon him by repetition and he was directly asked—"Won't you honour Hughes's pledge?" It was only then that he wrote, after receiving many representations and letters, letters from the Chamber of Commerce, letters from the Employers' Federation, which included the ship owners. It was only upon their persistence and repetition that the Premier at last agreed to fall into line with the mere platform utterances of Mr. Hughes. If the Attorney General were in his place he would know that this matter has been considered by a legally established tribunal. It was submitted to the Arbitration Court, and Mr. Justice Higgins clearly pointed out that if there was any value in Mr. Hughes' alleged pledge, the value applied only to a particular few whose services were rendered while the dispute was still unsettled.

The Minister for Mines: The Federal Government still adopt that attitude.

Hon. T. WALKER: The Federal Government have been the claw of the Employers' Federation throughout all this period, and are to this day. But that was the decision of the judge. The award, which I have carefully read, clearly distinguishes the two sets of so-called Nationalists: those who came on while the dispute existed, and those who came on afterwards, who have no rights at all. Those who came allegedly to the assistance of the country at a time of crisis—there could be some justice in granting them security of employment. But the quarrel ceased when the dispute was over. This is not the ex parte statement of a politician; it is a decision solemnly given in the Court of Arbitration by one of the High Court judges. Under those circumstances, what is the use of talking of honouring Hughes's pledge now, in 1919, over a dispute that took place in 1917, long since over and passed away and which should be forgotten? Why is it persisted in? Because still there must be the old rancour. Not promoted by the organised labourers, not by the workers, but by the employers. They are creating and fostering this division. And this is the extraordinary thing: that a member of that Chamber of Commerce—I presume he was a member at the time of which I am speaking, in 1917—that a member of that Chamber of Commerce which approached the then Premier, Sir Henry Lefroy, that a member of the Employers' Federation, that class of one big union despots, that such a man should be the one selected to try a cause in which he is, from the hairs of his head to the soles of his feet, interested! The Attorney General is not in his place, but surely he knows that it is one of the established rules in the administration of justice that interested parties shall not be judges in their own cause. Here apparently the Government have gone out of their way to select a man to sit in judgment upon his own cause. And they call that the administration of justice! And the defence of it comes from the Attorney General of to-day! One touch of nature, we are told, makes the whole world kin; and evidently it makes all these employers kin to each other, for in every instance they choose their own class to look after their own interests.

The Minister for Works: Does not Labour do the same thing?

Hon. T. WALKER: Labour has no class. It is the multitude which toils seeking for rights for all toilers. That is the difference. There is no division, no simple class to defend. The cause of Labour is the uplifting of all humanity.

The Minister for Works: It does not rest with them alone.

Hon. T. WALKER: No, because a few of the others have the Labour principles in them; but they have not had a sufficiently wide education to see the general application of this position to all men. That is the

offence we complain of, namely that they have chosen one of the employers' class, himself a member of the Chamber of Commerce and of the Employers' Federation, one of the very parties to the dispute; a member of that organisation which cried for the carrying out of the platform hysteria of Hughes during that particular period of excitement, that class which moves the world to try to brand organised Labour as disloyal, as unpatriotic, and to glorify a certain section, who would sell their fellows, desert their comrades—to give them the mantle of their blessing and approval. Those men fostered the spirit then existing to make the bitterest possible division amongst the workers of the State, calling: those who were to have some privileges and pats on the back, some little crowns and bright promises, calling them loyalists, and calling all the others disloyalists, and for that purpose using every species of falsehood. It is demonstrated, it is proven, it is established, it is a fact beyond dispute that when the trouble arose at Fremantle it was because ships were laden with flour for the Dutch Islands, flour which could find its way into Germany.

The Minister for Works: Ah!

Hon. T. WALKER: It was so; it has been admitted by Lloyd George himself, the Prime Minister of England, a greater man than Hughes, that flour did find its way into Germany from Australia and from New Zealand through the Dutch islands.

The Minister for Mines: He never said that.

Hon. T. WALKER: Not exactly in those words, but that was his exact meaning.

The Minister for Works: No.

Hon. T. WALKER: It was. I am stating the absolute truth. Because they would not load the flour for the Dutch islands the strike was declared. As a matter of fact it was a lock-out, nothing more. It is a deliberate falsehood to say that the men refused to load the troopships, to find provisions for the soldiers, their comrades in the trenches. That is a falsehood used by the Employers' Federation, of whom Lazarus is one.

Mr. Munsie: And a bad one at that.

Hon. T. WALKER: Yes, I believe that. It was used by them to blacken organised Labour in this State. It was said that Labour prevented the soldiers in the trenches from being fed. Strange to say, not one of the soldiers in the trenches ever noticed it. Still, that was the story, and it is perpetuated right down to this day, and those who fostered and published such lies as that are the comrades, the companions, the boon associates of Lazarus, the man appointed to fill this Commission. Apparently the Government have tried to get the judges. We heard the Attorney General to-night say that they had tried to get the judges, but that the excuse was that it was unwise that they should mingle in the active politics of the State. What has been done? When the judges, the impartial men who are not politicians, who are free from politics, cannot

bo secured the Government appoint one of the most bitter wranglers, agitators on the one side that they can find in this State, one of the most dogmatic, the most arrogant, the most conceited politicians on his side. They appoint a marked man, clearly designated as a type and symbol of his own particular class.

The Minister for Mines: You will make him member for Perth if you are not careful.

Hon. T. WALKER: I do not care. He is amongst those who can be relied upon to see only one phase of the question, persistently closing his eyes to all others.

Hon. W. C. Angwin: He seems to have taken the place of Dives.

Hon. T. WALKER: Dives of old would have no possible chance against this modern Lazarus. They appoint this particular specimen of an employer to judge organised Labour. That is what it means, and he has already shown his utter unfitness. First of all, he permits to appear before him, apparently by understanding, a member of a distinguished legal firm—of which the late Attorney General is a member, so more or less linking it up with a Government of a few weeks ago of which the Minister for Works was a member—a member of that firm known always as the firm that does the work for the boss as against the worker, the toiler, a firm which is always briefed to defend the rich against the poor.

Hon. P. Collier: They are defending the poor this time.

Hon. T. WALKER: No, what they are doing now is to exalt those—many of them, not all, I admit—absolute traitors to their fellow men, those who have sold their fellow men for the stipulated mess of pottage and are trying to get more: they attempt to exalt that little section into the realm of heroism, to make them the spectacle for all observers, to make the whole multitude pour forth tears at the misery and sufferings of these men. Mr. Downing came in after the Government had discovered their error, after it had become conspicuous to everybody, even to the common man in the street, that the Government had committed an act of folly in neglecting to have a representative at the inquiry. To-day, after the inquiry has commenced, the Government send along Mr. Downing; and Mr. Downing asks for an adjournment, and a short adjournment at that, in order that he may consider his brief. Then we see the drama unfold itself. "No, we cannot adjourn the inquiry out of consideration for the men. They are to be pitied so much that we cannot stop the inquiry even for 10 minutes, we must go on with it for the poor men's sake." And at the same time the Commission wander all over the compass to rake up all sorts of irrelevant matter that may prejudice the organised workers and create a halo of martyrdom for the Nationalists. It would be a tragedy in a way, if it had not about it too many of the elements of comedy. The events of this

very day show the prejudice of the Commissioner. The inquiry cannot be stopped to give the Government's representative a chance.

Hon. P. Collier: Although the Government's case will be prejudiced thereby.

Hon. T. WALKER: On reading the report of yesterday's proceedings, one may really wonder who is the Commissioner—the member of the firm of the late Attorney General, or Mr. Lazarus?

Hon. P. Collier: They were taking turns at it.

Hon. T. WALKER: The one who had the grip of things and was, so to speak, running the machine, was undoubtedly Mr. Jackson. He was bringing up just the evidence he wanted, and when his witnesses failed him he filled in the gap with his own utterances.

The Minister for Works: A clever man, that!

Hon. T. WALKER: Does the Minister call that clever? I do not call it just. But what kind of Commission is this when that kind of thing is permissible?

The Minister for Works: The Commissioner would not give any more weight to the solicitor's statements than was their due.

Hon. T. WALKER: Undoubtedly he would. The Commissioner was suggesting to Mr. Jackson what Mr. Jackson should say, and Mr. Jackson was suggesting to the Commissioner both what he should say and what he should do. They were mutually running that concern so as to get into the limelight of their own class. I defy any unbiassed person to peruse the report without coming to that conclusion. When they do ask questions and probe into matters, is it to decide the obligations of the Government? Do they try to get at the essential point to be decided? No. The Commissioner suggests such things as, "Have there been any refusals to employ you?" He works up everything that will tell against the organised worker, and, as the vulgar phrase goes, piles on the agony as regards the suffering and the starvation of the nationalist workers, and their approach to being mauled by the angry mob at times. Everything picturesque and grotesque of that character is introduced into the inquiry, which really is a simple one—are the Government obligated, and if so to what extent? Those are the two points to be decided. But the endeavours of the Commission are to incite the general public to believe that the demons and wretches and inhuman wolves of society are all in the ranks of the workers, and that these virtuous, pure-minded, noble-souled nationalists have a claim above all other men upon the State Treasury. I say the proceedings are an insult to the common sense of the community. And what is the purpose of those proceedings? To give the Government an opportunity of paying the nationalists something, of rewarding these people, of bribing them, if I may use the expression, so that in any other crisis, whenever the shipowners or others wish to make it impossible for work-

ers to continue at their toil, this example may be before the eyes of labour, proclaiming in effect, "Betray your fellow men, and the Government will stick to you and reward you, and you shall have billets and pay and compensation."

Mr. Green: "You can live without work if you will only seab."

Hon. T. WALKER: All through, the employers have used the Governments, and not least the Government of this State, or rather the succession of Governments Western Australia has had of late. They have done the work, and a member of the State Ministry admits it. Mr. Colebatch admits that the blame lies at the door of the shipping ring. The Attorney General, in defending the appointment of Mr. Lazarus, has said that that gentleman does not belong to the shipping ring. But Mr. Lazarus does belong to the organisation of which the shipping people are a component part, and an important part. He belongs to that federation in which the shipowners join, to the combination of all the rings and all the monopolies and all the wealthy employers in Australia.

Hon. P. Collier: And Lazarus is well in with them.

Hon. T. WALKER: Lazarus is one of them. Their interests are common.

Hon. P. Collier: He is one of their leaders.

Hon. T. WALKER: The shipowners want to humiliate the sailors until they get them down to their own terms. The chambers of commerce want to humiliate the general labourers so that they can get them to knuckle down. There is in Australia—deny it who likes—an actual, organised, intelligent conspiracy amongst these people for the purpose of crushing once for all the aspirations of the toiler. That is what is going on at this very moment in Australia. And it is one of these men the Government have appointed a Royal Commissioner. I want the world to know it. Mr. Lazarus was perfectly content to have the assistance of the legal firm who are always engaged by the employers, who have a finger in every pie of the employers. This Royal Commissioner was perfectly willing to be assisted by that firm of solicitors. It was only when the reports published this morning brought the scandal to light that the Government sent down a representative. But there is no representative up to date for organised labour at that inquiry.

The Minister for Works: Why did not you send one?

Hon. T. WALKER: Does the Minister for Works mean to tell me that the nationalists employed Mr. Jackson? Does he mean to tell me that these men who are on their uppers, who are living on the doles of public charity, who have not a penny to bless themselves with, have briefed Mr. Jackson?

The Minister for Works: I would not be surprised.

Hon. T. WALKER: The Minister knows different. He knows that the brief for Mr.

Jackson comes from the Employers' Federation. He knows that the brief comes from the people with whom Mr. Lazarus is associated.

The Minister for Works: I do not know it, and you do not know it either.

Hon. T. WALKER: Technically the Minister may not know it.

The Minister for Works: Nor practically.

Hon. T. WALKER: But the Minister knows that it is impossible for these men to employ Mr. Jackson. They say they are starving.

The Minister for Works: Mr. Jackson may be doing it as some solicitors do, on the chance of winning.

Hon. T. WALKER: The Minister has his tongue in his cheek when he says that. The firm I allude to do not do legal work for charity.

The Minister for Works: I did not say that.

Hon. T. WALKER: This is another proof of the organised effort to whitewash, the nationalists, to afford the Government an excuse for rewarding or bribing them, for holding out inducements to all workers to betray their fellow men when a crisis comes, to offer a greased path to slip upon. That is all this Commission is. No member of the general public can have confidence in the Commission in any sense whatsoever. Now for the absurdity of the Attorney General's argument. He says this is a cheap and expeditious method of doing the business, and he puts out his hand and asks, "Would you have every one of these men going into the Supreme Court with a claim for damages?"

Hon. P. Collier: What an absurdity!

Hon. T. WALKER: That is from the Attorney General of the Government. It only shows the hypocrisy actuating the Government all through this matter.

The Minister for Works: There is no hypocrisy. The Government have done their duty.

Hon. P. Collier: The defence offered here is hypocrisy.

Hon. T. WALKER: The defence made by the Attorney General is unquestionably hypocritical. What is his argument? That this Commission is cheap because in the absence of it we might have all these men going into court with claims. But every man in this House knows that there is no claim on which to get a footing in our courts for damages; none whatever. There is no contract that is binding. What is the object of the inquiry? To see whether there is a moral claim on account of some pledge that is alleged to have been given. Not one of these nationalists could go into a court of law. If they could they would have done so before this. It only shows the hypocrisy of the defence. To use that argument is childish to a man of common sense. There is no claim whatever on a legal basis on the part of any of these men, and under these circumstances the argument used is

pure subterfuge and dust-throwing and is unbecoming to the distinguished position of the Attorney General of the State. The Attorney General seemed to make a point that the Empire was in danger and the whole circumstances of the hour required sacrifices, and that these men made the sacrifices. Of course he was shifting his ground when he said that, and on that score he claimed that they should have some recognition. What sacrifices did they make, and why did they need to make them? They got the sacrifice of employment and remuneration whilst their comrades were starving! They got the comforts and the benefits of favoured labourers, most precious preserved, and the other workers had to take a back seat. Can that be called sacrifice? The men in 1917 were asking for common fair play and justice. They refused to load one steamer for the reasons which I have given. They voluntarily offered to load troop ships and were prevented from doing so. They would have done that without pay. This dispute would have been stopped within a week if the shipping firms had not prevented it—this Employers' Federation, of which Mr. Lazarus is a member. It was not stopped through any fault of the wharf labourers, the organised unions, but it was continued because of the obtusacy and malignity, and the resolve to crush the workers on the part of the shipping firms of Australasia. Then came the deserters of their comrades and the tools of the bosses, and to say that those men are deserving of special treatment, is to reverse the course of human nature. There is nothing honourable or noble in that; there was something noble in standing by comrades in the hour of adversity, and even seeing the sufferings of wives and children for the sake of the cause they espoused. There is no honour in the nationalists' desertion of their cause. Why is the Commission necessary to inquire into the matter now? The war is over, the emergency has gone, and the hysteria which existed at that period which disconcerted every judgment from the normal—our having passed that stage we can look the facts fairly in the face and apportion blame as it is deserved. If we do that, we shall see the gross scandal—I was going to say a crime—against humanity in the appointment of Mr. Lazarus as the symbol, the personification of one side of the struggle that is past, the appointment of him as a judge over his own comrades, to determine as to the conduct of his fellows in the same cause, as against those fighting for the rights of their fellow men.

Mr. MUNSIE (Hannans) [8.35]: Personally, I do not believe there is any necessity whatever for a Royal Commission to deal with this matter. Next, if there is any necessity certainly the wrong man has been appointed Commissioner. I do not believe there was any necessity for a Royal Commission. Had the Nationalist workers left the wharf in compliance with the condi-

tions under which they signed on to work at the wharf, and then could not get other employment, I would have been prepared to say they were deserving of some recompense. But from the day the trouble in 1917 was settled and those men remained on the wharf, in my opinion they became scabs of the worst order and were not entitled to any compensation from that time on. The Commission has been appointed for a definite purpose laid down according to the notice given to the Press. The principal purpose is to find out whether there is any obligation on the part of the Government to these men. I do not believe there is any obligation at all, even though the then Premier, Sir Henry Lefroy, wrote to the Nationalist organisation admitting that he would, on behalf of the State Government, honour the pledge made by the Prime Minister. To show that the then Government did not believe there was any necessity, or that it was the intention of the Government that these men should work on after the trouble was over, I might quote these remarks made by Mr. Colebatch—

The employers in writing to me said they had extended this preference at the request of the Government, but I have shown the terms of enrolment by the Government as well as the request of the employers. The requests were not responded to by the Government at that time—

and this is the point—

We did not respond to them because we had no such idea in our minds.

That was the Colonial Secretary at that time talking; that was his opinion. The Government did not recognise that there was any obligation on their part to even find these men a day's work after the trouble was over, and certainly the conditions under which they signed did not warrant them having one day's work either. Let us see the case put up by these men before the Royal Commission. Take for argument's sake that they honestly believed that when they went to work on the wharves, they went there in the interests of the country. They signed a certain contract, and when the time came they did not leave; they continued on. If they are entitled to compensation for that, surely it is only reasonable to say that the lumpers, who it was said at the outset brought about the trouble because they would not load flour on the "Minderoo," on account, as they claimed, that it was finding its way to Germany—

The Minister for Works: Was that their only excuse?

Mr. MUNSIE: No; I honestly believe many of those men conscientiously believed that that was true, and I would point out that the statement has been confirmed since by the Prime Minister in the House of Commons, replying to a question asked by Mr. Henderson. In the course of that reply the Prime Minister admitted that foodstuff

from Australia and New Zealand had found its way to Germany through Dutch territory. The hon. gentleman who is leading the House at the present time, the Minister for Works, made a statement that it was not true that the lumpers had offered to load troopships, or to load supplies which were going to the Allies and to feed our boys in the trenches. I give the hon. gentleman the credit of making that statement when he believed it to be true.

The Minister for Works: I said I had no knowledge of anything of that sort.

Mr. MUNSIE: Then the Minister does not read very much because, even after the trouble had been on for a considerable time, Sir Joseph Cook, who is Minister for the Navy, made a distinct statement in the House of Representatives, that the wharf workers in the Eastern States had refused to load troopships, and when he was challenged with the accuracy of that the next day, he was man enough to set inquiries afoot, get the truth of the matter, and make a public explanation in the House to the effect that his first statement was not correct.

The Minister for Works: How does that affect Western Australia?

Mr. MUNSIE: I can get the actual words that were used if the Minister wants them. The men here, through the president of their own organisation, made a public statement that not only were the lumpers prepared to load any troopship, or hospital ship, but that they were prepared to load hospital ships free of charge. On top of that the Employers' Federation, and the other people who are principally controlling the chief newspapers of the State, were up to their eyes in misrepresentation at that time and were continually making statements that the lumpers were refusing to load hospital ships, and that because of that action those vessels could not get away. The shipping companies refused to allow the lumpers to go on the boats to handle the goods. Now we have a Royal Commission appointed to pay compensation to men. What for? If every man who believes at the time that he is doing something that is right, and then discovers afterwards that he has done something that is wrong, thinks he can turn round and demand compensation from the Government, what position would the State be in? Take the case of a member of Parliament. He might go before his constituents who declare that he has done something wrong and they turn him down. Should he then have the right to approach the Government and ask for compensation for having lost his seat? He certainly has as much right to do that as the Nationalist workers. The Attorney General said that when the Prime Minister made the statement he did, he believed it to be true. I do not know exactly when the Prime Minister made such a statement. He delivered a speech from the public platform. But I do want to say that I have my own opinion of what he really believed in that

instance, and am prepared to express it. Instead of him believing it was true and that he was acting in the interests of Australia and the British Empire, he was doing something to get back on the waterside workers of the East, of whom at one time he had been president, and who had turned him down, and he was prepared to go to any extent to get even with them. The Minister for Works said he was not going to refer to the whole trouble in Fremantle. There were a lot of instances he could refer to. He said, "Look at the assault cases that have taken place." Yes, does not he know that almost immediately after the trouble was over there were eight members of the lumpers' organisation arrested for assaulting Nationalist workers. The whole eight of them came before the court. It was proved conclusively that four of them were home in bed at the time of the alleged assault, and that no assault took place by any of the accused, and they were discharged. But what did the shipping companies and the employers do? Immediately these men were arrested, and they were let out on bail, the shipping companies in Fremantle said, "No, you cannot come on these wharves." They were deemed guilty by the shipping companies until they were proved innocent by the court. The Press boomed in big headlines, "Assault on Nationalist workers."

Member: Do you deny there were assaults?

Mr. MUNSIE: No. All I am sorry for was that there were not more assaults. The hon. member will get no sympathy from me for scabs, make no mistake about that.

Member: Would not you give them a chance?

Mr. MUNSIE: Yes. I will go so far as to say that many of them were misled when they accepted employment on the wharves, and if they acted as men and left when the trouble was over I would have forgiven them and allowed them to come back to the unions. But to the others I say "No," and I will stop them if I can. I will give them a chance to live the same as they gave me. They did not think of me and my wife and children when they kept me on dry bread. I have every reason to be bitter to scabs, and I always will be. Regarding the appointment of a Royal Commission, even if it is justified, I say it is a public scandal for this Government to appoint a man who is a member of the organisation which is responsible, according to the actual letters published by the Minister for Education in his defence, for getting the Government to give the pledge. It is an absolute and standing disgrace. I do not want to deal with the evidence. I hope hon. members have read the evidence of the first day's proceedings. If it had been a Labour Government in office and they had appointed a Commissioner, and the Press came out with evidence such as that which appeared in yesterday's issue of the "Daily News," and if the present members of the Minis-

terial benches were on this side of the House, they would have stopped here till ten o'clock to-morrow night from last night in order to get the Commissioner out. It is an absolute and deliberate scandal. Then we have the Attorney General offering an excuse. But, unfortunately for him, the member for North-East Fremantle got in first, and told us exactly what happened, because he knows. And the Attorney General comes along and reads the corrected statement by the Commissioner himself.

The Minister for Works: You know what the member for North-East Fremantle said?

Mr. MUNSIE: Yes, I was here. He said the Commissioner to-day had endeavoured to contradict the statement he made yesterday.

The Minister for Works: Did he not admit it was a condensed report?

Mr. MUNSIE: He said that all the Commissioner said was not there, but that it was a correct report. The Commissioner did say that the responsibility of the Government was recognised. We have had two speeches from Ministers to-night, one from the present leader of the House (the Minister for Works) and the Attorney General, both of whom have admitted that the Government are responsible for the appointment of the Royal Commission, and that they are going to accept the responsibility. If the Government did not give authority to the Commissioner to admit their responsibility, he should be removed.

The Minister for Works: We will consider your suggestion.

Mr. MUNSIE: Otherwise the Government are absolutely spineless. Suppose a private individual appointed a commissioner to inquire into his private affairs, and that one question was as to whether the private individual had any liability or not; and suppose that at the very first sitting the commissioner said, "Yes, the responsibility is recognised." What would the private individual do? He would cut the commissioner out. He would have to do it for self-preservation. In my opinion it is absolutely true that the present Government have decided to pay compensation to the Nationalist workers.

The Minister for Mines: It is not correct.

Mr. MUNSIE: They are afraid to take up the responsibility without a Royal Commission, and they have appointed a Royal Commissioner who they know is biased.

The Minister for Mines: You have got hold of the wrong end of the stick.

Mr. MUNSIE: I believe it is the right end.

The MINISTER FOR MINES (Hon. J. Seaddan—Albany) [8.53]: The hon. member who has just sat down has made a very impassioned speech, but he has said very little about the matter. We are not concerned with the dispute which arose in Fremantle in 1917.

Mr. Munsie: Yes, we are.

The MINISTER FOR MINES: We are concerned as a Government with certain conditions which arose out of that 1917 trouble, and the promises that were given by the ex-Premier (Sir Henry Lefroy). I was somewhat interested in the remarks of the member for Kanowna (Hon. T. Walker) when he said it was not desirable that the Government should keep faith with a statement made by the then Premier at a public meeting where some warmth was instilled into the remarks. As a matter of fact, on that occasion Sir Henry Lefroy did not make any impassioned speech.

Hon. T. Walker: But the Prime Minister did.

The MINISTER FOR MINES: The Commissioner refers to the Premier's promise and not to that of the Prime Minister's. Sir Henry Lefroy wrote a letter. That is not making a statement in the heat of the moment at a public meeting, and therefore we are surely in duty bound to give some consideration to the contents of that letter. Some difference of opinion has arisen as to what was intended by Sir Henry Lefroy in that letter, and how far the Government are bound to assist the Nationalist workers on the wharves. I am not going to discuss at this stage whether they were justified in taking employment or not. In my opinion those who were employed took employment at a time when the Government demanded their assistance, and they should not be considered in the light of scabs. On the other hand there may be something said about those who came and took casual employment. I want the Commission to tell us who are entitled to consideration. They are all saying they are entitled to consideration. I say all are not. If any are entitled to consideration we should give it to them, but I am not a party to giving consideration to one single individual who is not entitled to it. The statement has been made that some of the Nationalist workers came and went to suit their convenience. They are not entitled to consideration. I want it settled once for all who are entitled to consideration, and we can only get it by this Commission. I want to tell the hon. member who is making such a noise about the Commission that the Commission does not grant any compensation. It can make a recommendation. We have had Commissions, numerous Commissions, in the past who have been called upon to make recommendations, and whose recommendations have not been acted upon. We are entitled to weigh the evidence the Commissioner collects. That evidence is there for our consideration as well as for his. He may make a recommendation based on the evidence before him, but we can also decide the issue placed before him as well as consider his recommendation. Although it is true that Mr. Lazarus is a member of the Employers' Federation, I am not satisfied that every member of the employing class is a rogue and a vagabond.

Mr. Munsie: No one said they were.

THE MINISTER FOR MINES: It is tantamount to saying it. I am satisfied that even Mr. Lazarus is able to give fair consideration to the matters submitted to him. He is not hearing the evidence in camera. The whole of it will be known by the public, and where is the man who is foolish enough, holding the position Mr. Lazarus holds, to take up an attitude of hostility to one section entirely against the evidence for the purpose of pleasing those who are occupying the Ministerial benches? I do not think that Mr. Lazarus is built that way. I know something about the Lazarus of old, and my sympathies are extended towards him, but his suffering was nothing to what Mr. Lazarus is suffering to-night.

Mr. Munsie: He has admitted the Government's liability.

THE MINISTER FOR MINES: I do not care if he admits it again. The members sitting opposite are as entitled to give evidence as anyone else. The trades hall can take along such evidence as they can produce, and their members can judge of the action finally taken by the Government as to whether they were honest or not.

Hon. P. Collier: I am going along tomorrow as representing a newspaper.

THE MINISTER FOR MINES: I do not know that the hon. member would be objected to. Probably his presence might cause some of the witnesses to tone down their attitude. The fact remains there are really only one or two points upon which the Commissioner is entitled to express an opinion and make recommendations. One is in regard to the previous employment of these individuals known as national workers, whether they had been exclusively or only casually employed on the wharf, their chance of future employment, and whether distress exists to the extent they claim. Would anybody suggest that any member of the community, even the president of the Trades Hall, might not give evidence on oath on any of those points? Even if the Commissioner were biased, he must make his recommendations on the evidence submitted to him. The Commissioner has been asked under the terms of his Commission, whether such an obligation exists.

Mr. Munsie: That is the first thing he has answered.

THE MINISTER FOR MINES: That is for the Commissioner to answer.

Hon. P. Collier: He answered it the first hour he was there.

THE MINISTER FOR MINES: I do not care about that. Probably he has answered it in his own mind.

Hon. P. Collier: It shows his unfitness for the job.

THE MINISTER FOR MINES: The member for Kanowna (Hon. T. Walker) will appreciate the fact that a litigant in the Supreme Court would be foolish to conclude that a remark, made by the judge during the hearing of the case, would necessarily reveal what his decision would be.

Hon. P. Collier: The Commissioner has committed himself.

THE MINISTER FOR MINES: But he has not committed the Government, and I want the hon. member to take my assurance that whatever the Commissioner's recommendations might be, they must be according to the weight of evidence. Someone has to collate the evidence, and the fact that the leader of the Opposition or anyone else objects to the Commissioner, does not imply that there is any danger in permitting the inquiry to be continued. We do not admit that there is an obligation as has been asserted by some of the men, but we say that, if any obligation does exist, the Commissioner shall find to what extent it exists.

Mr. Munsie: Why did not he inquire into that?

THE MINISTER FOR MINES: The Commissioner is inquiring into that, but so far the evidence has come from only one quarter. There is nothing to prevent the hon. member from appearing before the Commission. Let him appear; we want all the facts in order to arrive at a fair and just conclusion.

Mr. Munsie: You have the baby; carry it.

THE MINISTER FOR MINES: I do not consider it in the nature of a baby. It is one of those things the Government have to inquire into, and bear the responsibility for any action they take as a result of the inquiry.

Mr. Munsie: It was left on your doorstep.

THE MINISTER FOR MINES: There is the advantage that it was well wrapped up. Members of the Opposition are making a clamour over this matter simply for political purposes.

Mr. Jones: That is just what you would do.

THE MINISTER FOR MINES: After the disclaimer implied by their laughter, I would not like to insist on my statement that my friends opposite had any such intention.

Mr. O'Loughlen: You did not appoint Lazarus for political reasons.

THE MINISTER FOR MINES: I did not appoint him; the Government were responsible for the appointment.

Mr. O'Loughlen: Did the Government appoint him for political reasons?

THE MINISTER FOR MINES: No.

Mr. O'Loughlen: Then why did not the Government make a more suitable appointment?

THE MINISTER FOR MINES: The hon. member suggests that we should have got someone removed from party.

The Minister for Works: I do not know where you could get such a man.

THE MINISTER FOR MINES: The only place would be the Albany electorate, where there were 630 electors who took no interest in the recent contest.

Mr. O'Loughlen: Why not get one of those?

The MINISTER FOR MINES: The Commissioner's duty is not to decide this matter, but to make recommendations to the Government.

Mr. Munsie: If you had searched right through the State, you could not have found a more unsuitable man.

The MINISTER FOR MINES: That is only a matter of opinion.

Mr. Munsie: Yours is only a matter of opinion.

The MINISTER FOR MINES: I consider my opinion as valuable as the hon. member's, probably more so. The Commissioner will not decide the matter. The Government will decide it on the recommendation of the Commissioner and on the evidence submitted to him, and the Government must carry the responsibility for their action. Until the Government take such action there is no cause for our friends in Opposition to become so warm. They might be dissatisfied and they might feel they are warranted in being dissatisfied with the appointment, but in view of the facts—

Mr. Munsie: The appointment of this Commissioner is common talk in the streets.

The MINISTER FOR MINES: The inquiry is being held in public; anyone having evidence to give is entitled to be heard, and everything that takes place can be known by the public. Whatever action arising out of the evidence and recommendations is taken will be the action of the Government, who must bear the responsibility, and there is no reason for causing so much trouble and making so much noise about it. I am sure the leader of the Opposition will not press his motion because no good can come from it. Most of us would like to go home at this hour of the night.

Mr. O'Loughlen: Have you particular reasons for wishing to get away to-night?

The MINISTER FOR MINES: Yes, and I do not think the hon. member would decline an invitation to join me. It has been said that a Commission should not have been appointed. I hold the contrary view. Had the member for Boulder (Hon. P. Collier) come over to the Treasury benches and found, as we did, that pledges had been given by the Premier of the day, he would have been bound to appoint a Commission. The whole point is, who should be the Commissioner? The hon. member says Mr. Lazarus is not the most suitable man for the work. Of that, we can only judge by his recommendations on the evidence submitted to him. The member for Kanowna knows that frequently a judge almost leads counsel on one side to believe he is favoured because of some remark made during the hearing, but when the decision is given, the party who thought he was favoured, finds out his mistake. The same might apply in this case. The House should suspend judgment so far as Mr. Lazarus is concerned until his recommendations are presented, and the Government act on them or do otherwise.

Hon. P. COLLIER (Boulder): I have the right of reply.

Mr. SPEAKER: The hon. member has no right of reply on a motion for adjournment.

Hon. P. COLLIER: I think I have.

Mr. SPEAKER: Not on a motion of this kind.

Hon. T. Walker: This is a substantive motion.

Mr. SPEAKER: It is not a substantive motion. The motion has been moved under Standing Order 47a and is not a substantive motion. There is no right of reply on a motion for the adjournment. I could quote authorities, but it is unnecessary to do so.

Hon. T. Walker: It has always been the practice.

Hon. P. Collier: Is it specifically set out in our Standing Orders that there is no right of reply?

Mr. SPEAKER: I think the hon. member is relying on Standing Order 120.

Hon. T. WALKER: Standing Order 120 reads—

A reply shall be allowed to a member who has made a substantive motion to the House, or moved the second reading of a Bill, but not to any member who has moved an Order of the Day (not being the second reading of a Bill), an amendment, or instruction to a committee.

This does not come under any one of those exceptions. Therefore it comes under the general Standing Order which allows the right of reply. This is distinctly a substantive motion because the hon. member could insist on a vote being taken. The fate of a Government has often depended on this form of motion, and I have known Governments to be turned out of office on such a motion. There are only certain exceptions mentioned in Standing Order 120. In all other substantive motions a reply is permissible. Had a reply not been permissible in this case, the fact would have been mentioned in Standing Order 120.

Mr. SPEAKER: I point out to the hon. member I have ruled there is no right of reply on a motion for adjournment. The motion was moved under Standing Order 47a, which lays down special provisions. Consequently it cannot be a substantive motion. The member for Boulder is not in order in replying.

Dissent from Speaker's Ruling.

Hon. T. Walker: I regret I shall have to dispute your ruling.

Mr. Speaker: I would like to direct the hon. member's attention to "May," 12th edition, page 228, regarding the procedure on urgency motions—

Matters debated only upon a substantive motion cannot be submitted to the House under this Standing Order.

The Standing Order referred to is similar to that under which this motion has been moved.

Hon. T. Walker: Notwithstanding that, we have our own Rules to guide us, and that is scarcely applicable here. You know, Sir, that if a vote be taken on a motion of this kind and a majority vote for it, the fate of the Government hangs upon it and therefore it is substantive. Nothing could be more so than the adjournment of the House. Standing Order 47a makes no reference to a limitation of the ordinary rules of debate.

Mr. Speaker: Standing Order 47a specifically points out the procedure on a motion for adjournment.

Hon. T. Walker: Standing Order 47a reads—

A member wishing to move "that the House do now adjourn" under No. 47 shall first submit a written statement of the subject proposed to be discussed to the Speaker who, if he thinks it in order, shall read it to the House; whereupon, if seven members rise in their places to support it, the motion shall be proceeded with. Standing Order 47 stipulates when such a motion can be moved, and the matter which can be debated in respect of such motion. Therefore the ordinary rules of debate apply. That in nowise limits the debate. It merely regulates the method of procedure. It introduces the debate to the House, but it does not modify the order of debate. This is a specific debate, whereon the fate of the Government may rest. If we had the majority there could be no more severe vote of censure against the Government than this.

Mr. Speaker: Is the hon. member dissenting from my ruling?

Hon. T. Walker: I am, because our own Standing Orders provide all that is necessary. We have recourse to "May," and even that does not at all deprive a member from the right of reply, does not in the least limit the nature of the debate, so far as the rules go, but only limits the subjects that can be dealt with. Our own rules are if anything more explicit, for when specific exceptions are given to a particular course, those excepted subjects are the limitation. The exceptions being given, means that the supply of exceptions has been exhausted. We have that course taken in Standing Order 120, and the clear logical conclusion is that all subjects outside of those specially mentioned are open to the usual course of debate. There are certain things upon which one cannot reply, and they are mentioned. The adjournment of the House is not one of them. This is a debate like all others, and whilst it has to be introduced in a given way and certain formulae have to be observed in moving it, once it is launched it is an ordinary debate and follows the rules of debate. In every other case I have known, where it has been so desired, the mover of the motion has the right to reply; otherwise he is placed at a disadvantage. We have special exceptions given in Standing Order 120, and this class of debate is not mentioned among them; and in all other classes the ordinary course of debate is followed. It is one of

the most respected privileges that the mover of a motion should have the right of final reply. In the circumstances I move—

That the ruling of Mr. Speaker be dissented from.

Mr. Speaker: The hon. member has moved to dissent from my ruling. He is relying upon Standing Order 120, which sets forth that the right of reply to a substantive motion is allowed. The motion before the House is not a substantive one. It could only be admitted under Standing Order 47, and Standing Order 47a makes the necessary provision for its being placed before hon. members. It is before the House as a matter of urgency under Standing Order 47. That being so, it cannot be a substantive motion. Hon. members will see that I am only following the custom of the House of Commons. The ruling given there by the Speaker on a similar motion was that a member has no right of reply on a motion for the adjournment. I do not know of a case in this House when a reply has been made on a motion of this nature. In view of what is laid down in "May" I could do nothing else. I hope the hon. member does not think I desire to curb the privileges of any hon. member by withholding the right of reply. I desire the freest liberty for members in that respect, but I cannot go against the accepted custom, which is made perfectly clear in the Standing Orders.

Hon. T. Walker: I withdraw my motion. Motion by leave withdrawn.

Debate resumed.

Mr. JONES (Fremantle) [9.22]: I had not intended to speak to this motion, but the sudden Punch-and-Judy-like appearance of the Minister for Mines in the debate at the last moment impels me to add a few words. I do not intend to refer in the terms other hon. members have used to the appointment of Mr. Lazarus as Royal Commissioner. In fact I believe this is one of the most consistently honest appointments the Government have ever made. Those of us who endeavour to study the history of society scientifically must admit that the Government in their functions and acts represent the trusts and combines and the Employers' Federation of Australia. Consequently, when they have business to do, what more natural than that they should appoint a willing, obedient, and servile servant of their class to carry out their wishes?

The Minister for Works: What an imagination you have!

Mr. JONES: It is my imagination which enables me to see the injustice of many of the actions of the Minister for Works. I would that he, too, had a little imagination. It might enable him to see higher than the swarm of black geese which unfortunately inhabit so many of the spaces of his mind. Mr. Lazarus is not, as the religious editor of a newspaper informed me to-day, appointed upon biblical authority. I believe it

can be found in Sacred Writ that a certain beggar named Lazarus lay at the gate full of scabs. He has been appointed because he is a member of the one big union of employers, the union which the Government represent.

The Minister for Works: Nonsense!

Mr. JONES: The Minister for Mines declares that members are endeavouring to make political capital out of this Royal Commission. I am more concerned in making industrial capital out of it. I want to protect the interests of those organisations which have been so patiently built up by years of work, of thought and of sacrifice on the part of the toilers all over the world.

The Minister for Works: But you have never worked!

Mr. JONES: I do not know why the Minister for Works should always accuse me of not working. I can assure him, if he wishes it, that I do not look on it as an honour to work, or to do what he means by work, but what is really hard, brutalising, degrading toil. I do not look on that as an honour. Possibly the Minister for Works likes that work which is toil.

Mr. O'Loughlen: He works his head pretty well in every Government to drop his chief.

Mr. JONES: He works his head in that regard almost as well as does Mr. Lazarus in getting himself appointed to every Commission. I regard the Minister for Works as I regard Mr. Lazarus, as being merely the result of heredity plus environment, and in consequence I regard him more in pity than in anger when he throws his inane interjections across the House.

The Minister for Works: A pretty argument truly!

Mr. JONES: Mr. Lazarus has been appointed on a Commission, the objects of which were outlined by the Attorney General. The main point of that Commission, however, has been emphasised by the member for Kanowna, who said that it is really an effort to provide reward for those who betrayed, who scabbed upon their fellow workers in a time of crisis. There can be no dispute about that. The Commission has been appointed with the sole object of placing a gilded halo around the 30 pieces of silver which will ever be the reward of apostasy, of betrayal of an individual or of a class. The whole proceeding has the appearance of a well written farce; of a scenario for a picture film. The evidence is called exactly as Mr. Lazarus, the stage manager, directs it shall be called. The president, the secretary, and the vice-president of the National Workers' Union—it is rather an insult for the word union to be used here—are called one after the other, and their names are published in the Press, together with the evidence they give. Consequently, if false statements are made, if the secretary declares that he has a wife and three children to support—

Hon. P. Collier: It is not correct.

Mr. JONES: In such cases we know who has made the statements.

Hon. P. Collier: He should have more than three children or one wife.

Mr. JONES: We may be able to correct the statements of this secretary of the National Workers' Union—I am so used to calling it a scab union that it is very hard to give it the official title. But immediately the chief officers of the organisation have given evidence, the stage manager alters the scene. No more names are to be published; absolute secrecy is introduced into the proceedings of the Commission.

Mr. Green: The Minister for Mines says that everything can be known.

Mr. JONES: The Minister for Mines says a lot of things. He tells us that we can take his assurance, while he knows full well what members on this side of the House have suffered through taking his assurances. Secrecy is adopted in these matters in order to side-track the public mind, in order to bulldoze the people of this country into believing that a Commission has really sat and taken evidence and has really decided that these men should be compensated. What a farcical Commission! Here we have the Attorney General telling us that the Government had every reason to believe that counsel would not be appointed to appear before the Commission on behalf of the National Workers' Union. What does he mean by "having every reason to believe?" Does he mean that he had the assurance of this secretary with the wife and three children? Or did he have an assurance from the Minister for Mines? Of course counsel appears and takes part in the scenario which is being played in order to save the Government's face. Then the Government tumble to the idea that this looks bad, and that the public will be talking about this charitable and philanthropic lawyer who is appearing for the poor national workers while the Government of the State are letting things go by default. The Government say to themselves, "We are not represented there to cross-examine Mr. Williams as to whether he really has a wife and three children. We are not there to ask questions or get any information from the witnesses. We must have another puppet. We must introduce another character into that scenario." Upon the introduction of that character into the play, one would expect to see the comedy played on orthodox lines. The solicitor or barrister representing the Government in this inquiry does the thing which, I believe, lawyers usually do when taking a brief at a few minutes' notice. He asks for a short adjournment of the proceedings in order that he may have a chance of studying his case, so that he may fairly and properly represent the Government who will have to pay the already arranged amounts of money to the loyalist workers. Mr. Lazarus, however, inspired perhaps by his fellow-commissioner, Mr. Jackson, or inspired perhaps by the secretary with the wife and four children, says that he really believes the consequences of an adjournment would be serious. Serious for the Government? Serious for the tax-

payers of Western Australia, who will have to foot the bill that Mr. Lazarus makes out in favour of the loyalists? Serious for this House? No. Serious for the loyalists concerned. What an unbiassed judge! What a Daniel come to judgment! Serious for the men whose case he is judging. The whole thing reeks with partiality, reeks with bias, reeks with the fact that this man is the mere puppet of the Government, who are functioning for the Employers' Federation and trying to save their face by appointing a Royal Commission to allot payments which the Government have already decided upon making.

The Minister for Works: Rubbish!

Mr. JONES: Anything is rubbish with which the Minister does not agree. All through this piece which has been played during the last 18 months, the Government have shown their readiness to finance to any extent the men upon whose claims Mr. Lazarus is now sitting in judgment. Thousands of pounds have been spent in feeding and protecting those men from the time they went on the wharves. Money has been spent from all kinds of sources, including, possibly, that secret service fund of which I hope we shall get particulars in a few days. But every penny of the expenditure has come out of the pockets of the taxpayers of this State. In addition, some compensation has already been paid to the national workers, compensation totalling £3,046 ls. That amount, we are informed by the Government has been paid to the national workers during the period between the 20th April and the end of May last. And that is not reckoning the rations and relief received from the Charities Department by the secretary with the wife and four children and by the others who have been forced to apply for doles. All through there has been evident a readiness on the part of the Government to pay compensation and give money to the national workers. At the time of the revolution in Claremont, when five or six lumpers went to that suburb and the Government heard there were 500 lumpers on the march, when the national workers holding a meeting there were forced to take up their belongings and flee from the hall into the street, the president, according to his evidence before the Royal Commission, had £300 in a bag. Among these apostles he evidently was the man who carried the bag. I wonder where he got the £300. Perhaps he was going to pay Mr. Jackson with it. Really and truly, in the matter of this Royal Commission the Government must admit that they have not acted fairly by those people in this State who, unlike myself, still believe that the Government act up to their function of representing the whole people. I refer to those who will not admit, as I do, that in this matter the Government have acted class-consciously, have appointed a faithful member of their own class to do the work that they themselves will not do. The question whether the National workers are en-

titled to compensation, I shall not discuss to-night. Personally, I do not believe they are. But the Government say they want a Commission; let them have one. The Government have created a "Keystone" farce of a Royal Commission, and Ministers know it. It is unfair to the people of this country, to the workers who will have to bear the cost of whatever compensation may be awarded, not to give them a better run for their money in the shape of a fairer Commission, not to give them a Commissioner who will, without bias, declare what man shall and what man shall not receive the 30 pieces of silver that the Government have already decided to pay as the wages of apostasy.

Question (adjournment) put and negatived.

QUESTION—RAILWAY FREIGHTS, PYRITIC ORE.

Mr. GREEN asked the Minister for Railways: 1, What has been the total tonnage of pyritic ore carried by the Railway Department for the superphosphate manufacturing companies of this State? 2, What has been the average rate of carriage per ton per mile? 3, Have certificates been furnished from time to time to the Commissioner of Railways as to the mineral value contents of these ores, in accordance with page 71 of the railway rate book? 4, If so, what is (a) the total amount of the additional railway rates paid? (b) the additional rate paid per ton per mile?

The MINISTER FOR RAILWAYS replied: 1, The total tonnage of pyritic ore to be used in the manufacture of superphosphates carried from 1st January, 1916, to 31st August, 1919, amounts to 12,675 tons. 2, .273d. 3, Yes. 4, £15. 5, .035d.

QUESTION—MAIMED SOLDIERS, RAIL AND TRAM PASSES.

Mr. O'LOGHLEN asked the Premier: 1, Is it a fact that the New South Wales Government have granted a free railway and tramway pass for life to one-legged soldiers? 2, Is it the intention of his Government to grant a similar concession to one-legged and blind soldiers?

The MINISTER FOR WORKS (for the Premier) replied: 1, Yes. 2, The matter is under consideration.

QUESTION—STATE SAWMILLS, PROJECTED SALE.

Mr. BROWN (for Mr. Smith) asked the Minister for Works: 1, At what price are the Government selling the State sawmills to the French syndicate? 2, Is this amount greater than the cost price of the mills? 3, If so, how much? 4, Does the sale include the taking over of the powellising patents

agreement? 5, Has he protected the interests of the present employees in the proposed transfer?

The MINISTER FOR WORKS replied: This question was fully answered in the course of the statement I made here last night.

QUESTION—PUBLIC SERVANTS' ACCRUED HOLIDAYS AND A.I.F. ENLISTMENTS.

Hon. W. C. ANGWIN asked the Minister for Works: 1, Have the Government paid all the men of the Public Service and Railway Department who enlisted in the A.I.F. for holidays accrued while away from the State on active service? 2, If so, do the Government intend to pay for accrued holidays the State Engineering and Implement Works' employees who enlisted in the A.I.F., similarly to men of other Government departments, which payment they claim was promised by Mr. Bath, who was Minister in control of the works at the time?

The MINISTER FOR WORKS replied: 1, No, but the matter is under inquiry, and is receiving attention at the hands of the Government. 2, No record exists of the alleged promise by Mr. Bath, but the question will be dealt with as indicated in No. 1.

QUESTION—RAILWAY PROJECT, NARRAMBEEN-BRUCE ROCK.

Mr. HARRISON (for Mr. Griffiths) asked the Premier: 1, Has Mr. Hedges offered to lend the State sufficient money to build the proposed railway from Narrambeen to Bruce Rock? 2, Has the offer been accepted or rejected? 3, Is the offer still available? 4, Is it his intention to lay the papers on the Table of the House?

The MINISTER FOR WORKS (for the Premier) replied: 1, No. 2, Answered by No. 1. 3, The department are unaware. 4, This has been done.

QUESTIONS (2)—REPATRIATION.

Pastoral Holdings.

Mr. HICKMOTT (for Mr. Maley) asked the Honorary Minister: 1, The number of applications by returned soldiers, and the area selected from the allegedly good pastoral country north of the Murchison River towards Carnarvon? 2, Was an inspection made by any official of the department with a knowledge of pastoral pursuits before these applications were considered? 3, Did any of the applicants inspect this country before selection? 4, Has a report been received from a person instructed to inspect this country recently, condemning it as totally unsuitable? 5, What progress has been made in regard to boring for artesian water in this area? 6, If the answer to question No. 4 is in the affirmative—(a) Is

it intended to continue boring for water, and (b) What action will be taken in regard to the lessees who have already entered into occupation?

The HONORARY MINISTER replied: 1, 30 applications; 3,124,000 acres. 2, No, but inquiries made justified the department in believing the country suitable for pastoral purposes. 3, No. 4, Yes. 5, Part of the boring plant has been sent to Wooramel. 6, (a) No. (b) Suitable pastoral land will be found elsewhere.

Midland Company's Land.

Sir H. B. LEFROY asked the Premier: Is it a fact that the Government decline to assist returned soldiers desiring to purchase land from the Midland Railway Company?

The HONORARY MINISTER (for the Premier) replied: No.

QUESTION—PEACE LOAN AND STATE REVENUE.

Mr. BROWN (for Mr. Smith) asked the Colonial Treasurer: 1, Has he noticed that the Peace Loan is being issued subject to a proviso that subscribers will be exempt from State income tax? 2, Have the Government consented to this latest encroachment on the State revenue? 3, If not, by what authority are the Commonwealth Government empowered to further arrogate interference with our means of taxation?

The MINISTER FOR WORKS (for the Colonial Treasurer) replied: 1, Yes. 2, No. 3, The interest derived from Commonwealth stock or Treasury bonds is exempt from State income tax under Section 52b of the Commonwealth Inscribed Stock Act.

QUESTION—MALLEE LANDS DEVELOPMENT.

Mr. JOHNSTON asked the Honorary Minister: 1, Have the Government considered the following recent recommendation of a Royal Commission, namely, "Administration of mallee lands.—That a special plan be formulated to settle and develop the mallee lands, and that whatever form of administration be decided upon, the Government procure from South Australia a man thoroughly versed in all matters pertaining to mallee farming, and especially conversant with the methods and conditions obtaining at Pinaroo and Yorke Peninsula: This, the Commission considers, is essential if the lands are to be expeditiously and successfully opened up"? 2, Have the Government made the suggested appointment of an expert in mallee farming? 3, If not, do the Government intend to make such an appointment in order to assist settlers in all parts of the State to solve the special problems involved in the clearing and successful cultivation of mallee lands?

The HONORARY MINISTER replied: 1, Yes. 2, No. 3, When the railway line is under construction this matter will receive consideration.

QUESTION—RAILWAYS, FIRE-BREAKS.

Mr. JOHNSTON asked the Minister for Railways: 1, Has the Railway Department had a firebreak ploughed along the Wagin-Bowelling railway each of the past two years? 2, Has the department this year served notices on certain land owners that they must do this work, to protect their properties from fire from the railway engines? 3, What is the reason for this change of policy?

The MINISTER FOR RAILWAYS replied: 1, The first portion of this section was opened for traffic on 20th November, 1917, being too late for the fire-breaks to be ploughed that year. They were ploughed last year. The second portion, Bokal to Bowelling, was opened for traffic on 10th December, 1918, again too late in the year for this work to be done. 2, No. Circulars have been issued to the settlers asking their co-operation in the prevention of bush fires and suggesting that, should they consider that any danger to their property exists from fire, they should plough a fire-break of say, eight or ten furrows on their own land. A similar circular has been issued to the settlers along the railways throughout the wheat-growing districts each year for many years past. An agreement has been entered into for the ploughing of fire-breaks on the reserve each side of the line on the Wagin-Bowelling section this year, the work to be completed by 31st October, 1919. 3, Answered by above.

QUESTION—AGRICULTURAL WATER SUPPLY.

Mr. HARRISON (without notice) asked the Minister for Water Supply: 1, In view of the urgent need of farmers to carry stock, will he inform the House if he has considered the recommendations of the Royal Commission on agriculture in regard to rating and the price of water from the goldfields water supply? 2, If so, when may we expect a pronouncement from the Government on this matter?

The MINISTER FOR WATER SUPPLY replied: 1, Yes. 2, The matter is being considered in connection with the Estimates, and as soon as the decision is arrived at I will inform the House.

ADJOURNMENT—SPECIAL.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [9.50]: I move—

That the House at its rising adjourn until Tuesday, the 23rd September.

Question put and passed.

House adjourned at 9.50 p.m.

Legislative Assembly.

Tuesday, 23rd September, 1919.

	Page
Address-in-reply: Presentation	593
Questions: Repatriation delays	593
Soldier Settlement, "Marybrook" Estate	593
Bills: Prices Regulation, 2s.	593
Traffic, com.	612

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

ADDRESS-IN-REPLY—PRESENTATION.

Mr. SPEAKER: I have to inform hon. members that I presented the Address agreed to by the House in reply to His Excellency's Speech on opening Parliament, and that I have received the following reply from His Excellency:—

Mr. Speaker and gentlemen of the Legislative Assembly: In the name and on behalf of His Most Gracious Majesty the King, I thank you for your loyal Address. (Signed) William Ellison-Macartney, Governor.

QUESTION—REPATRIATION DELAYS.

Mr. THOMSON asked the Premier: In view of the serious disability placed upon returned soldiers seeking land, owing to the delay in inspection of blocks, will he take into consideration the appointment of additional inspectors in order to obviate delays in the future?

The PREMIER replied: The matter is under consideration.

QUESTION—SOLDIER SETTLEMENT, "MARYBROOK" ESTATE.

Mr. PICKERING (without notice) asked the Premier: Will he have the special report, referred to by Mr. Surveyor W. F. Rudall in the matter of Mr. E. R. Bunbury's estate, placed on the Table?

The PREMIER replied: I believe all the departmental papers are on that file.

Mr. Pickering: I cannot see it there.

The PREMIER: I will have inquiries made.

BILL—PRICES REGULATION.

Second Reading.

Debate resumed from 28th August.

Hon. P. COLLIER (Boulder) [4.40]: When, in 1914, the Labour Government introduced and carried through Parliament a Bill for the purpose of regulating the prices of necessary commodities, there was much