

Mr. B. J. Stubbs: What has all this to do with the Chief *Hansard* Reporter?

Mr. GARDINER: Nothing, only he thought that Mr. Barwood might have been appointed to that position, because he had credentials which the hon. member did not possess. Although different committees controlled the *Hansard* staff and the other employees of the House, as a protest against the inadequate remuneration paid to the latter, he would oppose an increase being given to those who were already in receipt of a fair rate of pay.

Progress reported.

*House adjourned at 11.36 p.m.*

## Legislative Council,

*Tuesday, 4th November, 1913.*

	PAGE
Question: Local Court, Shark Bay .. ..	2216
Papers presented .. ..	2216
Bills: Roads Act Amendment, 1R. ....	2216
Mines Regulation, 2R. ....	2231
Land Valuation, 1R. ....	2242
Fremantle Improvement, Com. ....	2242
Motion: Public Servant's Retirement, Capt. Hare, to inquire .. ..	2217

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

### QUESTION—LOCAL COURT, SHARK BAY.

Hon. Sir E. H. WITTENOOM asked the Colonial Secretary: 1, Whether the Commissioner of Police caused a public inquiry to be held in Shark Bay on the conduct of cases in the local court of petty sessions, as a result of a petition received by him, and the result of such inquiries. 2, Does the Colonial Secre-

tary consider—(a) That it is desirable that the Commissioner of Police should receive and take notice of petitions criticising justices; or (b) That an inspector of police should hold a public inquiry in the local police court on the conduct of such court, especially when the matter was raised by the local constable in that court, and the petition apparently inspired by the constable's remarks in court? 3, Whether in spite of the fact that the inspector reports he could find no cause of complaint by either the constable or the petitioners, the only notice that has been taken of the matter has been the appointment to the honorary bench of a personal friend of the constable? 4, Will the Colonial Secretary lay all papers in connection with this matter on the Table of the House?

The COLONIAL SECRETARY replied: 1, No. An inquiry was held by the chief inspector into certain allegations against the local constable. 2 (a), The Commissioner of Police does not take notice of such petitions; if received by him they are passed to the proper quarter. (b), The Chief Inspector of Police inquired into certain charges against the local constable, but did not inquire into the conduct of the local police court. 3, The constable made no complaint. 4, Yes. I am placing the papers on the Table of the House.

### PAPERS PRESENTED.

By the Colonial Secretary: Water Supply, Sewerage, and Drainage Department—Metropolitan Sewerage—Return asked for by the Hon. A. G. Jenkins, showing the total amount expended on the sewerage works, the amount expended in excess of the estimated cost, and the amount expended for private connection which is debited to private individuals.

### BILL—ROADS ACT AMENDMENT.

Introduced by Hon. J. F. Cullen and read a first time.

# MOTION—PUBLIC SERVANT'S RETIREMENT, CAPTAIN HARE, TO INQUIRE.

Debate resumed from 30th October on the following motion by Hon. D. G. Gawler:—That a select committee be appointed to inquire into and report on the circumstances which led up to the retirement of Capt. Hare, late Commissioner of Police, with power to send for persons, papers, and records in connection therewith and relating thereto.

The COLONIAL SECRETARY (Hon. J. M. Drew): The action of Mr. Gawler in moving in this matter at this late hour of the day is, to say the least of it, remarkable. Captain Hare retired from his position as Commissioner of Police on the 31st March, 1912. Nineteen months have passed since then, nearly two sessions have elapsed, the hon. Mr. Gawler has been a member of the House during the whole of that time, yet he has never before seen the need of taking action in the direction of investigating Captain Hare's retirement. If Captain Hare was ignominiously dismissed, if his dismissal was the result of charges brought against him by Constable Campbell, and if he was not given an opportunity of disproving these charges, it is strange indeed that public attention was not called to the fact long before this. It is astounding that the hon. member did not take action over twelve months ago, and it is still more astounding that he should ask for the appointment of a select committee unless he could furnish better and more reliable evidence than he has placed before the House. Mr. Gawler questions the propriety of Captain Hare's retirement and says that as he did not come under the Public Service Act he came under the Superannuation Act, and so, under these circumstances, at the end of 40 years' service he would have been entitled to forty-sixtieths of his salary. With regard to the first assertion, it will be best met by the comments of the Solicitor General which are recorded on the file. In a minute dated 18th March, 1912, the Solicitor General said—

The office of Commissioner of Police was within the Public Service Act, 1900 (see Section 5—"Nothing in this Act will apply to the police force except the Commissioner and Inspector of Police." The Public Service Act of 1900 was repealed and the Act of 1904 does not apply to the police force. The repeal of the Public Service Act, 1900, did not, however, affect any right or privilege acquired or accrued under that Act (Interpretation Act, 1898, Section 18c). But the Act provides that the Governor might require any public servant to retire at the age of 60 years (see Section 39), I am therefore of opinion, as the Commissioner of Police has reached the age of 60 years, the Governor may require him to resign his office.

Section 18 (e) of the Interpretation Act, referred to by Mr. Sayer, reads—

Where this Act or any Act passed after the commencement of this Act, repeals any enactment then unless the contrary intention appears, the repeal shall not—(e) Affect any right, privilege, obligation, or liability acquired or accrued under any enactment so repealed.

Hon. D. G. Gawler: Is there not a letter on the file from the Public Service Commissioner showing that he did not come under the Public Service Act?

The COLONIAL SECRETARY: I will deal with that presently.

Hon. J. D. Connolly: Was he under the Public Service Act of 1904?

The COLONIAL SECRETARY: No. As regards his retirement the Solicitor General claims that he was under the Public Service Act of 1900. The Superannuation Act is an Act to regulate the payment of pensions and allowances. It furnishes no machinery for the retirement of public servants. The retirement must be brought about by other means, and when the retirement has been effected then the Superannuation Act comes into play in order to determine the pension to which the person retired is entitled.

Hon. F. Connor: You have not told us why he was retired.

The COLONIAL SECRETARY: I cannot give everything in one or two sentences. I will deal with the whole question before I sit down. If Captain Hare was not under the Public Service Act of 1900 he would have been under the Police Act of 1892, and if he was under the Police Act of 1892, Section 5 of that Act reads as follows—

The Governor may from time to time appoint a fit and proper person to be Commissioner of Police throughout the said Colony and as occasion shall require may remove any Commissioner of Police and appoint another in his stead.

So in the Police Act of 1892 full power is given to the Governor to remove a commissioner of police as occasion may require.

Hon. D. G. Gawler: That is hardly the question; it is the way in which it was done.

The COLONIAL SECRETARY: I shall return to that. Assuming that the Commissioner of Police was under the Police Act of 1892, the custom in the Public Service is that where a public officer is not under the Public Service Act, the principles of that measure shall be applied to him as far as possible for the purpose of uniformity. One of the provisions of the Public Service Act is that any officer under that Act may be called upon to retire when he reaches the age of 60 years. According to Mr. Gawler an officer not under the Public Service Act comes under the Superannuation Act and can remain in the service for 40 years.

Hon. D. G. Gawler: Unless he is removed for some good cause.

The COLONIAL SECRETARY: He can remain for 40 years. Suppose he joins at 40 years of age, the hon. member's reasoning is that he may remain in the service until he is 80 years of age, provided his conduct is good.

Hon. W. Kingsmill: That is quite wrong.

The COLONIAL SECRETARY: Mr. Gawler states that Captain Hare joined the service in 1870. He was not retired until 1912, that is, 42 years after he joined the service; and although he did

not serve continuously, although he served intermittently, that fact did not prevent the Government from regarding the whole of his service in computing his pension.

Hon. M. L. Moss: You are bound to do that.

The COLONIAL SECRETARY: Seeing that he joined in 1870, surely no great hardship could have been involved in his retirement in 1912, or 42 years afterwards. We are told that the request for Captain Hare's resignation was nothing short of an ignominious dismissal. If so, there are scores of other men who have been ignominiously dismissed from the Public Service. The contention is too absurd and preposterous for comment.

Hon. D. G. Gawler: Did you thank him for past services?

The COLONIAL SECRETARY: Mr. Gawler endeavours to associate the commissioner's retirement with certain charges made against him by Constable Campbell, but he has not supplied the House with one atom of evidence to support that view. Constable Campbell's charges, I can say conscientiously, had nothing whatever to do with the retirement of Captain Hare. The story of Captain Hare's retirement can be told in a few words. Shortly after the Government entered into office, they called for a return of all officers in the public service who had reached the age of 60 years. After the end of the year, some time in January, I believe, this list was supplied by Commissioner Jull. I have the list before me, and it shows that there were 37 officers in the public service who had reached the age of 60 years. The Government at once retired a number of them and since then have been gradually retiring the others, and up to the present time at least one-half of the number have been retired. Captain Hare was retired because he had reached the retiring age, and because the Government considered that it was in the best interests of the State that the head of the police force should be a vigorous and more experienced man than Captain Hare. Superintendent Lawrence was also retired be-

cause he was over 60 years of age, and his office was subsequently abolished. Other public officers were retired from time to time because they had reached the age of 60 years. The fact that Constable Campbell made these charges had nothing whatever to do with the matter. In fact, Cabinet had regarded these accusations so lightly that if hon. members refer to the file they will see that they were not designated charges, but complaints. Constable Campbell had been so persistent in approaching previous Governments and building up files and covering reams of paper that the Government considered it desirable that these complaints should be investigated, not only in the interests of Constable Campbell—

Hon. A. G. Jenkins: You rewarded Constable Campbell by paying his expenses.

The COLONIAL SECRETARY: Constable Campbell was afforded every opportunity to present his case. He was brought from Norseman and practically taken off duty, but he exhibited so much delay that the Government, on my recommendation, had to bring pressure to bear on him to make him bring his charges without delay. All this is shown by the file. In the meantime the retirement of Captain Hare and of other public officers, including Mr. Oct. Burt, took place. Constable Campbell then withdrew the charges. Captain Hare was informed that Constable Campbell had withdrawn the charges, and he offered not the slightest objection. If he had insisted on an inquiry, or if he had asked for an inquiry, such inquiry would have been given him, and if Constable Campbell had not been able to prove his charges he would have been dismissed from the service, as others who have since made false charges against public officers have been dismissed from the service.

Hon. A. G. Jenkins: If he withdrew his charges, is not that just as bad?

The COLONIAL SECRETARY: Many months after Captain Hare retired from the service he saw me and wanted an inquiry. I asked him why he did not insist on an inquiry when Con-

stable Campbell made his withdrawal. Captain Hare said he acted on advice, and since then had discovered that the advice was wrong. I told him he had missed his opportunity, and that I would not reopen the case at that stage. Yet the hon. Mr. Gawler said that if these charges had been made it should not matter whether Captain Hare was retired or not, the charges should have been investigated. My reply is that they would have been investigated had Captain Hare insisted on or asked for an inquiry. But he did not do so, and consequently Constable Campbell was allowed to withdraw.

Hon. J. D. Connolly: Was he ever officially aware that these charges were made against him?

The COLONIAL SECRETARY: Yes, of course.

Hon. J. D. Connolly: When?

The COLONIAL SECRETARY: Repeatedly.

Hon. J. D. Connolly: There is nothing in the papers to show that.

Hon. J. Cornell: I think you will find that Constable Campbell had more brains than he had.

The COLONIAL SECRETARY: Captain Hare was in charge of the police force and had access to the files.

Hon. D. G. Gawler: When the charges were withdrawn and Captain Hare was still commissioner why did not the Government hold an inquiry?

The PRESIDENT: The hon. Mr. Gawler has the right of reply.

The COLONIAL SECRETARY: If Captain Hare considered that an injustice was being done why did not he say so; but months after, at least six months so far as I can recollect, he asked for an inquiry. The hon. Mr. Gawler stated that Constable Campbell was allowed to come from Norseman without even the consent of his superior officer. That is not correct, as is shown by the file. Constable Campbell came to Perth with the consent of his superior officer, and when in Perth he asked to be allowed to go back to Norseman in order to get some papers in connection with his case.

Hon. J. D. Connolly: He is referring to a later period.

The COLONIAL SECRETARY: No; this is the later period. Constable Campbell asked for permission to get some papers which he said were necessary to the case, and I gave him permission to do so. The Hon. Mr. Gawler made a statement which, if correct, would certainly strongly indicate that Constable Campbell's charges had a lot to do with Captain Hare's retirement.

Hon. W. Kingsmill: That is the general impression too.

The COLONIAL SECRETARY: The hon. member stated—

The request for Captain Hare's retirement was made on the 22nd March, having been decided in Cabinet on the 20th March, and the letter withdrawing the charges was dated the 9th March, so that on the face of it, it seemed an extraordinary thing that Captain Hare's subordinate—a man who was practically prosecuting him—should be in possession of information as to his retirement eleven days before the Government had decided on it.

It would be a very extraordinary thing indeed if that were true, but it happens to be incorrect and utterly without foundation. The request for the retirement was not made on the 22nd March. Captain Hare was notified before the end of February. The Executive Council minute was put through on the 22nd March, but the retirement of Captain Hare was public property long before Constable Campbell withdrew his charges. In the *West Australian* of the 28th February, 1912, the following appeared—

Public Service—Some important changes—Retirement of prominent officers. The Government have of late been giving very close attention to the question of effecting a number of alterations in connection with the administration of various State departments, with the object of arranging for the abolition of certain offices and the retirement of various public servants who have reached the retiring age,

where either course would appear to be in the interests of the State. In one or two instances the resignations of certain officials have been before the Government for consideration, and these have been considered when dealing with the general proposals. It is understood that amongst the alterations which the Government have so far determined upon are the following:—The retirement of the Under Secretary for Public Works (Mr. W. F. L. Stronach); the abolition of the office of Chief Clerk in the Public Works Department held by Mr. G. C. Black; the abolition of the office of Chief Clerk in the Colonial Secretary's Department, held by Mr. D. B. Ord; the retirement of the Commissioner of Police, Captain Hare; the abolition of the office of Superintendent of Police, held by Mr. W. C. Lawrence; the retirement of the Sheriff and Comptroller General of Prisons and the amalgamation of the duties of such office with those of some existing office—the position is held by Mr. Oct. Burt; the retirement (and abolition of the office) of Commissioner of Tropical Agriculture, Mr. A. Despiessis. As Mr. Lander, one of the Inspectors of Mines, is resigning, this particular position is being dealt with in conjunction with the foregoing. The Government have also under consideration the question of the establishment of a sub-branch of the Treasury for the purpose of systematically dealing with State hotels and the inspection of liquors by the amalgamation of control of State hotels and the Inspection of Liquors branch.

Hon. J. D. Connolly: Was that a Government statement?

The COLONIAL SECRETARY: That is a statement which appeared in the Press, and I may say that the late Commissioner of Police was notified of his retirement, I understand, before this appeared. I was not in Perth at the time; I was away in the Geraldton district, but the intimation was conveyed to him by the Hon. W. C. Angwin (Honorary Minister) who was acting in my place.

Hon. A. G. Jenkins: Did the Government authorise the publication of that.

The COLONIAL SECRETARY: I do not know. It is apparent that whoever is behind the hon. Mr. Gawler has misinformed him, and the only ground, it seems to me, upon which he could demand a select committee is gone. If what he stated were true and correct there would be ground for very grave suspicion that the Government and Constable Campbell were in collusion.

Hon. D. G. Gawler: That is what we want to remove.

The COLONIAL SECRETARY: The hon. member said there was not a word of apology or regret or appreciation on Captain Hare's retirement. I say there was something more tangible. For pension purposes, as I have already stated, the whole of Captain Hare's services were taken into account.

Hon. M. L. Moss: You had to do that.

The COLONIAL SECRETARY: We did not. Captain Hare acted for three years as private secretary to the Governor, and that was not an established position in the permanent civil service, and we need not have taken it into account.

Hon. A. G. Jenkins: You allowed Ord the same.

The COLONIAL SECRETARY: And although the ex-commissioner joined the service in 1871 and his service was intermittent. Yet he received a pension of £468 18s. a year. The fact that he would draw such a pension made it very much easier for the Government to retire him than would have been possible under other circumstances. In addition he received one year's long service leave on full pay, and he was not entitled to that.

Hon. J. D. Connolly: That has always been done.

The COLONIAL SECRETARY: No, it has not always been done.

Hon. D. G. Gawler: I think it was only a fair thing.

The COLONIAL SECRETARY: It was done in the cases of Superintendent Lawrence and Captain Hare, but I do not think there is another precedent. It is not a good precedent either. Mr. Al-

cock, the Public Service Commissioner, wrote—

I can only recommend that the ex-commissioner is entitled to three and a half-sevenths of three months, plus leave one and a half months not taken in 1908.

Consequently Captain Hare was entitled to only three months leave on full pay, and he received twelve months. That was at the time of his ignominious dismissal.

Hon. Sir E. H. Wittenoom: Only entitled to three months?

The COLONIAL SECRETARY: Yes, but that is not all. We are told that there was not one word of appreciation. I say there was an act of appreciation, besides what I have already related. The late commissioner was presented with a buggy horse and a set of harness by the present Government.

Hon. D. G. Gawler: By whom?

The COLONIAL SECRETARY: By the present Government.

Hon. D. G. Gawler: By the police.

The COLONIAL SECRETARY: Not by the police. The police had no power to do so. That only goes to show that the hon. gentleman was not well posted in the facts. A letter was written to Captain Hare by my instructions on the 25th July, 1912, three months after he had been retired, as follows:—

I have the honour by direction to inform you that on the recommendation of the Hon. the Colonial Secretary, the Government have been pleased to approve of the grey mare which you used in the department for many years, and also her harness, being presented to you. Necessary instructions in the matter have been issued to the Acting Commissioner of Police. F. D. North, Under Secretary.

Captain Hare's reply dated the 28th July, 1912, was as follows:—

I have the honour to acknowledge your letter, dated 25th ultimo, and request that you will convey to your Hon. Minister my thanks for his recommendation, and to the Hon. Premier and members of the Government my grateful acknowledgment of their kind-

ness in presenting me with the bay mare and harness. The gift was all the more pleasing inasmuch as I have very great affection for the mare. Yours faithfully, Fred Hare.

Hon. D. G. Gawler: A presentation worth about £20.

The COLONIAL SECRETARY: That does not matter. It indicates the good feeling which existed between the Government and Captain Hare. There was no animus displayed, none whatever. The late commissioner accepted the gift from the Government and accepted it, as he stated, with grateful acknowledgment. The hon. Mr. Gawler said the Government had cast a stigma on Captain Hare's reputation. If that is so, why did Captain Hare accept a gift from his stigmatisers?

Hon. D. G. Gawler: Did you thank him for his services?

Hon. J. Cornell: He got paid for them.

The COLONIAL SECRETARY: Mr. Gawler asked the House to remove a stigma from an honourable name, but there is not now, nor has there ever been so far as I know, any stigma cast on the name of Captain Hare, and to ask the House to obliterate a stain which exists only in the imagination is to ask it to undertake a work of supererogation. The Government do not fear an inquiry, but it is my intention to oppose the appointment of a select committee on principle. No case has been made out, the reason for the retirement of Captain Hare has been fully explained, and the Government have acted perfectly within their rights. If a select committee is justified in this case, it will be justified in scores of others and I cannot see how the House can avoid taking them on. There have been dozens of public servants retired during the past two years, and hundreds within the past ten years, and a very fair proportion of them have grievances, fancied grievances in a great number of cases, and they have greater grounds for complaint than the late Commissioner of Police. For 19 months Captain Hare has kept silent and Mr. Gawler has also kept silent on the matter. I do not say that the lapse of time should be regarded as

an important factor in considering a matter of this kind, but at any rate there should be some new development, some fresh evidence. If there is no more now than there was 19 months ago, there is no justification for the appointment of a select committee. My contention is that there is no further evidence now than there was on the 31st March, 1912.

Hon. J. D. CONNOLLY (North-East): I rise to support the motion moved by Mr. Gawler, and having for some years occupied the position of Minister controlling the police force, I naturally have an intimate acquaintance with the late Commissioner of Police. I also know a great deal about the matter before the House and a good deal about Constable Campbell, whose name has been mentioned. Further I have had occasion in my official capacity to express my opinion of the conduct of that constable on several occasions, for reasons to which I will not refer. If the select committee is appointed I might say it is not my intention to serve on it because I feel to a certain extent that my mind is made up on this matter. I only rise on this occasion, however, to add a few remarks to those of Mr. Gawler because of the knowledge I possess, and on the grounds which I intend to submit I shall ask the House to accede to the request for the appointment of the committee. In my opinion the Minister has not adduced any arguments against the appointment of the committee. If there is nothing to hide, what is the Minister's objection to an inquiry being held? I desire to say as little as possible on this occasion, because I do not in any way want to prejudice the inquiry which the committee, if appointed, will enter on. I only wish to say sufficient to convince the House that Mr. Gawler's request ought to be acceded to. My remarks will be confined not to the knowledge I acquired as Minister but to what I have been able to gather from a perusal of the files on the Table, and hon. members will know that my comments will be independent of whatever knowledge may have been acquired by me in former years. It would appear from the files

that Constable Campbell was at Norseman at the time the present Government took office. Hon. members will see on one of these files—they are rather jumbled up—that immediately the present Government assumed office this policeman wrote a very improper letter, I might say an impertinent letter, to the commissioner.

The Colonial Secretary: That was in September, before we accepted office; you were in office at the time.

Hon. J. D. CONNOLLY: I am not referring to that particular one, I will allow that one to pass.

The Colonial Secretary: You ought to read that one too.

Hon. J. D. CONNOLLY: I have read it, but it is not of sufficient interest to the House. It was merely an inquiry as to why a certain bad record was placed on the officer's record sheet. To that a reply was sent that it would be removed. The letter I intend to refer to is dated 30th October, about a fortnight after the present Government assumed office. Constable Campbell wrote this letter to Mr. Brophy, the district police inspector at Kalgoorlie, and the letter is such that it ought not to have been tolerated by a superior officer. After that, on the minute which was written by the Commissioner to the Under Secretary, there should have been definite action taken, but what do we find? There are ten foolscap sheets of this letter written in bush-lawyer style; the Commissioner sends along a report to the under secretary who is the permanent head of the department, asking him to note the action of this constable and stating that it is his intention to formulate a charge of insubordination against him. By some extraordinary means—there is nothing to show how—this letter went to another Minister altogether, the Honorary Minister (Mr. Angwin).

The Colonial Secretary: I was absent at the time.

Hon. J. D. CONNOLLY: I would draw the attention of hon. members to the minute written by the Honorary Minister. There is nothing in the minute of the Commissioner of Police on the letter

written by Constable Campbell to justify anything like the remarks which were elicited from the Honorary Minister. The Honorary Minister sets up a special plea for Constable Campbell and he relates how that officer has been hardly dealt with. I do not know where the Honorary Minister got the information, but he snubs the Commissioner apparently for even referring to this impertinent letter at all, and the Commissioner is advised not to take further action in the matter. That was in October. There are numerous blanks in this file which speak louder than words. There are no further minutes but we find that no charge has been made against Constable Campbell and apparently nothing was done. There is, however, a Cabinet decision that Campbell shall be brought up from Norseman so that all his complaints might be heard. That was in December. It is not apparent what occurred in the interval. We find on the 22nd February the Commissioner telegraphed to Inspector Brophy at Kalgoorlie as follows—

Has Constable Campbell left his station; if so, did you give him permission?

Apparently Constable Campbell was in Perth and the Commissioner desired to know from Inspector Brophy, under whose control Campbell was at the time, whether it was he who gave Campbell permission to come to Perth. Inspector Brophy replied to the Commissioner that he knew nothing about Constable Campbell's absence. Then the Commissioner sent a letter to the Minister to note that no leave was given to Constable Campbell to travel about, and this minute appears from Mr. Drew—

I gave Constable Campbell permission to return to Norseman for the purpose of looking for papers connected with the case. He said he would be away about a week.

That was on the 8th March. It is a most extraordinary proceeding for a Minister to give a constable permission to leave his station, and by the way, Constable Campbell was the officer in charge of Norseman. The district inspector at Kal-



goorlie knew nothing about the officer's movements and the Commissioner knew nothing about it. I occupied the position of Minister controlling the police force for six years, and I never considered it was my duty to interfere with any constable. I consider it was absolutely wrong on the part of the Colonial Secretary to go behind the back of the Commissioner and take the action he did on that occasion.

The Colonial Secretary: The constable was in Perth and he wanted to go back to Norseman to look up some papers in connection with the preparation of his case.

Hon. J. D. CONNOLLY: I only mention the circumstances to show the House the extraordinary position taken by the Minister in this affair. If this is not controlling the police force by political methods I do not know what is.

The Colonial Secretary: The hon. member is not correct: I did not wire to the constable to come down.

Hon. A. G. Jenkins: Did you write to him?

The Colonial Secretary: No; the constable was practically off duty. He was in Perth and he wanted to go back to get some papers. His superior officer at Norseman allowed him to come to Perth and he was in Perth working up his case and he informed me that he had left his papers behind in his box and he wanted to go back to get them.

Hon. J. D. CONNOLLY: I am simply quoting from the telegrams as they appear on the file. Both Mr. Brophy and the ex-Commissioner knew nothing about the absence.

Hon. R. G. Ardagh: Was Constable Campbell in charge of Norseman?

The Colonial Secretary: He was removed to Perth for the purpose of the investigation.

Hon. J. D. CONNOLLY: Yes, he had been. What I have said is right. There is another extraordinary thing to which I would like to draw attention. Here is a letter from Constable Campbell dated 11th July, 1912, about the time he was making these charges, and it reads—

Mr. Drew. In reply to your note of to-day I beg to inform you I cannot

well give you a statement of what each witness will say—

I do not want to read the whole of it, but the point I want to make is that there is not on the file any minute from the Colonial Secretary to Constable Campbell or anybody else.

The Colonial Secretary: There was a pencilled note sent to the record room.

Hon. J. D. CONNOLLY: Where is it? It is an extraordinary thing for a Minister to write to a constable asking him what the witnesses will say against the Commissioner in a secret way like this. Why was not an official minute sent by the Under Secretary in the ordinary way? I mention this letter and other incidents to show that the circumstances of the case are so unusual that the House would be absolutely wrong if it did not order an inquiry. I am not making use of any information I possess, but am simply quoting the facts as they appear on the file. The charges made by Constable Campbell were very lengthy, and Mr. Gawler has already pointed out, and the file also gives evidence on the point, that the charges were withdrawn by Campbell on the 9th March, whilst the recommendation to Cabinet by the Colonial Secretary was dated 20th March, and the Executive minute 22nd March. Constable Campbell said on the 9th March that he would withdraw the charges because Captain Hare was to be retired. It is an extraordinary thing that the constable should have this private information.

The Colonial Secretary: It was published in the Press.

Hon. J. D. CONNOLLY: But the recommendation of the hon. member to Cabinet was made only on the 20th March.

The Colonial Secretary: The whole thing only went through then. The Executive Council minute was put up on the 20th March.

Hon. J. D. CONNOLLY: The Minister stated that the Ex-commissioner was treated in a most liberal manner. He admits that officer had had 42 years' service, and according to the Minister he was treated liberally because he was pensioned on the basis of 36 years' service.

The Colonial Secretary: He had not served 42 years.

Hon. J. D. CONNOLLY: In justice to that officer, although he may not be a popular man, although his manner may not appeal to everybody—I have not found anything to object to on that score, quite the contrary—I say without fear of contradiction, after six years' experience as his Minister, that he was a thoroughly good Commissioner of Police. He was in perfect health and was a credit to the State. Moreover, I say he is still fit for that position. Hon. members can see him walking about the streets to-day, the picture of health and as upright in his carriage as a man of half his years, but for reasons best known to themselves the Government retired this officer in a most unpardonable fashion, simply on the ground that he had just attained the age of sixty. The Minister told us that the provisions of the Public Service Act were complied with. Turning to the Public Service Act, 1904, we find this provision in regard to retirement—

Every officer having attained the age of sixty years shall be entitled to retire from the Public Service if he desires to do so, but any such officer may (unless called upon to retire as hereinafter provided) continue in the Public Service until he attains the age of sixty-five years. If any such officer continues in the Public Service after he has attained the age of sixty years, he may at any time before he attains the age of sixty-five years be called upon by the Governor, on the recommendation of the Commissioner, to retire from the Public Service; and every such officer so called upon to retire shall retire accordingly.

That is a provision whereby a man may retire or the Public Service Commissioner may recommend his retirement at the age of 60, and when he reaches the age of 65 retirement is compulsory unless the Public Service Commissioner recommends otherwise. This officer was in good health and yet he was retired without any reference to the Public Service Commissioner because he had reached

the age of 60, and he is being paid a large pension to-day. That was never intended by the Act. It was only intended that a man should retire if he was not fit for further duty. What is the result of the Government's action? The country is paying that pension to the ex-commissioner, and the salary of the present commissioner, simply because it suited the politics of the Government to get this man out of office.

The Colonial Secretary: There has been a saving of £2,000 per annum.

Hon. J. D. CONNOLLY: How has there been a saving?

The Colonial Secretary: I can show you.

Hon. J. D. CONNOLLY: It is a pity that the Minister did not show that when he was speaking just now. I have dealt with the case from the point of view of the country, but let us take the case from the point of view of the officer himself. He served 42 years in the Service, and behind his back, and behind the back of the district officer, a constable was called up from Norseman for a secret conclave with the Minister.

The Colonial Secretary: That is not correct.

Hon. J. D. CONNOLLY: I am quoting the file. This constable writes a most impertinent minute to the Minister—"Keep the files away from the defendant"—the defendant was his commissioner—"keep them locked up and you keep a key and I will keep a key. If he wants to see them let him see them in my presence. I am afraid of him tampering with them." That is a nice letter for a Minister to receive from a constable. All these facts and a good deal more will be brought out by enquiry, which will reflect no credit on the Government or on Constable Campbell. Certainly no harm can be done by having this enquiry. People may think that these charges were never withdrawn and that Captain Hare was retired on account of them. Therefore, let justice be done to him and let an enquiry show that it was not on account of the charges made by Constable Campbell that Captain Hare was retired. Reverting again to the magnificent treat-

ment which the Minister says the ex-commissioner received, we find from the files that this man, who had had 42 years of service, had been threatened by certain members in another place that he would be retired; that appears in *Hansard*. Immediately the present Government came into power they got a constable behind his back to formulate charges. Captain Hare received no intimation that he was to be retired until the 22nd March, when he received the following note from the Acting Under Secretary—

The Honourable the Colonial Secretary has desired me to acquaint you of the fact that the Government have decided to terminate your services as from the 31st instant. I will advise you at a later date, *i.e.*, when the matter is settled, of the conditions attaching to your retirement.

I understand that he received that notification half an hour before he left office on that day. That is nice treatment of an officer who had spent the whole of his life in the service.

The Colonial Secretary: He was personally informed weeks before that.

Hon. J. D. CONNOLLY: Well, that can be proved at the enquiry. I am informed that it was not so, and that he had no intimation until he received that note as he was leaving his office, whilst another officer who was retired on the same day received his first intimation either from the evening paper that day or from the morning paper on the following day. I think these papers disclose such a state of affairs that the Minister might welcome this investigation. The facts I have given are simply those contained in the file. I have not used any knowledge I possess outside of the file and I would not have spoken at all if the Minister had agreed to the Select Committee, but I think it is our duty to a loyal officer to have this matter investigated. There can be no valid reason why the Government should refuse the enquiry, and, therefore, I ask the House to support Mr. Gawler's motion.

Hon. F. CONNOR (North): I rise to support the motion. I can look back to the year 1886 when I landed in the north

of this State and first had the pleasure of meeting Mr. Hare. I can vouch for the fact that there was no better, and no more painstaking officer, and no man in the service who worked harder than Captain Hare. It was a great pleasure to people to know him and he is a man well worth knowing. He attended to his business and he did it well. I think injustice has been done to him, judging by what I have just heard read, and it is only due to him, or to any man who has occupied his position and thinks that he has a grievance, that an enquiry should be held. It would be a great mistake to refuse this investigation. It will not cost very much, because it is not like a Royal Commission on which a lot of money will be spent. It will only take up the time of a few members of the House and, in justice to Captain Hare, the enquiry should be made. I listened to the speech of the Colonial Secretary in opposition to the Select Committee, and from what I can make out all he told us was that the Government had power under the regulations—I will not say the right—to dismiss the Commissioner of Police. Up till now I have not heard from the hon. gentleman any reason why this officer was dismissed, except that he was 60 years of age. Every man who knows Captain Hare is well aware that he is quite as capable of carrying out his duties as he ever was, and perhaps more capable as he is more experienced. I do not want to labour the subject, but I have much pleasure in supporting the motion and I hope it will be carried.

Hon. E. M. CLARKE (South-West): As one who has known Captain Hare intimately in his private life and known him officially, I can say that he is one who would scorn to do a mean thing. He is a fearless man in the execution of his duty and a proud man, and he would feel very much such a charge as was made by Constable Campbell. We have only to hark back to a short time ago when a constable by the name of Tyler attempted Captain Hare's life because he thought the commissioner was against him. I know that Captain Hare tried in a way to defend that man. Knowing Captain

Hare possibly better than any other member of this Chamber I certainly think we should have a select committee to enquire into this matter, so as to let Captain Hare know he is held absolutely blameless. I would not act on such a committee myself, as I know Captain Hare so well. I may say in conclusion that Captain Hare is a man who highly values his reputation.

Hon. E. McLARTY (South-West): I feel that I should also add my tribute to Captain Hare as an efficient officer. I remember him since he joined the Government service as long back as 42 years. The matter of his retirement always seemed to be shrouded in mystery and I think it would be satisfactory to the public generally to know if there was any reason behind it. I am personally aware that in the northern part of the State in the days of early settlement Captain Hare rendered valuable assistance to the squatters, and I do not think there is anyone in the State who could justly accuse him of anything but straightforward dealing. In his capacity as Commissioner of Police he was a strong man, a man with backbone, and I fail to see why he should have been selected for retirement almost at a moment's notice when the present Government came into office. Captain Hare had certainly attained the age of 60 years, but I wonder how many other officers there are in the public service older than he is whom the Government have not seen fit to retire, and there seems to be something underneath the affair, something which the public ought to know, as to why this gentleman was selected as one of those who had to go out almost at a moment's notice. I do not wish to make any reference to Constable Campbell, and his action towards Captain Hare, although as a matter of fact I have had some experience of that officer and his dealings. I wish to support the hon. Mr. Gawler's motion, because I think the public ought to know what was behind this retirement. I have looked over the file of papers, and I think some of the letters and minutes contained in it are of a most impertinent character and possibly would not be tolerated from any

other constable in the service. I see no reason why a select committee should not be appointed to inquire into the matter, and if the Government have nothing to hide, as we are assured by the leader of the House is the case, no harm can surely be done, the public will be satisfied, and Captain Hare will have the opportunity of having the fact recognised that he did his duty in an honourable manner.

Hon. R. G. ARDAGH (North-East): I do not rise to oppose the appointment of a select committee, as in view of what has been said by other members who have spoken I realise that such a step would be futile on my part. What appeals to me most, however, is, seeing that Captain Hare had reached the age of 60 years when he was retired according to the Act, that hon. members should not have brought this matter up until 18 months afterwards. Instead of having allowed such a long period to elapse I say they should have brought it forward before. I know nothing of the trouble between Captain Hare and one of his inferior officers, but at the same time I think hon. members have left it rather late in the day to allow 18 months to pass and then make such an earnest appeal in this Chamber for a select committee to be appointed.

Hon. W. KINGSMILL (Metropolitan): Personally, I do not see the same strong reason for the appointment of a select committee as some other members do. The two points raised during the debate to justify the appointment of a select committee are, first of all, the alleged improper retirement of this officer, and secondly the stigma left on his character by the charges made against him by Constable Campbell, such a stigma being directly responsible for his retirement at the hands of the Government. To deal with the first point, that is, his improper retirement, I take it that the Government have power expressly conferred on them in such a matter, and if they like to use it, that is their responsibility. Secondly, with regard to the stigma which is said to have been placed on this officer by Constable Campbell's charges, the present Colonial Secretary

knows, the hon. Mr. Connolly knows, and I also know, that there always have been "Campbells" in the police force, and there always will be, and by "Campbells" I mean those men who have a sustained grievance against their superior officers.

Hon. D. G. Gawler: It does not do to encourage "Campbells."

Hon. W. KINGSMILL: Is Constable Campbell still in the service?

The Colonial Secretary: Yes.

Hon. W. KINGSMILL: Well, I do not think that is altogether poetic justice. With regard to the stigma cast on Captain Hare by his retirement, largely through the charges made by this man Campbell, I think that any such stigma has been removed by the statement made by the Colonial Secretary this afternoon on behalf of the Government that those charges had nothing to do with Captain Hare's retirement.

Member: Why is Campbell still in the service?

Hon. W. KINGSMILL: However, I want to know what result a select committee will bring about. Is it simply and entirely to remove the stigma cast upon the character of the late Commissioner of Police?

Hon. D. G. Gawler: Yes, that is one reason.

Hon. W. KINGSMILL: Then I say that any stigma has been removed sufficiently by the statement we have heard from the Colonial Secretary that these charges had nothing to do with his retirement.

Hon. E. M. Clarke: These charges are confirmed by the retention of Campbell.

Hon. W. KINGSMILL: Not in the least. As I said before, there have been "Campbells" in the past under different names, and there always will be "Campbells," and wherever these men are found in the force it would be a very good thing if proper recommendations were made so that the force should be rid of them, as they never do any good, and the fact of retaining the man, when these charges were withdrawn, is, I think, a greater stigma on the present Govern-

ment than it is a stigma in the case of the retired Commissioner of Police. I see no reason for the appointment of a select committee as proposed.

Hon. Sir E. H. WITTENOOM (North): I do not propose to say very much in connection with Captain Hare, because, after what has fallen from hon. members this afternoon, it would be almost superfluous. He has been a personal friend of mine for a number of years, and is most favourably known to me. I would like to protest against the dismissal from the Government service of able men of ripe experience and in full possession of their brains and activity because they happen to be 60 years of age. I do not make this protest against the present Government particularly, but against any Government. No doubt it is quite right that there should be a condition that when a man reaches the age of 60 years he may be retired, as there may be good reasons for doing so, but take the three cases mentioned this afternoon, those of Captain Hare, Mr. Burt. and Mr. Despeissis, all three capable and able men. There may be good reasons for their retirements, but if so I do not know them. Mr. Burt was particularly capable of carrying out any duties for which he was responsible. For some time he was Under Secretary to the Agent General in London, at a time when I was in London, and I say there was not a more capable officer, and I think he is still a capable man, yet he is walking about and receiving a pension when I think the State could have been saved the expenditure of this much money. I protest against men of experience and ability being dismissed for no other reason than that of having reached the age of 60 years. From the economic point of view, look at the saving which could be effected. Each of these men gets a pension and their successors are getting full pay as well. So far as Captain Hare is concerned and these charges, I can honestly say that until to-day I never heard of them. I had never heard that a constable had made a charge against him, or that there had been a dispute with a constable. It is all absolutely new

to me, and may be news also to other people. I certainly had never heard the name of Campbell in connection with Captain Hare at all.

The Colonial Secretary: That is an argument against the appointment of a select committee.

Hon. Sir E. H. WITTENOOM: My only object in rising was to refer to this matter, the retirement of men who are still capable of doing valuable work for the State, and I only hope that next year, if the Government get a renewed term of office for three years, they will not use their opportunity of getting rid of men simply because they are 60 years of age, as we do not want to have men walking about and getting good pensions when the State might be using their services.

Hon. M. L. MOSS (West): I view this question much from the standpoint of the hon. Mr. Kingsmill. We have had an unqualified statement from the Colonial Secretary so far as Captain Hare is concerned that, on being retired from his position in the Government service, there was not the slightest black mark against him, and that the Government fully recognise his valuable services to the State. I think it would be impossible for anyone to say that he has been unfairly treated. A number of members have complained of the retirement of Captain Hare at the age of 60 years, but the Public Service Act is not an act of this Government, but the action of Parliament, who laid down 60 years as the age at which the Government in administering the affairs of the country may retire any officer.

Hon. F. Connor: "May."

Hon. M. L. MOSS: Yes, and I am not quite satisfied that when a man has attained 60 years of age the Public Service may not be considerably better by the promotion of younger men, and there is no hardship when the man gets practically two-thirds of his salary under the Superannuation Act.

Hon. J. D. Connolly: Why not have the light of day let into the circumstances which led to this retirement?

Hon. M. L. MOSS: So far as I can see, after having listened attentively to the extracts which the Colonial Secretary quoted from the file, there is no black mark against Captain Hare, but there is evidence on the file that his conduct met with approval in every respect from the Government. But there are other things on the file which I think demand in the public interest some investigation. They do not in any way reflect on Captain Hare, but the extraordinary thing is that a police constable should be permitted to come to Perth and make charges against the Commissioner of Police, and after having made the charges they should have been allowed to end in smoke and no inquiry takes place. It is quite obvious the charges made by Constable Campbell have no substance in them. Constable Campbell is apparently a most dangerous individual, who was induced to make charges against Commissioner Hare and when these charges were superficially inquired into there was no substance found in them, and Campbell was allowed to go back and keep his position in the police force. If this motion moved by Mr. Gawler had been a straight out inquiry into Constable Campbell's conduct, to find out why Campbell was retained in the police force after having been guilty, as far as I can see, of gross acts of insubordination, that seems to be the position—

Member: Cannot anyone make a charge against a public servant?

Hon. M. L. MOSS: Yes, any constable who has recently joined the force has a right to lay charges against anyone but these charges were made and there was no substance at all in them. Every facility was given to the constable to lay the charges and they all end in smoke. Either the charges were correct or they were incorrect. In my opinion they were incorrect. There was no substance in them at all. They are long screeds as Mr. Connolly has pointed out and the Government thought there was nothing in them. The Government thought there was nothing in them because in retiring Captain Hare the Government gave him

a considerable pension. I am not, under the circumstances, going to vote for the select committee, but I should be quite satisfied to vote for a select committee if it was moved for, to inquire into the charges made by Constable Campbell and why he was retained in the police force afterwards.

Hon. D. G. GAWLER (in reply): I do not want to delay the House in coming to a decision on this matter, but I would like to make one or two remarks in answer to what members have said. I am obliged to all members for the way they have spoken of Captain Hare. But there are two main objections that have been raised by the Colonial Secretary to the appointment of the select committee, and one is that such a long time has elapsed since the occurrence took place and the other that the granting of a select committee in this case would leave it open to any discontented civil servant to ask for a committee to be appointed in his case. As to the first point that Captain Hare might have moved before, I think the reason that Captain Hare did not move before is that he is a man whose temperament would not allow him to take the view which he has now taken until he was forced to do so. But the public were looking on his retirement with considerable mystery and he finds himself now forced to take this step. As to the question of whether or not every discontented civil servant would ask for inquiry if this one was granted, there are few civil servants, so far as I can see, whose retirement rests on the same grounds as Captain Hare's does. We all know that the Government may retire civil servants at the age of 60, but the Public Service Act, if members will read it, provides that they may only do so on the recommendation of the Public Service Commissioner or a civil servant may retire, but at the age of 65 he is bound to be retired. I have yet to learn that the Government were recommended by the Public Service Commissioner to retire Captain Hare, and I ask members to look at the whole of the circumstances surrounding Captain Hare's retirement. It is all very well for the

Colonial Secretary to say that the charges were not charges, but they were actually called charges by Constable Campbell. He said, "I charge Captain Hare" with doing so and so, and he calls him the defendant, and he makes most extraordinary requests. We have the admission that this man has been pursuing the same tactics for years past, yet he is retained in the public service. We have the fact that the charges are made and they are withdrawn. I do not believe on the file is any notification of the fact that the Government regretted that the charges had been made. The Colonial Secretary says, "Why did not Captain Hare ask that the charges be gone on with?" At the time they were made and at the time of the withdrawal Captain Hare was an officer in the service of the Government; and should the Government not have said, "Here is a high official against whom charges have been made and we insist on him clearing himself from those charges."

The Colonial Secretary: The Government were not much concerned about the charges.

Hon. D. G. GAWLER: Then why not tell Captain Hare that? Would it not have been a gracious act to have said to Captain Hare, "The charges have been withdrawn; we do not believe there is anything in them." Would it not have been a graceful act in any case to have said to Captain Hare, who had rendered 36 years of faithful public service, "We acknowledge the faithful service you have performed for the Government and we place on record our appreciation of this service." That act is adopted by the Government in almost every case where a civil servant is retired, where that servant has served such a term as Captain Hare had. Men in all grades of the service when they leave after two or three months or two or three years' service, are given send-offs and presented with travelling bags or other things, yet in Captain Hare's case not a single word of thanks is given. It has been said he was given a buggy and harness, but I think that Captain Hare would have sooner had the thanks of the Government than have received any buggy and

harness. All this takes place surrounded by all these circumstances and we begin to wonder why the Government retired Captain Hare. If it was not in connection with the charges why did they retire him? If as the Colonial Secretary said, they wanted a younger and more vigorous man, why was not Captain Hare told so, but the letter which he received notifying his retirement amounted to ignominious dismissal. I only want the circumstances leading up to the retirement of Captain Hare brought out. I accept the statement of the Colonial Secretary that the charges had nothing to do with his retirement, but I think we could go further and ask why was he retired, and I venture to suggest that for all we have been told there must have been something behind his retirement. The select committee will bring that out. I ask that the committee be appointed.

Question put and passed.

Hon. D. G. GAWLER: I move—

*That the select committee consist of the Hons. H. P. Colebatch, J. F. Cullen, C. Sommers, J. Cornell, and the mover; to report this day fortnight.*

Question put and passed.

## BILL—MINES REGULATION.

Debate resumed from the 30th October.

Hon. F. CONNOR (North): I do not propose to say very much in connection with this measure, but I should like first of all to say that I think it is the general consensus of opinion of politicians and people outside of politics—the public generally in fact—that the mining industry is the most important industry in the State. I grant that.

Hon. J. Cornell: That is not always said down this way.

Hon. F. CONNOR: I think it is by thinking people. At present it is the most important industry, but I do not think that it will be for all time, because it will not, but at the present time I say that it is the most important industry of the State and requires great consideration from the Houses of Parliament, and all the consideration the best brains that are

sent here to represent the people of the State generally can give it. It requires a great deal of help which up to the present it has got, and a great deal more that up to the present time it has not got. In regard to the proposed legislation, everybody, whatever he may be, or on whichever side of the House in another place he may sit, everybody is agreed, there can be no disputing the fact, that whatever measures may be proposed for the health and well-being and prosperity of the workers in that industry—as I have said, the greatest industry in the State at the present time—must be given the greatest possible consideration. Everything that can be adopted for the comfort, well-being, health and prosperity of the miners deserves all the consideration which may be given to it. That is the view I hold. I am not new in saying that here, because 21 years ago in April last, when I was elected to represent the miners of the Kimberley goldfields, in a liberal sense I was the only direct representative in Parliament of workers. At that time I satisfied them that at least whatever they required which could be given to them was attended to, and never since that time have I lost the confidence of the people mining in the far North. So I can speak on this question with some confidence. Too much cannot be done. You cannot go too far in helping the development of the industry, in looking after the comfort, health and prosperity of the miner. No step you can take will be going too far. But a sting comes in. There is a fly in the ointment. In trying to help the working miners some, especially those who are sent to represent those miners in Parliament—I am not referring to any particular House of Parliament—seem to think that there are grievances which do exist and which can be remedied. That is true; I have said that. But they also want to point out that there are grievances which I hold do not exist, and which they propose to bring remedies for. There is the trouble in connection with this measure as presented before Parliament. There is where the trouble will be, not only for the mine owners and for the mining industry generally,



but even for the very men in whose behalf this measure has been brought forward. It will bring trouble to them for a great many reasons, the first and principal of which is that it will help to, if not kill, at least maim the industry. I opened by saying that there are a great many ways in which mining could be assisted which have not been attended to up to the present. So far the people of the coast and of the North have not done too badly for the mining industry. They have built a water scheme, given railway communication, buildings, schools, educational facilities, mine managers, engineers, almost everything that was necessary.

Hon. J. Cornell: Butcher shops.

Hon. F. CONNOR: Unless you want me to turn round you will not refer to that any more. If I get on another tangent I may say something not half so nice as I propose saying. I only want to say everything nice about the mining industry and the miners, because they are a very fine body of men who deserve the best they can get. But the miners and the mining industry have an ineubus put upon them. They have to carry the mining agitator with them. There is the trouble. I do not care what you may do for him, you cannot satisfy the mining agitator. I would be inclined to say, if I had the power, "give the miners more public batteries." I notice that in another place the leader of the Opposition said he did not want to give any more public batteries, or to use the mining development vote any more than it is being used. I do not follow him there. I say, give more public batteries and more facilities for the miner proper, for the prospector, the man who goes out and conquers the wilderness. Give him a battery; give him every possible facility and more financial help. If necessary lend him camels and help him to conserve water. If necessary give him tucker and even money; give him anything you like. I want to help the industry and particularly the poor men, the prospectors, many of whom I have known. Give them every assistance possible, but keep off this fancy legislation

which has been introduced in the Bill and which I say will not help the industry, but will retard it, even if it does not kill it. We do not want all this fancy business about workmen's inspectors; we want explorers, prospectors, and I say that if more attention were given to them, if the head of the department would come forward in a practical way to help the men who explore and blaze the track, then it would be doing good for the industry. But for this class of legislation I have no advocacy. We have here a Factories Act brought in. The Government are not doing their duty. They are not doing the work they were put there to do. What they are doing is bringing in fancy legislation to please one class. Who tells them to bring in this fancy legislation? Caucus. Who tells caucus? The Trades Hall.

Hon. J. Cornell: I thought caucus was buried long ago.

Hon. F. CONNOR: I wish it was; it would be a good thing for the country. We want more exploration, more prospecting, more help for the man who goes out and finds a mine and does the first development work. I will not object if you apply this proposed legislation to any particular mine where these restrictions are required. But that is not what is proposed. It is proposed to apply it to all mines, to apply it even to prospecting shows, where people cannot get their shows developed. We are to set up all these hindrances. That is the true meaning of it and the Honorary Minister (Hon. J. E. Dodd) knows it as well as I do. It is purely and simply hampering legislation; that is all. There is no necessity for it, or certainly not the necessity which those I have heard in support of it have tried to show. There is no reason why we should make these great revolutionary changes. The people who open the mines and put their money into them are to have no control whatever over them. That is what we are coming to. Will it help the industry? One of the main points in the Bill provides for the abolition of contract work. Surely the hon. gentleman who introduced the Bill does not want us to take that ser-

iously. The position will be that any working miner, whatever he may do, must get 13s. 4d. a day, and that no matter how able or willing he may be to work harder, he cannot earn more.

Hon. J. E. Dodd (Honorary Minister): The Bill does not say 13s. 4d.

Hon. F. CONNOR: But the last arbitration award does, so it is law.

Hon. J. E. Dodd (Honorary Minister): Oh no.

Hon. F. CONNOR: Oh yes, it is law. Here is your Bill which says he cannot earn any more than 13s. 4d. a day, and the last arbitration award said that no miner shall receive less than 13s. 4d. a day.

Hon. J. E. Dodd (Honorary Minister): That is the difference.

Hon. F. CONNOR: If you put two and two together I do not see how you are going to carry on work at all, how any man of ambition can stay in the country. A man who can without trouble earn twice that amount will not stay here on daily wages; why should he? It leaves no scope for ambition, and the best men in our mines will be driven out. We will have chased them to some other country where they can make use of the brains and physique which God gave them. Another provision of the Bill says that there shall be no night-shift. I am not one to encourage people working at night, but the night-shift in mining on the goldfields does not make much difference to a man, because all his work is done by artificial light.

Hon. R. G. Ardagh: Have you ever tried it?

Hon. F. CONNOR: Yes. I will tell the hon. member an incident which occurred when I was working in a Kimberley mine 20 years ago. On going down the shaft one day I found there a nasty little snake. I had an iron bar with me and I killed that snake. Some fellow asked, "What are his politics?" and I said I did not know.

Hon. R. G. Ardagh: Was it night-shift when you killed it?

Hon. F. CONNOR: No. it was not, it was in the day time. We had to work in those days to build up those mines with-

out any of the paraphernalia of to-day. There was no pampering going on up there; it was mining and not pampering. As far as night-shift is concerned, it may be a good thing to give way to these people who want this fancy legislation. But suppose we have a mine which requires unwatering? The provision will apply, I presume, to the working of mines, and there will be no night-shift. The hon. member says "No," but my reading of the Bill is that it would be so. Suppose it is necessary to unwater the mine; the manager would be in a nice position if he could not keep labour going in unwatering the mine. However, I am not wedded to this particular question.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. F. CONNOR: Before tea I was discussing the hardships of the miner, and the particular subject was that of the night shift. I have personal knowledge in connection with the mining industry of greater hardships than the night shift. I do not want it to be thought by hon. members that in saying this I am advocating night shift. I remember the early days of mining in 1886, when the Kimberley goldfields broke out, and the industry was first established in this State, the hardships which people then had to put up with were tenfold compared with what they are in the present mining towns. We have been told about the existence of miners' phthisis, and it is awful to contemplate this disease, but we are led to believe that this is wholly and solely due to the existence of mining. I have seen miners, pioneers, prospectors, developers of the country, just as good men as those we are now discussing, who, in the early days of the gold discovery, died from this disease, so that although we must do the best we can towards the eradication of any disease, we must always remember that risks must be taken by the people who go into these places and open up these industries. Although I am as much in sympathy as any hon. member on the other side of the House and would go as far and sacrifice as much as anyone to help miners, we must not become too

sentimental. The industry must be kept alive or must be killed. If we put too many harassing restrictions on it, we will kill it. To develop mining in this country, capital is necessary; if we put impositions and restrictions on mining or put on impositions which the capitalists think are restrictive, or if we put too much of a burden on the industry, then it cannot possibly live. I do not want to labour the question, but if it were not for taking up too much of the time of the House, I would describe some of the work of the early pioneers of this country in which I took part in 1886. But for that 1886 movement, when the best prospectors of Australia came into the game, I question whether this House would exist as it does to-day, or whether the representatives of the goldminers of the Eastern fields would be sitting here representing anybody. The original prospectors who came first to the far North and then worked their way all through the North-West down to the present Eastern goldfields, were the people who opened up this country, and I ask hon. members if the regulations proposed in this Bill had existed at that time, could the industry have continued? Nobody replies to my question. I say it could not have continued, and that continuance would have been an impossibility.

Hon. J. E. Dodd (Honorary Minister): Why?

Hon. F. CONNOR: Because of the cost and the hampering conditions. The mines could not have been opened up and developed under such restrictions.

Hon. J. E. Dodd (Honorary Minister): In what way?

Hon. F. CONNOR: In every way.

Hon. J. E. Dodd (Honorary Minister): Point out where.

Hon. F. CONNOR: I have pointed it out. If the Honorary Minister is so dense—

Hon. J. E. Dodd (Honorary Minister) interjected.

Hon. F. CONNOR: I went through a school which the Honorary Minister never could go through and never will be able to go through—the beginning of the mining industry in this country. I was a representative in Parliament and

helped the industry in Parliament, and there is no need for the Honorary Minister to twit me about it. I say unhesitatingly that I do not understand the regulations in this Bill; nobody does, the Honorary Minister does not.

Hon. J. E. Dodd (Honorary Minister): Where would it injure the prospector of those days?

Hon. F. CONNOR: The prospectors of those days were men, absolutely men. I know the hon. member is a highly estimable gentleman, but he does not understand one iota of the development of a new goldfield. If we opened up a new goldfield to-morrow, say in the North-West, and imposed on it these restrictions whereby it is necessary to have an ingress and egress, two main shafts, it would be impossible to develop it under such conditions. If these conditions had existed in the early days, there would have been no need for this House or for the hon. members who support this Bill, and that would be a pity, because they are an ornament to the country.

Hon. J. E. Dodd (Honorary Minister): You have not read the Bill.

Hon. F. CONNOR: I have read it since tea time. I was going to vote for the second reading, but if my interpretation of its provisions is correct, I think I will have to vote against the second reading, because it would be a dangerous measure to get as far as the Committee stage. I have not said that I will oppose the second reading.

Hon. J. E. Dodd (Honorary Minister): You are in a hole and cannot get out of it.

Hon. F. CONNOR: Then I will vote against the second reading, if the Honorary Minister challenges me, and it will be his own fault if I do vote against the second reading. If the hon. member wishes to insinuate that I know nothing of gold mining or of the development of the industry in this country, I think he is saying something which is not correct. Experience has placed me in a position in which he can never have been, and experience is always worth something. I have represented the gold mining industry in Parliament for 21 years, and have been a direct representative of the in-

dustry. I can say that I have represented it to the best of my ability, and at the last elections for this Chamber, a semi-goldmining population returned me unopposed as their representative. I think that is sufficient to answer the hon. member.

Hon. R. G. Ardagh: They know when they have a good representative.

Hon. F. CONNOR: Coming to the question of 44 hours—the men are working three shifts at the present time, and, by the way, I might say that to pass the laws which have been brought down this session, it will be necessary for us to work 72 hours a week. We are not going to pass all these fancy proposals into law. The practical men in both Houses of Parliament are in favour of helping the development of the industry and of helping the miner himself from every standpoint until the conditions he demands become impossible and that is the point we have reached at present. I cannot be accused of having voted undemocratically during all my career in Parliament, and I am the longest service member of Parliament in the two Houses, excepting Sir Winthrop Hackett. When the Labour party previously came into power in another place I voted with them almost every time. Anyone who looks through *Hansard* will see that that is so, and I was twitted by my friends about it, but my reply was, "We want to help these people." But a time comes when we must cry halt, when they overstep what is reasonable, when they ask for things which are impracticable and not only against the interests of the industry but, against their own interests. It is now time to ask hon. members to take heed and stop. Forty-four hours a week is not sufficient. A mining proposition will not pay on 44 hours a week. That is one of the reasons why I feel inclined to vote against the second reading of this Bill. Touching the question of foreigners, it was very edifying to hear some of my hon. friends say they are really in favour of allowing ten per cent. of foreigners to work in the mines. I remember about two years after I was returned to Parliament, I moved a substantive motion to pro-

hibit any alien coloured labour, and the motion was carried. Legislation was ordered afterwards in sympathy with that motion. I am still of the same opinion but when we talk about foreigners, it is a different proposition. We can find just as good Norwegians, Swedes, Danes, Italians and Frenchmen and men with just as much intelligence as Anglo Saxons possess, to work in these mines and to help to open up and develop this country, and when it comes to allowing them to work under certain conditions in the proportion of one foreigner to 10 Britishers, it is a crying absurdity. It is making confusion worse confounded, and it is far better, in my opinion, that we should absolutely exclude foreigners, or else allow them to work in mines under the same conditions as our own people, provided, of course, they have similar qualifications. There is another matter to which I desire to refer, and that is the certificate of competency. I grant that such a certificate is necessary in a big mine, but when it is proposed to make it general, I am not prepared to give it my support. We must take into consideration that there are many new goldfields continually being brought into existence, and if we carry out this suggestion, we will retard—I will not say kill, because nothing would kill the mining industry, no matter what Government may be in power, or what we may do—the development of the industry. A small mine opening up, say between Derby and Broome, where only prospectors are at work, could not afford to employ only people who may have certificates of competency. In referring to the question of passages in a mine, I want in conjunction with that to say a few words about the question of stoping. When it comes to a matter of very deep levels, no doubt it is necessary that there should be supervision over stoping. If this Bill applied only to certain mines there would be no harm in the proposals contained in it, but if it is to apply generally, the power which it is proposed to give under its provisions I hold would be injudicious, and it would be quite impossible to develop new mines. That is another reason why I intend to vote against the second

reading of the Bill. I would like the Bill to pass for certain reasons, certain humanitarian reasons, but I repeat that, with the provisions it contains, it would be quite impossible to develop a new goldfield. There are too many restrictions in the measure, and under these restrictions it will not be possible to secure the necessary labour. Are we going to live for a time on the mines which are already developed on the Golden Mile and at Gwalia, and two or three other places? I say we could not do that, but if we are going to apply the conditions which it is proposed to introduce, we shall be compelled to do so, and we shall be prevented from opening up new goldfields. I have had more experience than any other man in Parliament in connection with the opening up of goldfields, and I say without hesitation that what the Government propose cannot be done. The whole question resolves itself into this, whether under the suggested new conditions we can develop new districts. I say we cannot. It would be an utter impossibility. We might apply these conditions to the Golden Mile and one or two other places, but we cannot go further. If we could localise the conditions I would be inclined to say, pass the Bill as it is.

Hon. J. E. Dodd (Honorary Minister): The hon. member has not read the Bill.

Hon. F. CONNOR: I have read the Bill. We have also heard a good deal about the risk which miners incur, but is there not a risk connected with almost every industry? Do not fatalities happen in connection with other industries? Does the Honorary Minister know of an industry in the old country in connection with which there is not associated some kind of risk? Does he know anything about glass blowing, and the fatalities that happen, and the disease which is prevalent in connection with it? Yet that industry is still being carried on, and there are no harassing or impossible conditions put upon the employers. I would like to say before sitting down that if we are going to hamper the industry to such an extent, that it will be impossible for

capital to come in and develop it. It will be a question of killing the goose that lays the golden egg. We have the golden egg and if we kill the goose we had better look out. I had intended giving the Bill another name, that of the "Early Mines Closing Bill." That suggested itself to me, because I think if it is carried with some of the provisions contained in it, the effect will certainly be to absolutely close a number of mines. I was astonished to read a report in the newspapers the other night, and to learn that the gentleman who holds the position of leader of the Opposition in another place, declared that there were no new mines coming on. I do not agree with that. We have many undeveloped goldfields in this country, and there are large auriferous areas which only require to be developed. But the question is, can we under the conditions which it is intended to impose develop these areas? We know from surface indications what many of these areas contain, but if this measure becomes law it will be quite impossible to do anything with them. No one has more respect for the working miner than I have, but I do not think he has asked for any of the silly propositions which have been put forward in this measure. They are nothing but Trades Hall political vote-catching propositions. What would the industry generally have been to-day, if regulations, such are now proposed, had been law? What would have been the position if they had existed ten years ago? I will leave the hon. members to answer that question.

Hon. J. E. Dodd (Honorary Minister): The conditions were very different in those days.

Hon. F. CONNOR: My opinion is that politics enter too much into the laws which we make to-day, and the regulations which are framed under those laws. I think I have said enough on this matter. I would like to support the second reading of the Bill because it contains some useful ideas. If all were practical they would have my support; but not being practical I want to hear a good deal more from the supporters of the

Bill before I can be induced to vote for the second reading.

Hon. J. W. KIRWAN (South): The hon. member who has just resumed his seat was good enough to say that the mining industry is the most important industry in this State.

Hon. F. Connor: At present.

Hon. J. W. KIRWAN: I am sure that the mining people will very much appreciate that acknowledgment of the fact that the mining industry occupies that position. It produces more wealth in this State annually than all the other industries, and if any hon. member is in doubt regarding that statement, he has only to turn to the official figures showing the total produced by the agricultural, pastoral, timber and pearling industries, and make allowance for the other industries, to find that it does not equal the annual total value of the products of the mining industry. However, mining people are thankful for small mercies, and we can appreciate an acknowledgment coming from the hon. member that it is the most important industry in the State. The hon. member also went on to say, "We have given the goldfields railways; we have given them a water scheme; we have given them various other requirements." But he did not follow that remark up by giving any idea of what the goldfields had given to the remainder of the State in direct and indirect benefits. If I take from the hon. member's pocket £100 and place it in my own pocket, I do not think it would be nice to boast of my generosity if I gave him back £20 or £30. I think the hon. member might have made some recognition of all the direct and indirect taxation and revenue that have been derived from the goldfields, when he suggested by inference that we ought to be very grateful because various Governments had built us railways, water schemes, and other public works with goldfields money. The subject that I intend to speak about is the Mines Regulation Bill, and I would not have referred to the position of the mining industry in relation to other industries of the State had it not been touched upon by the hon. member. I can quite understand how, in dealing with this Bill, the majority

of members in this House experienced many difficulties. Most hon. members know very little about the goldfields, and still less about the technicalities of mining. I do not profess to be a practical miner, but I have lived upon the goldfields some 18 years and anyone who has lived that length of time there must at any rate have picked up some little general knowledge concerning the industry. One cannot constantly meet the men engaged in the industry, discuss their work with them, and occasionally visit the mines, without gaining some knowledge, and, therefore, I know enough of the industry to be aware that those hon. members who have spoken have done so under great difficulties, and it is quite obvious from the speeches that many of their remarks have been partly the outcome of want of knowledge. I could give many instances in proof of what I say, but I would like to refer to one particular phase of the Bill that was touched upon by several members, who in speaking upon it showed clearly their want of local knowledge. I refer to the provisions dealing with the restriction of the employment of foreigners. I confess that had I not lived on the goldfields, and had my experience been the same as other hon. members who have expressed their views on the point, I possibly would have expressed a similar opinion, but knowing all the circumstances, having lived there and seen the conditions that have arisen as a result of what I consider an evil, I take an altogether different view from what I would take had I not that intimate personal knowledge of the whole matter. On the goldfields there is no objection to the foreigners as foreigners. We all know that throughout Australia foreigners frequently make most desirable residents. We have had experience of foreigners from every part of Europe, who are most desirable citizens of Australia, and have rendered estimable service in the making of Australia. In South Australia the German colonists are second to none in Australia as acceptable residents, but in considering this question of foreigners we must always remember that every country in the world

recognises that there are both desirable and undesirable immigrants. If members will be good enough to listen I will explain why the men against whom this restriction is levelled are undesirable immigrants. In the first place these men do not conform to the prevailing conditions in the country, and throw in their lot with the State. They live in hovels and their residences constitute the only slums we have on the goldfields. They pay no taxes to municipalities or any local bodies whatsoever, and further—and this is an important point—they do not bring their womenfolk to Australia, nor do they marry in the country. They do not settle in the country and become permanent residents of the Commonwealth. They could not be called upon to defend the country if peril were to arise. All these matters, I think, constitute them something different altogether from foreigners who come to Australia, learn the language, throw in their lot with the country, and become desirable residents of it. It is well known that what they do is to save as much money as they can, and then return to their native land to spend their savings, either settling down there or, as I have been told by one who is well acquainted with the country, a large percentage of them to go to the Argentine to settle there with the money made in Australia. I would ask hon. members to consider what has happened in the case of the industry of supplying the mines with firewood. There are three firewood companies operating, and the men employed in the industry number some thousands. At first that industry was largely worked by Britishers, but gradually the foreigners became associated with it, more and more foreigners were introduced, and now the industry is entirely in the hands of the foreigners. When I say entirely, I suppose at least 80 or 90 per cent. of the men employed in the firewood industry are foreigners. Until lately foreigners were not employed on the Golden Mile, but latterly the number of foreigners employed on the mines there seems to have been gradually increasing, and the people on the goldfields are afraid that the same

state of things will apply on the Golden Mile as already applies on the wood lines. I would ask hon. members to remember the serious results, not merely to Kalgoorlie and to Perth, but to the whole of Western Australia, if the whole of the mines on the Golden Mile were to be worked by foreigners of the class I have described. It is not merely a local goldfields question; I claim that it is an important national question, and by national I mean in the Western Australian aspect. I think it was Mr. Colebatch who, in speaking on this Bill, referred to the wages bill of the mining industry as being £60,000 per week. That means that the wages bill of this industry amounts to £3,200,000 in the year, and one can see what a wonderful effect that amount distributed amongst a population of 310,000, must necessarily have on the prosperity of the country. The industry lets loose ready cash to the amount of £3,200,000 every year for distribution throughout the community generally, and there is no part of Western Australia that does not benefit more or less from that money. The agricultural industry, hon. members will recognise, gets very considerable assistance from the men who are employed on the goldfields. Britishers who have saved up their money often invest that money in farms, and to-day there is a large number of men in the mines of the Golden Mile who are keeping their mates upon farms and, by a system of partnership, helping the development of the agricultural resources of this country. It would be a very bad day for Western Australia if that wages bill were to be collected by the foreigners to whom I have referred. The profits of the mining industry to a large extent go out of the country. The shareholders are men who live mostly outside Australia, and therefore Western Australia loses the profits from the mines in the form of dividends. That is a position of affairs that cannot be altered. It is the case and we have to accept it as such. But the other great benefit we, as a State, derive from the mining industry is the benefit that comes from the expenditure of the wages earned in the industry. Those are the two

factors that cause the mining industry to be what it is. The dividends, as I have said, we lose. If the Golden Mile and if the mining industry are to fall entirely into the hands of the foreigners to whom I have referred, in the same way as the firewood industry has already done, we will lose the value of that £3,200,000. Mr. Sanderson gave expression to an ideal which I very highly respect indeed. He spoke as if the brotherhood of man were to some extent affected by the proposal to restrict the employment of foreigners upon the mines. The brotherhood of man is a fine ideal, but it is an ideal which we have long since abandoned in Australia, because in the presence of inferior races I think it is generally admitted that it is absolutely impracticable. There is a law that we must recognise, and whether we like it or not must obey, and that is the law of the survival of the fittest. After all, self-preservation is the first law of nature. That is a much stronger law than the ideal which the hon. member evidently cherishes of the brotherhood of man. What is the proposal that the Government make regarding this evil. They do not entirely abolish the employment of foreigners upon the mines. I do not know that there are any absolutely correct figures as to the total number of foreigners employed on the mines in Western Australia. They may have been prepared but I have not seen them. I do know, however, that in one return which has been issued it is shown that no fewer than 717 foreigners are employed by 12 mines which have been specified, out of a total of 3,081 men, that is 25 per cent. on the 12 mines of which details were given. The proposal of the Bill is that 10 per cent. of foreigners shall be permitted upon these mines. Ten per cent. of the total number of men who are employed in the whole of the mines of the State would probably be larger than the total number of foreigners at present employed at the mines. There are individual mines, such as the 12 mines I have mentioned, which employ a very much larger percentage of foreigners than that; but, taking the average of

the whole State, I should say it would certainly not be 10 per cent. of all the miners. Therefore, I think this Bill gives sufficient scope for the full employment of all the foreign miners who are at present employed on the mines in Western Australia, and consequently no injustice would be done to any foreigners at present in the State. It would prevent the further extension of what I believe to be a very serious and growing evil, and I sincerely trust that hon. members of this House will fully consider this matter before they reject a proposal of this kind. I have spoken on this Bill because of certain references that have been made by hon. members during the debate, which indicated that possibly they would not vote for the second reading. I would regard it almost in the nature of a calamity if this Bill were rejected on the second reading, and the main reason why I am speaking to-night is to plead with hon. members that whatever objections they may find to details of the measure, they will at least vote for the second reading so that the details may be discussed in Committee. I have often, when dealing with Bills in this House, said that it would be better for hon. members to reject a Bill on the second reading rather than kill it in Committee. I believe that that is the straight course in the majority of cases to adopt, that it is better for this Chamber in a large number of cases to accept the full responsibility of rejecting a Bill rather than kill it in Committee, but in the case of this measure I claim that there are exceptional reasons why it should have altogether exceptional treatment. The reasons are that the Bill has been introduced for the purpose of endeavouring if possible to lessen the number of accidents on the mines and to lessen the number of deaths through diseases contracted by the workers in the mines. I think a Bill brought forward for that purpose, even though hon. members may disagree with a large portion of it, deserves better treatment than to be rejected on the second reading. A number of figures were quoted with regard to accidents upon the mines. I



am not going into details of these figures, but I might just refer to what happened in the immediate vicinity of where I work and where I live, that is the Golden Mile. That comparatively small area employs a little more than 5,000 men, but the number of accidents is sad indeed. They can be found in the last report of the Department of Mines. The story which that report tells is that there were 23 fatal accidents in that district alone during last year, which means that in the small community I have referred to one man almost was killed every fortnight. Besides that there were 329 serious accidents in that particular locality, that means 352 fatal and serious accidents out of a total number of 5,445 men employed! We who live there, only too often see the ambulance go through the main streets on its slow way to the hospital or morgue. When we make inquiries we find that it is some man on the mines, some man perhaps whom we have known, who has been killed, and we know most likely that some wife has been made a widow and some children have been made orphans. Surely any attempt that can be made, no matter how feeble it may be, to lessen such disasters is worthy of investigation and close inquiry by hon. members of this House. The Bill certainly deserves some better treatment than cheap sneers and being regarded as a party measure. I do not feel disposed to go into all details of the Bill that have been referred to by other members. In dealing with this question the hon. Mr. Connor referred to conditions that existed in Kimberley in 1896, and the hardships and trials of the pioneers there, which were bravely borne. In considering that matter there is an aspect of the question which cannot be too often emphasised in this House, that is the mines are getting deeper and deeper, so that conditions of work are becoming more arduous and more unhealthy to the men engaged in them. The mines are down to 2,000 and 3,000 feet, and this is a circumstance which fully justifies the amendment of the existing Mines Regulation

Act. It is possible that many improvements may be effected in this Bill, but I urge upon those members who find fault with a measure having such humanitarian objects in view, that it is their duty to suggest some better means to deal with these problems than those presented by the Government, and this can only be done by allowing the Bill to go into Committee and threshing out each and every one of the proposals in all its details. I can scarcely believe it possible that hon. members of this House are going to reject this Bill on the second reading. If they do I think the country has a right to ask what exactly is meant by the rejection of such a measure on the second reading. Does it mean that hon. members of this House are unwilling to discuss the details of a measure, the main purpose of which is to lessen danger to the lives, limbs, and health of the miners in this State?

Hon. E. McLARTY (South-West): I shall not detain the House many minutes as mining is a question with which I am not intimately acquainted, but there are some phases of the Bill which even a layman may be permitted to express an opinion upon. I regard the Bill from two points of view. In the first place we must be careful not to burden this industry with more than it can carry. If we are going to reduce the hours of labour and add to the cost, the probability is, so far as I am informed, that many of these mines which are now struggling and scarcely paying expenses will of necessity have to close down. We do not in any way want to reduce the number of men employed or to hamper those who have taken the risk of putting their money into various speculations. At the same time, there is another feature, and one which I regard as a good deal more serious, and that is the health of the miners. If there is anything in this Bill which can be brought forward as an improvement upon the existing conditions, then it is the duty of this House to give it very careful consideration. We have heard a good deal about accidents, and the hon. member who has

just sat down informed us that there were 23 deaths on the Golden Mile during last year. That is a very serious state of affairs indeed, and one which I think every possible effort should be made to guard against. It is a very sad thing to think that this industry is carried on at the cost of the lives of so many good men. But it is not only a question of accidents. As we know, there is a liability to accidents more or less in practically every industry, but I consider that in addition to doing everything possible to safeguard the men against accidents, the great question is working conditions that are so detrimental to health. I listened with earnest attention to the remarks of the Hon. J. E. Dodd (Honorary Minister) when introducing this Bill, which he did in a very able and mild manner. I also listened with interest to the remarks of the hon. member who has just sat down, and I believe that at all events the Bill should pass the second reading. I will not vote against the second reading, although I do not agree with a great deal that is in the Bill. I would like to listen to the arguments that are brought forward in Committee by men who are closely acquainted with the mining industry, as that would enable me to come to a decision on certain points. There are many things which I will not give any opinion about, such as the height of stopes and those things; and there are other questions which I find some difficulty in dealing with. Mr. Kirwan has referred at some length to the question of employment of foreigners in mines. I think it is a very bold step to take to prevent the employment of foreigners. We have admitted them into the State, and these men have to live. And there are many other people besides coloured aliens. Possibly the intention is to guard against them more particularly, but I for one believe in giving every man the right to live and every man a fair chance in a free country. I shall require some very strong reason to be put before me to induce me to vote for the clause limiting the number of foreigners to one in ten. Again, as has

been suggested, it would be a difficult matter to know which was the man to be selected. Moreover, if it is a wrong thing to admit foreigners into the mines at all, I do not think it is right to admit a tenth of them. Let us either admit them altogether or refuse them employment. Then again there is the question of night shift. I do not feel capable of dealing with that. There may be occasions on some of these big mines when it is necessary to keep machinery going all the time. In respect to working at night, from the little experience I have had of going down some of those mines, it seems to me to be of very little consequence whether the men are working by night or by day, seeing that they are working by artificial light all the time. However, there is one strong reason given by the Honorary Minister (Hon. J. E. Dodd) which appeals to me, namely, that the closing of these mines for a certain period in the 24 hours would allow the dust to settle and the fumes from the explosives to escape, in consequence of which the men would go to work in a comparatively clear atmosphere. I think there is a very great deal in that contention. Obviously when the men are working continuously there is no opportunity for the dust to settle or for the fumes to disappear, and therefore it must be highly injurious to the men who work down there to find the drives full of smoke and dust from the time they enter until they finish their shift. Another matter referred to was the abolition of the contract system. I may say at once that will have no support from me. I think men should be allowed to earn more money than other men if they are willing to do so. I do not think the House has any right to pass legislation which would prevent men from making an honest living and earning a little more than they could under other conditions. Some stronger reason than I have yet heard will require to be advanced in support of this proposition to satisfy me that it should be made a hard and fast rule. It is, I think, a matter for the mine owners and employees to settle between themselves. I can only say without lab-

during the question, that I shall vote for the second reading, and that if there is anything in the Bill to which I can give my support and which will assist the men in preserving their health and improving their conditions I feel it is my bounden duty to support it. When the Bill goes into Committee, although I believe there are many objectionable clauses in it which are not likely to be carried, yet if there is any one clause which will assist the miner and minimise disease and prevent all those fatal accidents, which are something terrible to contemplate—fancy 23 lives lost in one year, winning gold for other people—I shall endeavour to alleviate their distress even at the cost of the mine owners. I shall be prepared to support any provision calculated to improve the position of the men who are winning wealth for other people. I will support the second reading for that reason, and if in Committee there is any one thing which will tend to prevent so many fatal accidents and to improve the health and position of the miners I shall support it. It is deplorable to think that such a large number of men in what should be the prime of life are incapacitated and rendered almost unfitted for labour; to think that, for the sake of winning wealth for others, their lives should be sacrificed and their health ruined.

On motion by Hon. R. D. McKenzie debate adjourned.

#### BILL—LAND VALUATION.

Received from the Legislative Assembly, and read a first time.

#### BILL—FREMANTLE IMPROVEMENT.

*In Committee.*

Resumed from the 30th October; Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Clause 4—Poll may be demanded on question whether lands are to be acquired by the municipality:

The CHAIRMAN: The following amendments had been made to the clause:—At the end of Subclause 1 the word "ratepayers" had been struck out, and the following words inserted:—"election of the owners of rateable land situated within the municipal district." A further amendment had been made, in that subclause 2 had been struck out. A further amendment had been made by Mr. Colebatch and was now before the Committee as follows:—"That in lieu of Subclause 2 struck out, the words 'for the purposes of this section the term "owner" means any person entitled to a legal or equitable estate or interest in rateable land in fee simple or for a term of years having at least seven years unexpired.'" Amendment put and passed.

The CHAIRMAN: In the second line and in the last line of Subclause 3 and in the first line of Subclause 4 the word "owners" would be inserted in lieu of "ratepayers" as consequential amendments.

Hon. D. G. GAWLER moved an amendment—

*That at the end of Subclause 5 the words "and each ratepayer on the special roll shall be entitled to one vote only" be struck out.*

The COLONIAL SECRETARY: The amendment would be opposed. Every occupier of land in Fremantle had just as much interest in the widening of these dangerous streets as had the owners, and the occupiers should have equal power in determining the question.

Hon. J. F. Cullen: Although they have not had an equal responsibility in carrying the burden.

The COLONIAL SECRETARY: There would be no burden to carry. This land would be resumed at a fair valuation, and it was bound to increase in value by virtue of the widening of the street; therefore there should be no burden to be carried.

Hon. D. G. Gawler: But in view of the amendments already carried we should give each owner one vote.

Hon. M. L. MOSS: In order to enable the Committee to give a vote on the views expressed by the Colonial Secre-

tary he would ask Mr. Gawler to temporarily withdraw the amendment. He viewed this from the same standpoint as the Minister, and would like to get the views of the Committee on the question. This was not consequential. All we had done up to the present was to say there should be a vote of the owners. The proposal that the Colonial Secretary had just made was that, having admitted the principle that only owners were to vote, the question then remained, was the owner to have one vote only or was it to be the cumulative system of voting on the Mayor's roll? He disbelieved entirely in the view that this should go to any vote at all. He regarded these two street corners as being so dangerous that Parliament should take the matter in hand and provide the necessary legislation in order that this land could be compulsorily resumed. Inasmuch as they should provide for some method of reference to the people, he wanted reference to a sufficiently large number of people interested as would ensure it being carried. If this was left to the large land owners he was afraid that the possibility of a small additional tax might lead to the measure being defeated, and he desired to avoid that. Everybody frequenting those streets was largely interested, and he wanted to see nothing which would prevent the measure from becoming operative. Once expensive buildings were put up on the site, the difficulties would be increased tenfold. He appealed to the hon. Mr. Gawler to withdraw his amendment and give him an opportunity to move in the direction of allowing one vote only to be recorded by each land owner.

Hon. R. J. LYNN: The hon. Mr. Gawler ought not to withdraw his amendment. Within the last 10 or 12 years large sums of money had been raised in Fremantle in connection with works and the tramway system, and the owners had never refrained from supporting any measure for the benefit of the town. If given the opportunity, to record their votes under the Municipalities Act, which provided for owners to have more than one vote, this Committee need have no

fear of the loan being rejected. In voting against the hon. Mr. Gawler's amendment the other night he had done so under a misapprehension, thinking that he was supporting the hon. Mr. Moss's proposal in connection with a previous clause. In view of the owners of Fremantle being called upon to carry the burden, they alone were the people to be consulted. The Committee should have no hesitation in supporting the amendment, as he believed the authorisation would be carried by a large majority.

Hon. H. P. COLEBATCH: Personally, he refused to believe that the property owners of Fremantle were not competent judges as to what was best in the interests of the town and the ratepayers. It was the policy of the Minister to introduce the principle of one man one vote in regard to all municipal affairs, but he should do it in a straightforward manner by amending the Municipalities Act, and not by way of a side issue. He strongly protested against amending an important principle in a Bill of this description. Hon. members should insist that this measure should follow the lines of the Municipalities Act.

Hon. J. E. DODD (Honorary Minister): It was not a question of one man one vote, but one ratepayer one vote. This proposition affected not only owners but everyone.

Hon. H. P. Colebatch: The same applies to all municipal affairs.

Hon. J. E. DODD: It was a question of the lives of the people being endangered, and there was nothing wrong in including in a Bill of this kind provision to give ratepayers the right to vote.

Hon. J. F. CULLEN: Both the Honorary Minister and the hon. Mr. Moss seemed to forget that the Committee had decided that if a ballot was demanded it would be taken and that it should be limited to the owners. That being so, surely hon. members could see the force of the hon. Mr. Colebatch's remarks. It was bad legislation to attempt by a side-wind to amend any Act of Parliament. If the hon. Mr. Moss desired to help the Government to carry out their pet scheme of one man one vote in municipal affairs

let him do so on an amendment of the Municipalities Act.

Hon. D. G. GAWLER: The hon. Mr. Moss had asked the Committee to go back on something which had already been decided. He would be glad to assist the hon. member but he was in the hands of the Committee.

The CHAIRMAN: As a matter of procedure it would not be necessary for the hon. member to withdraw his amendment. If it was defeated the hon. Mr. Moss could move.

Hon. D. G. GAWLER: But if it was carried the hon. member would not be able to put his proposal before the Committee. If the argument of personal safety was pushed to its logical conclusion every visitor to Fremantle ought to have a say in this matter. Did it not concern the owners that £70,000 or £100,000 worth of property would be purchased and possibly an immense loss involved?

The Colonial Secretary: Not half of that.

Hon. M. L. Moss: Your information is incorrect.

Hon. D. G. GAWLER: If there was a loss it would fall on the owners. If the Committee were willing he would allow the hon. member to put his proposition.

Hon. J. D. Connolly: Test the question on your amendment.

Hon. J. CORNELL: Hon. members must know that to amend the Municipalities Act would be a big and tough problem. That argument had been adduced only to side-track the real proposal. The objection to the vote being taken on the mayoral roll was that it was possible and probable that the minority would rule.

Hon. H. P. Colebatch: That is possible in all municipal affairs.

Hon. J. CORNELL: There would be no injustice if the vote was restricted to one owner one vote. If the fear of the owners having to bear the burden was realised, they would have to bear it in proportion to the value of the property they owned.

Hon. H. P. Colebatch: Then why not allow them to vote in proportion.

Hon. J. CORNELL: They did not vote in proportion to the value of their pro-

perty. A majority of the owners could hold the bulk of the value of the property and not control a majority of the votes. Why should we continue an injustice by waiting until it was possible to bring in an amendment to the Municipalities Act?

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

Ayes	..	..	..	12
Noes	..	..	..	9

Majority for .. 3

#### AYES.

Hon. J. D. Connolly	Hon. W. Patrick
Hon. J. F. Cullen	Hon. A. Sanderson
Hon. D. G. Gawler	Hon. C. Sommers
Hon. A. G. Jenkins	Hon. T. H. Wilding
Hon. R. J. Lynn	Hon. H. P. Colebatch
Hon. R. D. McKenzie	(Teller).
Hon. E. McLarty	

#### NOES.

Hon. F. Connor	Hon. Sir J. W. Hackett
Hon. J. Cornell	Hon. J. W. Kirwan
Hon. F. Davis	Hon. M. L. Moss
Hon. J. E. Dodd	Hon. R. G. Ardagh
Hon. J. M. Drew	(Teller).

Amendment thus passed, the clause as amended agreed to.

Clause 5—Power to borrow money for purposes of this Act:

Hon. H. P. COLEBATCH: Subclause 2 should be consequentially amended by striking out the words "except Sections 444, 445, 446, 447, 448 and 449 thereof."

The CHAIRMAN: The amendment could not be taken as consequential.

Hon. H. P. COLEBATCH moved an amendment—

*That in lines 3, 4, 5, and 6 of Sub-clause 2 the words "except Sections 444, 445, 446, 447, 448, 449 thereof" be struck out.*

Hon. M. L. MOSS: The hon. member's amendment should not be agreed to. It was obvious that these sections must be eliminated from the Bill which was before the Committee, because they were not applicable.

Hon. H. P. COLEBATCH: To his mind these sections were applicable. The Bill did not apply only to the purchase of this land. It applied to the erection of buildings, and Section 444 dealt with

the preparation of plans and specifications. If the Council were submitting to the ratepayers purely a proposal to borrow money for the purchase of the land, it was obvious that they would not have to prepare plans, but if subsequently the council proposed to erect buildings, there was no reason why they should not tell the property owners what they proposed to do in accordance with Section 444 of the Municipalities Act. If they merely wanted to resume land they would tell the owners and a poll would be taken on that, but under paragraph (b) of the clause the council proposed to erect buildings on or otherwise improve the lands. He failed to see why they should not tell the electors what they were going to do.

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

Ayes	..	..	..	13
Noes	..	..	..	6
				—
Majority for	..			7
				—

#### AYES.

Hon. E. M. Clarke	Hon. E. McLarty
Hon. H. P. Colebatch	Hon. W. Patrick
Hon. J. D. Connolly	Hon. A. Sanderson
Hon. J. F. Cullen	Hon. C. Sommers
Hon. A. G. Jenkins	Hon. T. H. Wilding
Hon. R. J. Lynn	Hon. D. G. Gawler
Hon. R. D. McKenzie	(Teller).

#### NOES.

Hon. R. G. Ardagh	Hon. J. M. Drew
Hon. J. Cornell	Hon. M. L. Moss
Hon. F. Davis	(Teller).
Hon. J. E. Dodd	

Amendment thus passed.

Hon. M. L. MOSS: The amendment which the Committee had carried meant that the council of Fremantle, if it intended to put buildings on any part of this land, would be obliged to come down with a comprehensive scheme at the jump. That was to say, not only would money be required for the purpose of resumption, but if it was intended by them to put up any buildings or shops on the land, they would be obliged to come down with a scheme which would provide both for resumption and the improvement of the land resumed.

Hon. C. Sommers: Quite right.

Hon. M. L. MOSS: Hon. members did not appreciate what that meant. Under the clause as amended, and under the Bill as it stood, it might be a good thing for the council at the outset to put a proposition before the ratepayers that money should be raised for the taking of the land, but there would be no machinery in the Bill to enable them to go to the ratepayers on the second occasion when they saw that they could utilise any portion of the land to profit and advantage, to get a second verdict.

Hon. H. P. Colebatch: Yes, there is in the Municipalities Act itself.

Hon. M. L. MOSS: The contention he was submitting was that once we brought down a proposal to raise money, there was no machinery whereby we could get a second vote of the ratepayers authorising the payment of something else in respect of the same proposition. We were putting great difficulties in the way of the local authorities at Fremantle.

Hon. H. P. COLEBATCH: Apparently the hon. member's idea was that the municipality of Fremantle should approach the ratepayers and get their permission to borrow a certain amount of money to resume this land, and having got that permission, should be at liberty, without consulting the owners, to borrow any further sum they pleased in order to erect buildings. There was absolutely no difficulty any more than there was in connection with the ordinary procedure under the Municipalities Act, of taking two polls if necessary. The council put it to the owners that they wanted to borrow a certain sum of money. Surely they should tell the owners what they intended to do with it. If the council wished at the outset to put the whole scheme before the ratepayers and say that they wanted £100,000, they could do it, but if not, they could go to the ratepayers under Subclause (a) of Clause 5 and say they wanted £50,000 to buy the land, and then under Subclause (b) they should again go to the ratepayers and say they wanted a further sum with which to erect

buildings on the land. He moved an amendment—

*That Subclause (3) be struck out.*

Amendment passed; the clause as amended agreed to.

Clauses 6 to 10—agreed to.

First schedule—agreed to.

Second schedule:

Hon. D. G. GAWLER: There would be certain consequential amendments in this schedule, viz., the striking out of "occupier" in several places.

Hon. H. P. COLEBATCH: As the Committee had already decided that the poll should be taken under the Municipalities Act, the schedule could be struck out altogether. He moved an amendment—

*That the Second Schedule be struck out.*

Amendment passed.

Third Schedule (consequential) negatived.

Bill reported with amendments and returned to the Legislative Assembly with a request that the amendments suggested by the Committee be made; leave being given to sit again on receipt of a Message in reply from the Assembly.

*House adjourned at 9.22 p.m.*

## Legislative Assembly.

*Tuesday, 4th November, 1913.*

	PAGE
Papers presented .. .. .	2246
Papers: Thompson's dairy .. .. .	2246
Questions: Government Tramways, sale of tickets .. .. .	2246
North-West mail .. .. .	2247
Employment Brokers, Inspections .. .. .	2247
Electoral: Cue seat .. .. .	2247
Bills: Interpretation Act Amendment, 1A. .. .. .	2247
Declarations and Attestations, returned .. .. .	2247
Land Valuation, 3A. .. .. .	2247
Annual Estimates, Procedure, Votes and Items discussed .. .. .	2247

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

## PAPERS PRESENTED.

By Hon. W. C. Angwin (Honorary Minister): Return of prosecutions in the metropolitan area—(a) for the sale of light-weight bread, (b) for the sale of impure and adulterated milk, (c) for the sale of impure and adulterated liquors (ordered on motion by Mr. Lander).

By the Minister for Lands: File dealing with the registration of transfers of conditional purchase lands (ordered on motion by Hon. J. Mitchell).

## PAPERS—THOMSON'S DAIRY.

The MINISTER FOR LANDS: I have to present the reports of Government officers on Thomson's dairy (ordered on motion by Mr. Lander). The report mentioned in the latter part of the motion, that by Messrs. Lovekin, Battye, and Lander, was not a report to the Government or any State department, but to the board of the Children's Hospital, and one of those gentlemen, when approached for the report, and acting in behalf of one of the other signatories, stated that before he could make it available he would require an indemnity from the Government, which at the time I was not prepared to give; hence these papers do not comply with the latter part of the motion.

## QUESTION—GOVERNMENT TRAMWAYS, SALE OF TICKETS.

Mr. B. J. STUBBS asked the Minister for Railways: 1, The total value of the 2s. 6d. per dozen tickets taken on the trams during the week prior to the alteration in the system of selling the tickets? 2, The total value of the same tickets taken during last week? 3, Is he aware that conductors are often short of workmen's tickets thereby depriving many workmen of their return concession?

The MINISTER FOR RAILWAYS replied: 1, £548 9s. 7d. 2, £368 16s. 4d. 3, There may have been one or two isolated cases of conductors being short of workmen's tickets. In such cases, however, the conductors buy from other conductors, and so no workmen have been