

which must not be forgotten by this House.

On motion by Mr. DARLOT, debate adjourned until the next day.

ADJOURNMENT.

The House adjourned at 11:8 o'clock until the next day.

Legislative Assembly,

Thursday, 13th September, 1900.

Papers presented—Personal Explanation (Mr. George)—Perth Ice Company Inquiry: Motion to permit representation by Counsel (negatived)—Public Service Bill, in Committee, new clauses, reported; division—Federal House of Representatives W.A. Electorates Bill, second reading; referred to Select Committee—Industrial Conciliation and Arbitration Bill, second reading (postponed)—Railway Workshops: Motion (postponed)—Motion: Government Railways, Control by Commissioners; amendment, a Select Committee (adjourned)—Adjournment.

THE SPEAKER took the Chair at 4:30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the PREMIER: 1, Federation of Australia, Papers presented to the Imperial Parliament; 2, Return (moved for by Mr. Ewing) showing cost of culverts between Wokalup and Mornington Stations.

By the COMMISSIONER OF CROWN LANDS: Report of Lands Department, 1899.

Ordered to lie on the table.

PERSONAL EXPLANATION.

MR. GEORGE (Murray): Before the House proceeds to business, I desire to make a personal explanation, claiming the privilege attached to the position of a private member in this connection.

THE SPEAKER: What is the explanation?

MR. GEORGE: Some words which fell from me last evening, in this House, have been misconstrued so as to convey a meaning not intended by me, and a meaning which is insulting to the Premier of the colony. So far as I remember, the words I used were, and I believe I have them accurately: "In his sober moments to-morrow, the Premier would regret he had made the statement." The statement which the Premier had made was then and is now absurd; and I considered the Premier was heated in his argument, not from anything except irascibility of a temper which, like my own, is not always under control; and I concluded that, when he was cooler on the following day, he would regret he had made the statement. I am sorry indeed to find the inference has been drawn that I had come to the conclusion the Premier was drunk. Had I come to that conclusion, and thought it desirable to say so, I would have said it in plain words. I simply rise for the purpose of saying I did not say the Premier was drunk, and had I thought he was drunk, I do not think I would have been cad enough to say so.

PERTH ICE COMPANY INQUIRY.

MOTION, TO PERMIT REPRESENTATION BY COUNSEL.

MR. ILLINGWORTH (for Mr. James) moved that leave be given to Mr. Hancock, manager of the Perth Ice Company, to be represented before the Select Committee appointed to inquire into the frauds of the Perth Ice Company upon the Railway Department, by counsel.

MR. EWING (Swan): As Chairman of the Select Committee inquiring into these frauds, I would like to say Mr. Hancock applied to the Committee, through his solicitors, to be heard by counsel in the inquiry; and the Committee, after consideration, came to the conclusion that as Mr. Hancock was not charged with any offence, and had merely to appear before the Committee as a witness, amongst other witnesses summoned, to tell what he knew of the circumstances in connection with the case, the application could not be complied with. If Mr. Hancock had been charged with an offence, the Committee might have granted his request; but

seeing that he appeared only as a witness, the Committee came to the conclusion that if Mr. Hancock were allowed to be represented, every other witness would have a similar right. I think, therefore, that to grant this request would be creating a precedent almost unheard of. There are cases in which select committees no doubt can give leave to persons charged, to be heard by counsel. Mr. Hancock is not charged. No doubt the House could direct that Mr. Hancock be heard by counsel; but I think the House would be adopting a very extraordinary course indeed, if it were to say that merely because a man is a witness in a particular case he is entitled to have counsel there to examine and re-examine witnesses. I believe that such a thing is unknown to law, and, as far as my investigations lead me, it is unknown to proceedings before a select committee. Perhaps there may be cases—I do not know of them—in which witnesses have been allowed to be represented by counsel; but the Committee in this case did not think it was a desirable course to adopt, and therefore they refused to allow Mr. Hancock to be represented by counsel. The Committee thought that when Mr. Hancock was charged with an offence that would be the time for him to enter upon a defence, and on his entering upon that defence the Committee would consider the advisability of his having counsel.

THE PREMIER: Did the Committee refuse?

MR. EWING: Yes.

THE SPEAKER: I think it is advisable I should read to the House what *May* says on this subject:—

Where select committees have been appointed to inquire into matters in which the private interests, character, or conduct of members of the House of Commons or other persons are concerned, the committees are empowered to hear counsel on behalf of such persons, the order of the House for that purpose being obtained on petitions presented to the House, on the report of the committee, or on a motion to that effect. A committee has also been instructed that they do hear the petitioners by counsel or otherwise; and, on the other hand, the order of the House has provided that such hearing of persons interested shall be at the discretion of the committee.

I myself do not suppose it is ever usual to compel a committee to hear counsel, when, in their opinion, it would not be

desirable for them to do so; but it is for the House to decide.

MR. ILLINGWORTH (Central Murchison): I am quite in harmony with the remarks that have been made by the Chairman of this Select Committee. Mr. Hancock called upon me personally, and asked me to move this motion; but I declined to do it, and I am only doing it now formally on behalf of the member for East Perth (Mr. James).

THE ATTORNEY GENERAL (Hon. R. W. Pennefather): As the Committee have exercised their discretion in this matter, I think it would be unbecoming for any member of this House to interfere with that discretion. [SEVERAL MEMBERS: Hear, hear.] The observations that have fallen from the Chairman of the committee, the member for the Swan (Mr. Ewing), are undoubtedly not only sound, but consistent with common sense. If any injustice were likely to be done, I am sure the committee would grant to Mr. Hancock the permission he seeks to obtain.

Question put and negatived.

PUBLIC SERVICE BILL.

IN COMMITTEE.

Consideration resumed from the previous day, at new clause proposed by Mr. Quinlan:

No probationer shall have his appointment confirmed until he has effected with some life assurance company carrying on business in Western Australia an insurance on his life providing for the payment of a sum of money at his death should it occur before the age of retirement from the public service, or, if he survive till that age, of a sum of money or annuity on the date of such retirement. Such insurance shall be continued, and the amount thereof fixed and increased from time to time in accordance with the regulations made as herein provided in that behalf, and no policy of insurance so effected shall, during the time such person remains in the public service, be assignable either at law or in equity.

THE PREMIER: The Government had no objection to this clause, but were prepared to accept it with a little alteration. As the word "probationer" did not occur in the Bill, he proposed that the word "person" should be substituted. He also proposed to strike out the words "as herein provided in that behalf," and to insert at the end of the clause the words "or subject to any process of legal or equitable execution."

He now moved that the word "probationer" be struck out, and "person" inserted in lieu. If the clause were passed as it stood at present, a person would have to insure before knowing whether his appointment would be confirmed, and after all he might not be finally appointed.

MR. ILLINGWORTH: Had the Premier considered the effect of his proposal in regard to persons in temporary employment? In some cases one might say the whole department was temporary.

THE PREMIER: This did not affect temporary probationers.

MR. ILLINGWORTH: It would affect them in regard to an amendment which he (Mr. Illingworth) would presently move. In the Public Works Department about five-sixths of the officers were classed as "temporary;" and supposing these temporary men were to be made permanent officers, the proposal now made would compel each one of them to insure.

THE PREMIER: Yes.

Amendment put and passed, and the Clause further considered as amended.

MR. PIESSE, referring to the words "If he survive till that age, of a sum of money or annuity on the date of such retirement," asked how the sum would be fixed.

THE PREMIER: By regulation, according to the salary, as stated in the amended clause: "the amount thereof fixed and increased from time to time in accordance with the regulations."

MR. GEORGE: Did the clause quite carry out the intention of the member who moved it? It was intended to refer to men who were in the service now, just as well as to those who might be in it hereafter.

THE PREMIER: No.

MR. GEORGE: The right hon. gentleman did not think the life of a present member of the civil service worth insuring.

THE PREMIER: It could not be done by compulsion.

MR. QUINLAN: The object he had in view was to deal with anything in the future. He would, if he could, make it apply to present cases occurring in the Estimates; but that would be hardly fair, and he did not suppose the House would agree to it.

MR. PIESSE: Officers in the Public Works Department who had not been permanently appointed would be affected. The officers in that department numbered about 370, of whom only about twenty were permanent employees. When their appointments were confirmed they would be bound to be insured, if this clause were passed.

THE PREMIER: Yes.

MR. PIESSE: Those men were just as much permanent officers of the public service as men who had already been permanently appointed. It would seem rather a hardship upon many of those men to compel them to insure, if they did not desire to do so.

THE PREMIER: Why were they not put on the permanent list?

MR. PIESSE: The Premier knew the reason.

THE PREMIER moved that the words "made as herein provided in that behalf," line 6, be struck out as not necessary.

Amendment put and passed.

THE PREMIER further moved that the words "or subject to any process of legal or equitable execution" be inserted at the end of the clause.

Amendment put and passed, and the clause as amended agreed to.

New Clause:

MR. ILLINGWORTH moved that the following be added, to stand as Clause 40:

All officers who have been continuously employed for a period of two years, and whose services it is not intended to dispense with at an early date, shall, for all the purposes of this Act, be treated as a permanent officer.

Mr. Piesse had just stated there were something like 370 officers in the Public Works Department, and of that number only about 20 were on the permanent staff. This applied in a lesser degree to other departments.

THE PREMIER: Not to a great many.

MR. ILLINGWORTH: At any rate, these 370 were worthy of some consideration, and his object was to give to these officers all the benefits that would accrue under the Bill. He could not conceive any objection possible to the clause. Taking the Land Titles Office, there were any number of officers in that department who were on the temporary list.

THE PREMIER: Not many now.

MR. ILLINGWORTH: Men who for all practical purposes were permanent

officers should be classified or have the benefits which accrued under the Bill. If we gave the permanent officers certain privileges, the temporary officers should receive them also. It had been suggested that six months was long enough to remain on the temporary staff. He would leave it for the consideration of hon. members to say how long the term should be. It might be intended to dispense with the services of officers after six months or so, but if it was proposed to continue their services they should be made permanent officers.

MR. GEORGE: In certain departments of the State there might be a rush of work, and a number of what he might call "scratch" hands would be put on, only to be retained so long as the work lasted. If the work lasted for any length of time he did not know why these officers should not be made permanent hands. His idea was, that if these officers were put on the permanent list the department would have to keep them, whether there was work for them or not.

MR. ILLINGWORTH: No.

MR. GEORGE: The Government would have the power to dispense with these officers. The hon. member knew what was called "log-rolling"—he did not wish to speak in a disrespectful manner. There were 44 members in the Assembly, and thirty in another place, and most of the civil servants had friends amongst the members. A man on the permanent staff might bring pressure to bear, perhaps in exchange for a vote, but the temporary hand had no one to care for him. He knew of cases in which men who had spent their all in building a house were retrenched.

THE PREMIER: It was not desirable to consent to this new clause, as it was rather vague, and really did not carry out the object the hon. member had in view. It would be for the Executive to say whether it was intended to dispense with officers at an early date, and that perhaps would be somewhat difficult. It all depended on the appropriations, whether officers were kept at work or not. If the members of the Opposition had had their way, all the public works in the colony would be at a standstill, or no new works would be carried out.

MR. WILSON: That was misrepresenting.

THE PREMIER: What about the men engaged on all the public works? It might be said that it was intended to dispense with them at an early date, but under other conditions there might be two or three years' employment still for these officers. If there was a big work to be carried out which would last for several years, like the harbour works at Fremantle, or some immense building like the Parliament Houses or the Supreme Court, which would take some time to erect, a number of men would find employment perhaps for years; but when these works were completed unless there was some other public work going on, or to start, the tenure of office of these men would come to an end. Men talked of the hardships of being retrenched, but the class of officers employed on the large public works policy of a country knew full well that when that policy came to an end, or was not as progressive as it had been, they could not be kept on. That was the way all the world over. Engineers and others went from one colony to another as public works were undertaken; some settled down to permanent appointments, but the majority did not, and these officers generally got fairly well paid on account of the temporary nature of their employment. He could not see the use of this clause, which provided that every man who had been continuously employed for two years, and it was not intended at an early date to dispense with his services, should be placed on the permanent staff. Where officers were employed in an established capacity and a fixed position they ought not to be on the temporary list for long, they ought to be on the permanent list, but if officers were engaged on temporary works, such as buildings, they could not expect to be put on the permanent list. He agreed with the hon. member that officers should not be kept on the temporary list when it was intended that their duties should be permanent, and he thought the Government might move in that direction. If the hon. member for Central Murchison (Mr. Illingworth) would move a motion to that effect he would not object to it, because that was altogether in accord with his wishes and feelings.

MR. KINGSMILL: The Premier misread the intention of the proposed clause.

It did not mean that these officers who were temporarily employed should be put on the permanent list, but that those officers who had been continuously employed for two years, and whose services it was not intended to dispense with at an early date, should be treated as permanent officers. If members took the Public Works report for 1898-9 they would find that there were then 620 officers in the public service. The late Director of Public Works had stated that there were now 370 officers in the Works Department, which meant that 250 officers had been retrenched, and of the 370 left only 16 were on the fixed list. The others were disfranchised from any benefit to be received under the Bill, or, to a certain extent, were not bound by the provisions of the Bill in the ratio of 16 to 370. We could not legitimately call this a Public Service Bill if such a small percentage of public servants were provided for. Taking the Estimates of last year for the Lands Department, he found that out of 275 officers provided for on the Estimates, 74 were on the fixed list, and 201 on the temporary list: in the Mines Department there were 34 fixed officers and 152 temporary. These figures pointed to the fact that it was necessary that the Public Service Bill should include the class of officers which the member for Central Murchison (Mr. Illingworth) wished to place on the permanent staff.

THE ATTORNEY GENERAL: A few days ago when the member for Central Murchison (Mr. Illingworth) moved in this matter, he (the Attorney General) understood that it was intended to put on the permanent list a number of persons from the temporary staff who ought to be included in the permanent staff. This class, he understood from the hon. member (Mr. Kingsmill), it was not intended to deal with at all now.

MR. ILLINGWORTH: The clause having that object in view was rejected. This was a new clause dealing with another proposal.

THE ATTORNEY GENERAL: The words of the clause were, to say the least of it, exceedingly vague. How were such officers, in the words of the clause, to be "treated as permanent"? If it were intended to give temporary officers the same salaries as permanent men, say so; but to say that they should be "treated

as permanent" would lead to a conflict of opinion as to whether they should not be on the permanent list. Difficulties would arise with regard to the superannuation allowance, and under this clause men on the temporary staff would claim the right to participate in all the privileges of permanent officers. The clause should apply to holidays only.

MR. ILLINGWORTH: A man might have been on the temporary staff, doing good service for two years; and if a charge were laid against him, the Bill gave him no rights in respect of his defence. If on the permanent staff, he would have all the privileges of the Bill, such as they were. In the Mines Department more than half of the officers were temporary. The proposed arrangement was ridiculous, but until a better Public Service Bill could be obtained, let us give the same privileges of righteous judgment, fair trial, and adequate holidays to those virtually, though not really, on the permanent staff.

THE PREMIER: Compensation for loss of office?

MR. ILLINGWORTH: In the Mines Department were inspectors, draftsmen, and accountants, all on the temporary staff, who, under the Bill, would have no privileges. What was the use of a Bill which would apply to only one-fifth of the public servants? Why not give the same privileges to all? It might be necessary to keep some on the temporary staff; but these privileges should be evenly distributed.

THE PREMIER: Did the hon. member think those who had served two or three years should be on the permanent staff?

MR. ILLINGWORTH: That was a moot point.

THE PREMIER: Better move a motion that the House disapprove of temporary employment for more than two years.

MR. ILLINGWORTH: Possibly; but the Bill conferred no privileges which could not as justly be given to a man who had served for six months as to the man of many years' service. Make the Bill apply to all, instead of 20 out of 190, or to 70 out of 180.

THE PREMIER: Where.

MR. ILLINGWORTH: In the Mines Department there were 152 temporary officers and 34 permanent. The latter

would have the benefit of the Bill; the former would be excluded.

THE PREMIER: Not all the provisions of the Bill were benefits.

MR. ILLINGWORTH: Give them such benefits as there were. So as not to tie the hands of the Government, the clause was purposely vague, so that temporary men need not be retained in the service.

THE PREMIER: Personally, he believed there were too many temporary officers.

MR. ILLINGWORTH: True; yet still the matter remained uncertain. If a man had served faithfully for two years, and there was no intention of dismissing him, why not give him the advantages conferred by the Bill?

MR. PIESSE: With the principle of the clause he agreed, but its application was too general.

MR. ILLINGWORTH: An amendment would be accepted.

MR. PIESSE: From the nature of the functions of the Works Department, many of the men employed were temporary.

MR. ILLINGWORTH: What about the Mines Department.

MR. PIESSE: The principle of making permanent appointments he had always favoured; but this had not been the rule in the service. As to holidays, the privileges enjoyed by temporary and permanent officers were identical. No doubt the Government would agree to make many temporary officers permanent, and the under secretaries would be able to select suitable men. If the clause were passed, it might confer permanent appointments on undesirable officers.

MR. ILLINGWORTH: It was not binding.

MR. PIESSE: It was unfair that so many long service men should still be temporary; and after an expression of opinion from hon. members the Government would doubtless make the necessary alterations. As the Premier favoured the change, probably many of those officers would be permanently appointed, for the Bill would else be of no service to the great bulk of public officers, and its passage into law would thus be a waste of time, the desire of the House in framing such a Bill being to improve the working of the service and to protect the interests of individuals concerned. Let the hon. member withdraw the clause

and leave it to the Government to introduce such a system of appointing permanent officers as would attain the desired object. Some of the men now employed on large public works would, by the time the Bill became law, reach the period of two years mentioned in the clause, and to fix them all permanently in the service would be inadvisable.

MR. ILLINGWORTH: The clause would have no such effect.

MR. PIESSE: Undoubtedly something should be done to enable suitable temporary officers to be brought under the provisions of the Bill.

MR. CONNOR, while in sympathy with the clause, asked what was meant by "an early date"?

MR. ILLINGWORTH: Strike out the word.

THE PREMIER: Evidently all hon. members were in accord; but it would be undesirable to incorporate this new clause in the Bill. Let the hon. member move it as a motion, and when considering the annual Estimates, effect could be given to the desire, as expressed by resolution of the House. Such expression of opinion would be accepted by the Government as an indication of the views of the House.

MR. ILLINGWORTH: Then the service would still be as much in the hands of Ministers as now.

THE PREMIER: But this clause, if passed, would not bind anyone; for it read, "at an early date."

MR. ILLINGWORTH: Strike out that.

THE PREMIER: That would be worse; for Ministers might then dispense with many temporary servants. Let the House act by resolution, and hon. members could then complain if effect were not given to such opinion, in considering the Estimates from year to year.

THE MINISTER OF MINES: The probable reason why so many Mines Department officers were temporary was that when the department was first established it was not known whether it would be permanent. Its permanence, however, was now assured; and in framing the forthcoming Estimates, a large majority of the officers previously appearing as temporary had been placed on the permanent list. Better incorporate this new clause with Clause 7, where the public servants were defined as including all

persons with the exception of those whose appointments were declared to be temporary. The definition might be made to include all who had been employed for a certain number of years.

THE ATTORNEY GENERAL: That would prevent the entrance examination.

THE MINISTER OF MINES: There was no reason why even temporary employees should not be examined. No doubt a large majority of the public officers were on the so-called temporary list, but he hoped that, now an expression of opinion had been given by the Committee, something would be done to bring these officers within the operation of the Bill.

MR. RASON: The object of the new clause appeared to be not to place on the permanent list officers now on the temporary list, but rather to secure to the latter the privileges conferred on the former by the Bill.

MR. ILLINGWORTH: That was the object.

MR. RASON: But it must not be forgotten that by the proposed new clause all privileges enjoyed by servants on the permanent list were extended to civil servants on the temporary list, and that the new compulsory insurance clause would be a very doubtful privilege to temporary officers.

MR. ILLINGWORTH: That was only required when a temporary officer was going to be made a permanent officer.

MR. RASON: All the privileges of the Bill were already extended to officers on the temporary list, without the proposed new clause; at least, that was what he understood.

MR. ILLINGWORTH: The hon. member did not understand it at all.

MR. KINGSMILL: Hon. members would be glad to hear the Premier's assurance in regard to present temporary officers, and if he still persisted in refusing to have this clause inserted in the Bill, it was to be hoped that assurance would be carried out. The clause however ought to be included in the Bill, and there was one or two other anomalies which deserved attention. In the three great departments of the Public Works, the Lands, and the Mines, there were 723 temporary officers and 124 fixed officers; but in the Colonial Secretary's Department, there was altogether a differ-

ent state of affairs. In that department, nurses, orderlies, cooks, district medical officers and others were on the fixed lists, and it was difficult to see why the Government should make "fish of one and flesh of another." It was rather stringent, to say the least, to expect nurses to insure their lives before their appointments were made, and it was certain that any self-respecting cook would absolutely refuse to do it. Some explanation of these apparent anomalies should be given, though, perhaps, there was no explanation.

MR. MOORHEAD: The thanks of the Committee were due to the member for Pilbarra (Mr. Kingsmill) for calling attention to a very extraordinary state of affairs. It now turned out that the Bill was really only to be made applicable to a very limited number of civil servants; in fact, so limited a number as to make it perfectly useless to pass the measure. The observation of the member for Central Murchison (Mr. Illingworth) could be thoroughly concurred in, because it was difficult to see why men who had been for two or three years, and even longer, in the service should not be included in the privileges which this Bill purported to confer on public servants; and there would be considerable difficulty, if the Bill passed in its present form, in applying the provisions to those who still remained on the temporary staff. For instance, Clause 33 of the Bill, dealing with the removal of public servants, would hardly be applicable, or at least, would afford no protection whatever to those on the temporary staff, because a Minister could simply remove or dispense with the services of any such servant not necessarily telling him his conduct rendered him unfit for the position. All the privileges conferred by the proposed new clause would be compulsory insurance and the holiday system.

MR. ILLINGWORTH: Not until servants were appointed on the permanent staff.

MR. MOORHEAD: All this showed how thoroughly useless the Bill was in the peculiar position of the public service of Western Australia. According to the member for Pilbarra (Mr. Kingsmill), the principal departments of the civil service were manned by about 124 permanent as against 750 temporary officers. Having carefully considered the Bill, he (Mr. Moorhead) was inclined to think it

would be better to have a recommitment and a proper measure brought in for giving protection to all the civil servants in the colony.

THE PREMIER: The attention which this matter deserved did not seem to have been given by hon. members. The member for Pilbarra (Mr. Kingsmill) told the Committee he had just given a minute or two to adding up some figures; but if that hon. member looked through the whole of the departments, he would find many hundreds, if not thousands, on the permanent staff. There were thousands of permanent officers in the Post Office, to start with; but it seemed to be admitted that the arrangement of the officers in some of the departments was not very regular or scientific.

MR. GREGORY: Or satisfactory.

THE PREMIER: No doubt there were too many temporary appointments, and that was due to those who had control of the departments perhaps years ago, or even now had control. There was no reason why every post office clerk should be on the permanent staff, or every hospital orderly, while officers in the Mines and Lands Departments were on the temporary staff. He knew all about this matter long ago, but, as hon. members knew, he did not interfere with other departments much. Hon. members might rest assured that what had been said to-night would not go unheeded, but that, as a rule, the desire would be to place officers on the permanent staff as soon as it became known the Legislature was in favour of such a course. But under the circumstances, the desire expressed should not be made statutory, because if it were, the Bill would have to be framed very differently to make it effective. The Bill might be left as it was, and while he did not oppose the new clause, he thought it better a resolution to that effect should be passed when the Estimates came down and when probably all cause of complaint would have been removed. It was possible that hon. members might complain of too many being on the permanent staff, but he agreed it was a good thing this discussion had taken place, because it had brought out the fact that there were men in some of the departments on the temporary staff, who really had been in the service of the State for years. The

discussion had also shown some inconsistencies in departments, the servants in some of which were on the fixed establishment and others were not. In the Public Works Department there was every excuse for such a condition of affairs, and probably in the Mines Department, and also in the Lands Department to some extent. These departments had grown very much, and until it was certain the officers would be permanently required, it would be unwise to put them on the fixed establishment. The Government deserved more credit than blame for desiring to protect the revenues of the country; but in protecting the revenue no injustice should be done, and after what had been said hon. members would not have the same cause of complaint as they had at present.

MR. KINGSMILL: One last word. The Premier had to be heartily congratulated on the noble average which his own special department showed, because that department consisted of eight officers, and they were all fixed.

THE PREMIER: Were they? The Premier had to do with a good many departments.

New clause (as amended) put, and a division taken with the following result:—

Ayes	15
Noes	11

Majority for	4
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AYES.	NOES.
Mr. Connor	Sir John Forrest
Mr. Dazib	Mr. D. Forrest
Mr. George	Mr. Hubble
Mr. Gregory	Mr. Lefroy
Mr. A. Y. Hassell	Mr. Locke
Mr. Higham	Mr. Moorhead
Mr. Holmes	Mr. Pennefather
Mr. Hutchinson	Mr. Piesse
Mr. Illingworth	Mr. Rason
Mr. Kingsmill	Mr. Throssell
Mr. Mitchell	Mr. A. Forrest (Teller).
Mr. Solomon	
Mr. Vosper	
Mr. Wallace	
Mr. Quinlan (Teller).	

Clause thus passed.

Title—agreed to.

Bill reported with amendments.

FEDERAL HOUSE OF REPRESENTATIVES W.A. ELECTORATES BILL.

SECOND READING.

THE PREMIER (Right Hon. Sir J. Forrest). in moving the second reading, said: This colony having decided to join all the other colonies of Australia in

federation under the Commonwealth of Australia Act, which has passed the Imperial Parliament and received the assent of Her Majesty, it becomes necessary for us to divide Western Australia into five electorates. I am wrong in saying it becomes necessary, for I do not think it is obligatory to divide the colony; but there is not the slightest doubt that the spirit of the Federal Constitution requires that the House of Representatives shall represent divisions of the colony. If it were not so, there would be two Houses elected by exactly the same constituency, by the very same persons; and although I believe that in South Australia the question has been discussed as to whether both Houses should be returned by the same electorate, still I submit that such a system is not what is intended by the Federal Constitution, the intention being that the Senators shall be elected by the whole of the people voting as one electorate, and that members of the House of Representatives shall be elected by divisions of the country. At any rate, the opinion the Government have in this matter is that we should follow the practice of our own Parliament in having separate electorates. That being so, and Western Australia being entitled under the Commonwealth Act to five members, it has become necessary to divide the colony into five parts for the purpose of sending five members to the Federal Parliament. Members will notice that the Bill is very short indeed, consisting of a very few clauses, because the machinery for the election is the same as that which we have in force for our own Parliament, and, until the Commonwealth Parliament otherwise provides, that will be the law. The difficulty we have to confront is to divide the colony into five parts. That matter has engaged my attention for some time, and I have found it a somewhat difficult subject. If the number of members had been six, the question would have been very much easier, but seeing that there are only five, it has been very difficult. However, the Government have decided to divide the colony as nearly as possible on a population basis, and we have also taken for our guide the number of voters who voted at the referendum; and I think that if we compare the results from the two courses, it will be seen that they are not very different. For instance,

there are 180,000 people in the colony; there are about 50,000 or 60,000 on the goldfields; there are probably 70,000 in what we may call the suburban area—that is within 20 miles of Perth—and the balance of 50,000 is distributed over the rest of the colony—perhaps not so many; say 40,000.

MR. PRESSE: There are quite 50,000.

THE PREMIER: Are there? The difficulty has been to make the division regarding these three interests—the interest of the metropolitan area, say 20 miles or so around Perth; the goldfields interest; and the agricultural and the pastoral interest. If there had been six members, I should have had no hesitation in recommending that each of those three interests should have two members; but as there are only to be five members, and you cannot cut one into two, you have to decide what you are to do. I have decided on the basis of population, and also on the basis of the referendum, that two members should be elected for the metropolitan area, two for the goldfields, and one for the rest of the colony, making five altogether. If we take the referendum as the basis, we find that about 65,000 people voted. About 12,300 voted at the referendum in what under this Act is called the Coolgardie electoral district; 10,400 voted in the Fremantle district; 15,900 in the Kalgoorlie; 12,900 in the Occident; 13,600 in the Perth district.

MR. A. FORREST: I never heard that name, "Occident," before.

THE PREMIER: If the hon. member will suggest a better name, I shall be glad to consider it, but I will come to that point presently. From the figures I have given, members will see, on the basis of the referendum, that the division is pretty equal, the largest number being 15,900 for Kalgoorlie, and the smallest 10,400 for Fremantle. I may say at once that I am not particularly wedded to this division which I place before hon. members. It is a somewhat troublesome matter, and therefore when we get into committee I shall not be unwilling to consider other proposals members like to make with regard to this division. It is, I say, a very troublesome and difficult matter, and one in which there is plenty of room for difference of opinion. Therefore we shall be glad to have light thrown

on it. I venture to think that, after the matter has gone through the fire of criticism in the House, there will not be very much alteration made in the division which I now place before hon. members. In regard to names, the difficulty is quite as great as that which existed in regard to the subdivisions, if not greater. What names to call these five places has been a very great puzzle to me, and I have consulted a good many other people, but have not received a single representation from anyone outside the Government. People seem to always find the difficulty so great that they are not able to make a recommendation. I thought at one time to give names which would have been somewhat appropriate perhaps, but would possibly have been considered too grand or too classical.

MR. VOSPER: Call one Sylvania, after yourself.

THE PREMIER: After thinking the matter over I came to the conclusion that we had better take the names of some places well known; the principal place in each electorate, in fact. It has been said that we are repeating here the names of electorates which already find a place in this House. I do not think that this is a matter of any great significance, because in my opinion there will be no great confusion in regard to it. However, if members can find better names I shall be very glad to consider them. In regard to one name which is not well known here, the Occident, I thought that Western Australia being the western province of Australia, where the sun sets, it was appropriate; therefore for the want of a better name I suggested it, but I do not at all mind altering it, if a better name can be given.

MR. VOSPER: Call it Sylvania, in memory of your own name.

THE PREMIER: I thought of names that would mean something. I thought of the high-sounding name of Aurea or Aurifera—the Provincia Aurea or the Provincia Aurifera, the gold producing area—but I was of opinion that perhaps some would not like that. Then I thought of Ruralia, Provincia Ruralia, for the rural province; but I thought members would consider that I was an unpractical person from out of the skies. I have thought of the Swan and the districts round about, and of the idea of

Provincia Cygna, a beautiful and euphonous name; but eventually, after thinking of the Provincia Auria, the Provincia Aurifera, the Provincia Ruralia, and the Provincia Cygna, I gave these up and came down to commonplace by settling on names that everyone knows all about. These names are distinctive: Coolgardie is well known, Fremantle is well known, Kalgoorlie is well known, and Perth is well known. "Occident" is the name proposed for the Western Province, including, as it does, the whole western coast from Depuch Island, north of Roebourne, to the eastern side of Albany, in the south. Except that portion of coast country included in the districts of Perth and Fremantle, the whole western side of Australia is included in the "Occident;" and being the land where the sun sets, that is as good a name as I could think of. Perhaps hon. members will be able to make some suggestions. I have given this matter considerable thought, and at one time I had an idea of putting the Bill on the table with blanks for the names of these provinces; but I afterwards thought that would not do, and that it would be better to make suggestions that members could discuss and think over, for, as there is wisdom in a multitude of counsellors, we shall, no doubt, arrive at good results. I think that is about all I have to say in regard to this measure. It is necessary to say what electorates are included in each of these five divisions for the Federal Parliament. There is nothing else in the Bill, because the electoral law already in force applies *mutatis mutandis* to elections held under the Bill. There is power to make regulations, and it is specifically stated, in order that there shall be no doubt about it, that no voter shall vote more than once at the election of representatives. Regulations can be made for carrying out the Act, and provision is made for the remuneration to be paid to officers and for expenses.

MR. GREGORY: What about the election of senators?

THE PREMIER: The election of senators is governed by the Commonwealth Constitution Act itself.

MR. VOSPER: You did not tell us how you divided the combinations.

THE PREMIER: I have told hon. members already. I have set down the 180,000 people.

MR. VOSPER: I mean the number of electors in each electorate.

THE PREMIER: I gave them. I said that there were 12,000 in Coolgardie, 10,400 in Fremantle. These are the figures according to the referendum.

MR. VOSPER: I mean on the rolls.

THE PREMIER: I have not taken the rolls, because the rolls are not made up with the names of the women included, therefore the rolls would be no guide. The referendum is a better guide than the rolls, so I have taken the referendum rather than the electoral rolls.

MR. ILLINGWORTH (Central Murchison): I am afraid the main complaint against the Bill is the same that we have had to make all the time I have been in the House—the absence of equality of representation. Taking the last published figures, roughly it comes out that the Coolgardie electorate and the Kalgoorlie electorate have one member for just the same number of electors as two of the other constituencies. It is the old, old story.

THE PREMIER: Which two others?

MR. ILLINGWORTH: The Occident, for instance.

THE PREMIER: There are 50,000 electors in the Occident.

MR. PIESSE: There is a big combination of districts there.

MR. ILLINGWORTH: There are only 7,000 electors in that district.

THE PREMIER: I have already told hon. members the number of electors who voted at the referendum in that area was 12,900.

MR. ILLINGWORTH: That only shows that the number of electors on the roll is very different from the number of persons who voted at the referendum. I hope we shall get them all on the roll. I am sorry I was busy, and did not take notice of what the hon. member was saying in regard to the figures. I have to congratulate the Premier instead of complaining. I was busy trying to get at something like an equality of electors, but I accept the hon. member's word, and perhaps I ought to apologise for not listening. That was the only complaint I was disposed to make, if it exists: if it does not exist, then I apologise. I have one suggestion to make, and I hope the Premier will not think it is personal, or that I have any self-interest to serve. I

do not think "Occident" a good name. I think it would be much better to call the district the "Murchison."

MR. MITCHELL: Make it "Accident."

MR. ILLINGWORTH: Take the district of Coolgardie, that is well known.

THE PREMIER: Coolgardie includes the Murchison goldfields as well.

MR. ILLINGWORTH: But not the Murchison district. It is an immense district, and carries with it to the outside mind a very large and distinct portion of this great country.

THE PREMIER: But the Murchison goldfields are not in the Occident at all.

MR. ILLINGWORTH: But the Murchison electorate is.

THE PREMIER: I think "Bunbury" would be better than that.

MR. ILLINGWORTH: Bunbury is the name of a place, but Murchison is the name of an immense district. I would even prefer the "Capricorn" to this indefinite name. My only complaint is about the name. I do not care much what name is given to the district, but I prefer the "Murchison" because it is the centre of the district.

THE PREMIER: It includes the district of the hon. member for Murchison: that is the only thing. It does not take in the goldfields of the Murchison.

MR. ILLINGWORTH: I object to Occident, because there is nothing definite about it. "The member for the Occident!" Are we supposed to be in the Mediterranean Sea, or where are we? If the Premier looks into the matter he will see that we want something that links the name to our own colony. I am not particular as to the name "Murchison," because I noticed that as soon as I mentioned it members thought I had some personal interest to serve. But the Murchison is the centre of the district. The objection I have to the name Occident is its absolute indefiniteness. It belongs to nowhere.

THE PREMIER: It is the west.

MR. ILLINGWORTH: I think the Premier's suggestions are wise in regard to the other names. Coolgardie: everybody knows that is in Western Australia; Fremantle has had enough advertising of late—everyone knows where that is; Kalgoorlie is well known all over the world; and so is Perth, only there is

another Perth in Scotland; but Occident is indefinite. I think if the Premier would take the suggestion I have thrown out, or give some other name to the district, it would be preferable. If the Premier does not like "Murchison" I have no objection, but let us have the name of some place in the colony which will identify the electorate with the colony. I want to say, however, that looking at the Bill my first impression was that the electorates were utterly ridiculous and absurd. Here we have districts stretching from the extreme north to the extreme south. It seemed that there was some wrong arrangement. I had a warm telegram from Central Murchison complaining that Cue was being put into the Coolgardie district. It was thought that it would be obscured in that wonderful place represented by an hon. member we esteem so much. I had to reply that I could not make any better suggestion, because the Bill is based on the idea of interests. We have two goldfields districts, representing the goldfields interests; we have the city interests and the port interests, and the squatting and agricultural interests combined; therefore it seemed difficult, exceedingly clumsy geographically, but exceedingly difficult to make any better division. We must either follow the population or the interests. Two things have to be kept before us—first, that of population; and secondly, that of interests. It seems to me the division, although geographically clumsy, will have to be accepted by the House if we are not prepared to make a suggestion or a proposal for alteration without getting an inequality of representation. I hope the Bill does not perpetuate any of the injustices we labour under, having one district with 6,000 electors, and another with 12,000. On the assurance of the Premier that it is not so, I have every satisfaction in supporting the second reading of the Bill, and I shall do what I can to help to place it on the statute book. I would also suggest that supposing the Premier could be prevailed upon to stand for one of these electorates, I would not like the hon. member, who has been so much identified with this country, to be known in the Federal Parliament as "the hon. member for the Occident." It would be degrading to allow such a thing.

THE PREMIER: You would not have the Orient.

THE ATTORNEY GENERAL: You have no soul for poetry.

MR. ILLINGWORTH: There is an Occident for the State of South Australia; there is an Occident for the State of Victoria.

THE PREMIER: Not like ours. The sun does not set into the sea there.

MR. ILLINGWORTH: The Victorian people would be glad to say that their western district is not like ours, because the western district of Victoria comprises the richest land under the sun, without exception.

THE PREMIER: But they have not a western sea.

MR. ILLINGWORTH: There is a good deal of sea round Belfast way, and there is some good soil, and the settlers down there would not like to exchange their land for the land on the western coast of Australia. The great complaint I have is that the name "Occident" is so indefinite. The four other names are definite, and carry a definite idea; but the "Occident" conveys no idea at all. The very name suggests the Mediterranean Sea; but it does not suggest anything Australian. The prominent feature of this country is gold. The districts known throughout the world as gold-bearing districts in this colony are the great Kalgoorlie, Coolgardie, and Murchison centres. I am not speaking with any personal association, because my constituency is by the Bill attached to Coolgardie, and I am quite willing to be thus removed; but I think we might perpetuate a great name. The name of "Murchison," as it stands, is in itself great. It is in itself associated with the mining interest.

THE PREMIER: But this district is not very much associated with the mining interest.

MR. ILLINGWORTH: I am aware of the fact; but it includes, at all events, the auriferous districts of Yalgoo and Northampton, and the coal measures of the Irwin river and South-West goldfields: you have gold from one end to the other.

THE PREMIER: Call it "Boyanup."

MR. ILLINGWORTH: Let us perpetuate the goldfields interest, the greatest thing we have to boast of. If we immortalise the member for Northampton—[MR.

MITCHELL: Who is he?]—by giving his name to that large district, I think we shall be improving, at all events, upon the "Occident." If any one can suggest a better name, I am prepared to accept it. For these reasons, I am ready, with scarcely any alterations, to give the Bill my hearty support.

MR. VOSPER (North-East Coolgardie): I shall certainly support the suggestion of the member for Central Murchison (Mr. Illingworth), and for reasons other than those he gave to the House with regard to this piece of nomenclature. I might call attention to the circumstances which led to the Murchison river being given that name—circumstances which are very important both geographically and historically. The Murchison district generally, I think I am right in saying, was named after Sir Roderick Murchison, one of the greatest geologists of the present century. Sir Roderick Murchison was honoured by having his name attached to that region, mainly because, on examination of certain rock specimens forwarded to him in the old country from Western Australia, he, in his work entitled "Siluria," predicted that gold would be found in this country in large quantities.

MR. ILLINGWORTH: That was a point I missed. He said it would be one of the best gold-mining districts in Australia.

MR. VOSPER: Many years were required to verify his prediction, but it was verified; and in the retention of the name we serve both purposes. On the one hand, we keep alive the name of a great goldfield which is prominent in the history of the colony, and on the other we preserve the name of a great man who has played a conspicuous part in history; and we shall also have a name which has some meaning attached to it, whereas this half-geographical and half-astronomical term "Occident" has nothing but a majestic vagueness to recommend it. You might as well call the electorate "The Universe," or "The Blooming Firmament." It seems to me absurd to apply so vague and indefinite a name to the district. Of course I am willing to admit there is some degree of force in the Premier's objection that this district is not itself a goldfield, and does not include the Murchison goldfield: but we do not know what shape these proposed

electoral boundaries will assume as the Bill goes through committee; and it may be that some of the goldfields will be included in this electorate. But whether we perpetuate the name of the goldfield or not, we shall, by the term "Murchison," perpetuate the name of a great man whose career will always be associated with the history of this colony, I think, after looking at the figures as given in the referendum poll, that the different districts appear to have been very fairly divided, both as regards population and as regards their mutual interests; and I do not think this schedule, except in the detail already mentioned, will require any very serious alteration: but I must say that the geography of these electorates is such that I pity the unfortunate member of the Federal Parliament who comes over to Western Australia for the purpose of giving the usual annual account of his stewardship. If he has to go first to Coolgardie, then West to Kimberley, and to receive at all the various portions of his electorate letters and deputations over such an enormous area, it is pretty nearly equivalent to representing the whole of Europe.

THE PREMIER: His constituents will soon lose sight of him.

MR. VOSPER: I think they will; and he will, perhaps, have a pretty good time of it on that account. However, it must be admitted these big electorates extending over such vast areas will have the effect of eliminating the local member, the individual who is returned to Parliament for the mere purpose of squeezing out of Parliament as much for his own electorate as he can possibly secure.

MR. GEORGE: What could he squeeze out of the Federal Government?

MR. VOSPER: That kind of individual will have no chance in the Federal Parliament. There are one or two other matters which should have been dealt with in this Bill, and which I venture to suggest to the Premier for his consideration. In this Bill there is no provision made for any deposits to be paid by candidates on their nomination. For my own part, I am not in favour of deposits.

THE PREMIER: Deposits are not provided for in the Commonwealth Act.

MR. VOSPER: True.

THE PREMIER: I think the provisions of our Electoral Act will apply.

MR. VOSPER: For my own part, I do not want to see anything more than the spirit of the Commonwealth Act carried out in its entirety; and in the Commonwealth Act there is no mention of deposits from beginning to end.

THE PREMIER: I asked that question; and I think I am right in saying our Electoral Act provides for a £25 deposit.

MR. VOSPER: I shall certainly ask for an amendment of that clause.

THE PREMIER: You cannot amend the Electoral Act.

MR. VOSPER: No; but we can do what we please as to how many of its provisions shall apply to the federal elections.

THE PREMIER: The Commonwealth Act says our Electoral Act shall apply.

MR. VOSPER: I have a pretty fair knowledge of the Commonwealth Act, and as far as I remember there is nothing whatever to impose the payment of a deposit on candidates for either the Senate or the House of Representatives; and if that be the case I shall certainly oppose any deposit being set up by this Bill. It is hardly necessary that there should be a prohibition of canvassing, as far as senatorial elections are concerned. The individual who will canvass from Kimberley on the one side to Kalgoorlie on the other will require an eternity to do the canvass, or will have to be a millionaire. An important provision, however, has been omitted, and I should like to call the Premier's attention to the necessity of having the elections for the Senate and the elections for the House of Representatives on separate days. If we give an elector two cards containing, perhaps, the names of as many as 40 candidates altogether, and he has to strike out all these except those for whom he wishes to vote, this will lead to a tremendous amount of confusion; and the more we can minimise that confusion the better. If we say that the elections be held during the same week, that Monday shall be appointed for the House of Representatives and Wednesday for the senatorial elections, we shall save a great deal of confusion that would otherwise arise. But if we have 20 candidates for the Senate and 20 for the Lower House —

MR. MITCHELL: Let them all be nominated on the same day.

THE PREMIER: Do you mean 20 candidates for the House of Representatives?

MR. VOSPER: Supposing we take the electorate of Perth, we shall find ourselves here in the position that we shall have to elect six Senators and one member for the Perth electorate. Then there may be, say, five or six candidates for one seat.

THE PREMIER: The two elections need not be held at the same polling place.

MR. VOSPER: The elector must select one man out of five or six candidates for Perth, and also six Senators; and there may be as many as 20 or 30 candidates for the Senate; and I know, judging from information I have received, the number of candidates will be great.

THE PREMIER: The voting would not be done in the same hall, I suppose.

MR. VOSPER: I do not know; but the position is altogether exceptional, and no provision has been made for it in this Bill. We must have either a separate day—and to my mind we should save much inconvenience by a separate day—or separate polling-places.

MR. GEORGE: Can you have that, according to the Commonwealth Act?

MR. VOSPER: As far as my reading goes, there is nothing to prevent our doing so. If we have two distinct days for these elections, we shall divide the State interest from the local interest; whereas, if we put 20 or 30 names on one ballot paper and ask a man to strike out certain names at haphazard, a great deal of confusion will probably arise, and some of the candidates may be elected under a misapprehension. If we want to save the elector from getting into a state of utter confusion, we shall have to provide that there must be either separate polling-places or separate days, and separate days would be the more convenient expedient. Another matter that should find a place in this Bill, and which would be of great importance and far reaching in its results, is to prohibit parties concerned in these elections from issuing misleading cards and forcing them into the hands of electors at the doors of the polling-booths. At the referendum, both parties issued cards with either the word "yes" or "no" struck out. In some cases on the goldfields people actually handed in those cards as being their voting-papers; and people were simply pestered to death with the presentation of such cards. Besides,

I know of some cases of anti-federalists who struck out the word "no" on these cards under the impression that, the word "yes" having been already crossed out, this was the way to vote "no."

MR. GEORGE: We cannot be responsible for people's want of education.

MR. VOSPER: I do not say we can be responsible for their want of education; but we have to consider that such want of education is a positive fact. Suppose there is a senatorial election, and we have 20 candidates—which is quite possible—and there are six to be elected; someone presents an elector with a card with all the names except one struck out; another canvasser comes along with a similar card, but with 19 names struck out including that left standing by the first man; by the time the unfortunate voter gets to the booth, he will have a small cart load of cards, each asking him to vote for a certain candidate, and when he arrives at the polling place, with the assistance of the occasional glass of whisky which is customary in such circumstances, he will be absolutely incapable of giving any intelligent vote. The issue of these cards is calculated to mislead an elector very seriously, and will cause still greater confusion in the future than it has caused in the past, with the complicated issues we shall have to deal with. I think we might prohibit the distribution of misleading cards and circulars to the electors.

MR. GEORGE: They do not affect the intelligent elector.

MR. VOSPER: The intelligent elector would be in exactly the same position that he occupied before. It is all very well for the hon. member to place such a high value upon intelligence; but I am sure that if there were no fools, there would be very little need for legislation. Why do we prevent fortune-telling and swindling of all kinds if not to protect the fool who has not sufficient intelligence to protect himself? I may say a voter need not have a very low degree of intelligence to get into a state of confusion on this matter. If there is a very large number of names on the cards issued by the respective parties, that would be enough to confuse even a sensible man. We know under the old applications for electoral registration what a state of

hopeless confusion people drifted into when they had to answer simple questions; and the Government had to bring in a Bill substituting a very simple form for the complicated one previously in vogue. Until we adopt some such proposal as this, we shall find the same state of confusion will arise at the federal elections; and if this happen, it will cause a widespread feeling of dissatisfaction. I support the second reading, subject to certain unimportant amendments in Committee; and I would earnestly urge upon the House the necessity of giving serious consideration to the few suggestions which have been made by me.

At 6:30, the SPEAKER left the Chair.

At 7:30, Chair resumed.

Question—that the Bill be read a second time—put and passed.

SELECT COMMITTEE.

THE PREMIER: The division of the colony into electorates being a very important matter, he thought the schedule ought to be referred to a Select Committee, because he did not see how it could well be dealt with by a Committee of the whole House. It had hitherto been the practice to refer any measure of the kind to a Select Committee, and as there would be no advantage in passing the clauses without the schedule, he moved that the Bill be referred to a Select Committee.

Question put and passed.

A ballot having been taken, the following members were elected: Mr. Higham, Mr. Kingsmill, Mr. Morgans, Mr. Vosper, with the Premier as mover.

Ordered that the committee have power to sit during any adjournment of the House; also, to report on the 19th September.

INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

SECOND READING—POSTPONEMENT.

Order read, for second reading of the Bill.

THE ATTORNEY GENERAL: I beg to move that the consideration of this order be postponed until Tuesday next.

MR. ILLINGWORTH: We want some explanation of this. Night after night this important Bill has been put off.

THE ATTORNEY GENERAL: Not night after night.

MR. ILLINGWORTH: The Government have been telling the country all around that the one desire they have is to get the Conciliation and Arbitration Bill before the people. And as far as this (Opposition) side of the House is concerned, I say again what I said the other evening on the same question, that we have put back business we considered important in order to allow this Bill to come on; yet, night after night, it is put off.

THE PREMIER: New-found affection.

MR. ILLINGWORTH: The people interested in this matter know it is not any new-found affection on our side. We have been working for this legislation for years, and if there is any new-found affection we shall have to locate it on the other side of the House and not on this. I should like some explanation.

THE PREMIER: I believe the reason why there is a desire for the second reading to be postponed is that the Attorney General is not quite prepared to-night to go on with the measure, but he will be on Tuesday, and we will go at it then. It will be put as the first business on the orders of the day, and I hope we will all come prepared to deal with the matter, and to give our attention to it until it is passed.

MR. ILLINGWORTH: We cannot go straight on with it.

THE PREMIER: I think you might examine the measure between the present time and Tuesday.

MR. VOSPER: We should want an interpretation of the different clauses.

THE PREMIER: That is the way. Hon. members never look at the Bills until they come up. If we want evidence of that, we have had it this afternoon. The member for Central Murchison, the leader of the Opposition (Mr. Illingworth) told us the Government were doing what the people complained of now and had always been complaining of; that they were not giving sufficient representation to the goldfields or some other places. But when he looked at the Bill he found that if there were any who had any reason to complain they were

the people in the agricultural districts. Therefore he admitted it. It only shows that members do not look at the Bills and do not study them sufficiently.

MR. ILLINGWORTH: I was studying the Conciliation Bill for the last two or three days.

THE PREMIER: I am very glad to hear it, but seeing that you had the Conciliation Bill before you a year ago, you might have considered it during the past year.

[Several interjections.]

THE SPEAKER: Order!

THE PREMIER: I think it is time some of these members were brought into order. I can only say I think it would be a very good thing for us to begin this important Bill at the beginning of the week and go on with it. I do not see any reason for adjournment with regard to it, except for recommittal or something of that kind. If those hon. members are only half as earnest as they appear to be, I am sure we shall get on very well with it.

MR. VOSPER: You will get the West Perth election over first.

MR. JAMES: I think we ought to make it abundantly clear to the House and to the country that this (Opposition) side of the House always has been in favour of the legislation now proposed to be introduced. Not only last year, but the year before, members on this side of the House raised their voices in favour of such a measure. I have a keen recollection that I was called "the member for New Zealand" by the right hon. gentleman, because I was urging on this House the adoption of legislation of the kind we now have before us. That period has passed away, and last session a Bill was introduced, but it was deliberately kept back by the right hon. gentleman because he did not intend to carry it into force.

THE PREMIER: That is not accurate.

MR. JAMES: I am only expressing my opinion.

THE PREMIER: Your opinion!

MR. JAMES: I cannot do more than express my opinion. I base my opinion on the fact that the Bill was introduced as a Government measure, and it rested entirely in the hands of the Premier whether that Bill should be brought up for discussion; and time after time he

allowed it to be adjourned to suit the convenience of the member for Coolgardie (Mr. Morgans), that convenience having for its object, no doubt, the introduction of amendments to make the Bill of a more conservative nature than it then appeared to be. At the early part of this session we had urgent appeal by certain deputations which went to him, and he urged them to appeal to this side of the House to do nothing whatever during the course of this session to delay the passing of this Bill even for a few moments.

THE PREMIER: About a fortnight or three weeks of my time was occupied in meeting the no-confidence motion.

MR. JAMES: One of the urgent reasons put forward was that there should be no delay. That no-confidence motion was disposed of a fortnight ago.

THE PREMIER: You drew all my attention during that fortnight.

MR. JAMES: Are we to understand that the right hon. gentleman absolutely knew nothing about this Bill when he promised to introduce it?

THE PREMIER: There were various amendments and suggestions from all over the country.

MR. JAMES: If the amendments occupied the attention of the Premier, there was no reason for the right hon. gentleman to make that urgent appeal, that pressing appeal, to prevent this Bill from being delayed.

THE PREMIER: I defeated you, too. That is the rub.

MR. JAMES: He now tells us he requires delay for the purpose of considering the Bill. Yet at that time he represented to the deputation that he was dying to pass it.

MR. GEORGE: Oh, not dying!

MR. JAMES: I think he put it in this way, to save himself from political death.

MR. GEORGE: That is another way.

MR. JAMES: To save himself from political death. The no-confidence motion was dealt with more than a fortnight ago, and this Bill was on the table a week ago.

MR. GEORGE: It was only on the table last Monday.

MR. JAMES: The motion was on the Notice Paper a week ago last Tuesday, and we are not to have the second reading until next Tuesday. Therefore, there

will have been an inexcusable delay of a fortnight in connection with a Bill with regard to which the Premier said he was so anxious.

THE PREMIER: Not a fortnight. The Bill was placed on the table only two days ago.

MR. JAMES: I did not say the Bill was on the table. It was on the Notice Paper.

MR. GEORGE: It ought to have been on the table.

MR. JAMES: It ought to have been on the table. I think that not only members on this side of the House, but the people of the country, would like to have a second reading speech and to consider that speech before the second reading takes place. I am certain the Attorney General, in dealing with this matter, will not regard it as a subject of minor importance, but will go into the question at great length and show us the principles upon which this legislation is based. To the country this Bill may appear to be somewhat novel legislation. It is the practice here, and has been in all the other colonies when a Bill like this is introduced, to have the second-reading speech, and then adjourn the debate to a subsequent date. To emphasise the fact that no delay has been occasioned by members on this side—absolutely none—I am forced to make this statement. The Bill could have been brought forward a fortnight ago, if the right hon. gentleman had desired it.

THE PREMIER: You would not have been here.

MR. JAMES: If the Bill is passed this session it will be in consequence of the constant spurs from members of the Opposition.

MR. GEORGE: I think the Premier has no right to talk in the way he has done this evening in connection with this matter. We are quite aware the right hon. gentleman has held up certain members of the House as having delayed legislation, yet it remained for the Premier to adjourn the House for a week in order that he might attend a race meeting at Kalgoorlie. The Premier is very sensitive, almost as sensitive as the member for the Murray, but he must remember that when he is throwing stones he must not object if a few come back to him. I enter my protest strongly against the

remarks of the Premier to various deputations who have waited upon him, and to the inspired paragraphs which have appeared in the Press, that members sitting on this side have no other motive than to block legislation. The words that the Premier has used, not only this evening but frequently, in connection with this matter are for the purpose of postponing a declaration of his policy, if he ever had one, until next session. The accusations of the Premier do not come with good grace from the right hon. gentleman, who set aside the business of the House to attend a race meeting at Kalgoorlie, and perhaps put a pound or two on the totalisator.

MR. RASON: Comments have been made as to what happened in regard to the Conciliation and Arbitration Bill last session, and the circumstances as told by the member for East Perth (Mr. James) hardly show the real facts. This Bill was introduced last session on the 22nd August, it was read a second time on the 29th August, and on the 19th September we find the member for the Canning (Mr. Wilson) moving an adjournment of the debate for a fortnight, on the ground that there had been no time to consider the measure. It is hardly correct, therefore, to say that all the adjournments and postponements for the consideration of the measure originated from the Government side. Although the Bill was read a second time on the 29th August, we have the member for the Canning, on the 19th September, saying that no time had been given to consider the measure.

MR. JAMES: What did the member for Coolgardie (Mr. Morgans) say, about two months afterwards?

MR. VOSPER: Several efforts have been made on the part of members of the Government side to throw the blame of the delay in regard to this measure on the Opposition, more particularly on the member for the Canning. I have a copy of *Hansard* before me, the same that the member for South Murchison (Mr. Rason) quoted from, and I find that as a matter of fact at the time the member for the Canning moved the adjournment of the Bill for a fortnight, the reason given was that several associations of the employers and the employed had applied to the Government for the purpose of obtaining copies of the Bill, as no

time had been given for its consideration by them. The Premier had not thought well to send draft copies of the Bill through the country before members had them, and the result was that while members were in possession of the measure, associations throughout the country had not received them. That was a justifiable reason for asking for a postponement.

MR. RASON: There had been one postponement before that, of a fortnight. The Bill passed its second reading, and there were two postponements of a fortnight each, that of the member for the Canning (Mr. Wilson) being the second one.

MR. A. FORREST: There was a no-confidence motion on then.

THE PREMIER: We were in the financial part of the session, and it is not so easy to deal with matters then.

MR. VOSPER: That delay was perfectly justifiable, as members will see by reading the remarks which the member for the Canning made on that occasion. It is an undeniable fact that strong protests were made on the Opposition side at every adjournment. We protested in the strongest possible way against the postponement of the measure. The leader of the Opposition protested at that time, and accused the Government of playing with the measure, and holding it up to gull the country. As far as I am personally concerned, it is a subject of accusation against the Government to-day that they are using the Bill for an electioneering dodge; and as soon as the election for West Perth is over, no doubt there will be a diminution in the zeal which the Government are now showing in regard to this measure. Members on this side of the House have been clamouring for this Bill for years.

THE PREMIER: When did you clamour?

MR. VOSPER: The matter was debated more than once before the Bill was introduced, and the reasons given in *Hansard* for the postponements last session by members on the Government side, that there was no demand for the measure, are now discounted. This was one of the original portions of the Opposition policy, and we are determined to see that it is carried out at the earliest possible moment.

THE ATTORNEY GENERAL (in reply): I regret that the application for

this adjournment should have been so seized upon by some members to make capital out of it and gain considerable *kudos*, in showing their wonderful zeal in regard to this measure. I take to myself the whole of this blame, no other member of the Government having a right to share in it, for it is through my fault that this application for adjournment has occurred. It has not been stimulated by any motive, or excited by any motive such as suggested by the member for North-East Coolgardie (Mr. Vosper). It is not being used as an electioneering dodge. I thought last night that the adjourned motions, which were so vigorously debated, having all been adjourned until to-day, they would be taken as the first business; and great was my surprise when I found that that was not so. Not having my notes—I did not bring them with me—and this being an important measure, which I hope to do justice to in moving the second reading, I ask the indulgence of hon. members to allow an adjournment to take place on this occasion.

MR. ILLINGWORTH: Why did the Government alter the notice paper? Why did you not go on with the business?

THE PREMIER: The Government business had to come first. A mistake was made: this is a Government business day.

THE ATTORNEY GENERAL: There has evidently been some mistake committed, and I am the party to blame. I do not think it right that members of the Opposition should make any capital out of it.

MR. WILSON: If the Attorney General had given this explanation when he asked that the measure be postponed, the motion would have been assented to without comment, I believe; but he gave no explanation, and therefore it was only reasonable that members should rise and object. I am sorry the member for South Murchison (Mr. Rason) should have called my action of last session into account. If that hon. member had had the fairness to read through what I said on that occasion, he would have seen that it bore a very different aspect. He wished to make out that I was opposed to the Arbitration Bill; that was the idea he seemed to give, but nothing was further from my mind. If the hon. member had read the speech which I

made, he would have seen what I said. Perhaps I had better read my remarks:

MR. WILSON said there had not been time to consider the measure.

THE PREMIER: That is what the hon. member said.

MR. WILSON: I went on to say:—

It was under consideration of all the different Chambers of Commerce and Chambers of Mines on the goldfields, and by the Manufacturers' Association, Chambers of Commerce, and Shipping Association. Meetings had been held, and it had been found impossible for those bodies to give their attention to all the clauses in the Bill and consider them in the time available. It was only reasonable the subject should be adjourned for at least a fortnight, to enable members to get the views of the different bodies controlling labour throughout the colony, and he hoped members would agree to the adjournment.

Then, further on, when the Premier protested a bit, said a fortnight was too long and suggested a week ought to be sufficient, I said I would accept the suggestion to adjourn the measure for a week. There was no opposition whatever to the Bill, and the adjournment asked for was agreed to, so that both parties should consider the measure carefully. What is the position to-night? We have had a draft of this Bill sent to only one of the parties interested. Two or three months ago the Premier sent copies of this measure to the labour organisations, but the other organisations which are interested just as much as the labour organisations did not receive copies until four or five days ago.

THE PREMIER: I think some received them before that.

MR. WILSON: The Chamber of Commerce only received a copy a week ago, and members had not seen the measure until Tuesday last. How can the Premier say we are trying to delay the measure? Members on the Government side are crying out now and are saying that we are the people who are delaying the measure.

THE PREMIER: You said we should do no work this session.

MR. WILSON: What did the Premier say to a deputation of the workers the other day when the no-confidence motion was before the House? He said that the Opposition were trying to stop this measure.

THE PREMIER: So you were then.

MR. WILSON: And he sent the leaders of the labour party to the leader of the Opposition to threaten him with political death if he did not keep the Forrest Ministry in power until this measure was passed. The Premier must think we are easily frightened.

THE PREMIER: We knew you were easily frightened.

MR. WILSON: We are never frightened: it would take more than the Premier to frighten any one on the Opposition side. We are quite prepared to stand our ground and to see that just and fair legislation on this question is adopted. We are quite prepared to see this Bill carried through, and I, as an employer of labour, welcome the Bill, but we must have fair and equitable conditions between master and man, and that I believe the workers are prepared to concede. We only want to make the Bill a workable measure, so as to stop the disastrous effects of strikes in the future. As soon as we get on to the second reading the better. If the Attorney General had not unfortunately left his notes at home to-night we should have had his speech in explanation, and then the debate could have been postponed so that members could have given the measure fair consideration, but I object to the statement that the Opposition have attempted to stop legislation in this direction.

THE SPEAKER: Some hon. members seem to have been misled by the change in the Notice Paper since it was sent out to them, and I should just like to say that for the future I shall not permit any alteration to be made in the Notice Paper after it has been sent out to members.

Question put and passed, and the Order postponed.

THE PREMIER: I should like to say that the Notice Paper as originally sent out gave precedence to private business, though this was a Government night.

THE SPEAKER: Whose fault was that?

THE PREMIER: I do not think it was our fault.

THE SPEAKER: It was the fault of the Government in not arranging the matter with the Clerk.

MR. GEORGE: Hear, hear.

MR. ILLINGWORTH: It certainly was not the fault of the Opposition.

RAILWAY WORKSHOPS.

MOTION, POSTPONEMENT.

Order read for resumption of debate from the previous day, on the motion for immediate construction of Railway Workshops at Midland Junction.

MR. HIGHAM: When this debate was adjourned last night it was generally anticipated that this, being a private motion, would not take precedence of Government business, which was expected to occupy the whole of to-night, and many members who desired to speak on the motion were not prepared to continue the debate at the present moment. By the practically unanimous consent of the House it had been agreed to adjourn the debate until Wednesday next. He moved the further adjournment accordingly.

Question put and passed, and the order postponed until the next Wednesday.

MOTION—GOVERNMENT RAILWAYS, CONTROL BY COMMISSIONERS.

AMENDMENT, A SELECT COMMITTEE.

Debate resumed from the previous day, on the motion by Mr. Harper "That, in the opinion of this House, the time has arrived when it is desirable in the interests of this colony, that the Government Railways should be placed under the control of a Board of Commissioners, removed as far as possible from political influence."

MR. VOSPER: Before this question was proceeded with, was there any particular reason why the order of motions on the Notice Paper had been changed?

THE PREMIER: For a Government night, the order of business could be arranged by the Government; and that was the answer.

THE SPEAKER: On nights when Government business had precedence, the Government could arrange the Notice Paper as they chose.

Debate resumed.

MR. PIESSE (Williams): Having moved last night the adjournment of the debate on this motion, I now take the opportunity of dealing with a matter which I have been waiting for some days to deal with; and it is my intention to-night to place before hon. members some points in connection with this very important question—a question which, as will be found when my remarks have

been heard at length, had a great deal to do with the position in which I find myself to-day. Hon. members will recollect that I also gave notice of an amendment which I intend to move on this motion. They will find that amendment reads:

That all the words after the word "colony," in the motion of the hon. member for Beverley, be struck out, and the following words be added in lieu thereof: "that a Select Committee be appointed for the purpose of inquiring into the general condition of the Railway Department, with a view to placing the Government Railways under the control of a Commissioner removed as far as possible from political influence, and that pending the report of the Select Committee being received the official recognition of all Railway Associations be deferred.

It is my intention to move this amendment, and I have read it for the reason that it may not have occurred to hon. members to read it in the Notice Paper, or to take such cognisance of it as may be necessary. I should like to point out that it was not my intention in the first instance to move an amendment of this character, believing that I should have another opportunity of dealing with the question; but as the member for Beverley (Mr. Harper) has, through his motion, given me the opportunity of placing my case before the House, and of expressing my opinion in regard to the question of placing the railways under a commissioner or commissioners, I now take the opportunity of giving the House such information as I possess. I would ask, before proceeding with the subject, some indulgence this evening from hon. members, because it will take me some little time to deal with the various phases of the question; and therefore I shall deal with them as briefly as I can. At the same time I regret my speech will take a little longer in delivery than, perhaps, would have been the case in ordinary circumstances. In regard to the question of placing the railways under a commissioner, I should like to say that in his motion the hon. member states that the railways should be placed under commissioners. Now if we take the history of Australasia in regard to railways in general, we shall find—taking the whole of the larger colonies and leaving out Tasmania, which does not come into consideration on this question—that history has repeated itself in this as in other instances. We shall

recollect that Victoria initiated a system of commissioners in 1883, and we find that three commissioners were appointed in that colony; and subsequently all the other colonies—even New Zealand—followed the example of Victoria by adopting the system of placing the railways under commissioners. We shall take these colonies in the order in which these various changes were made. We find Victoria placed her railways under commissioners in 1883; we find the next colony to follow that example was New Zealand, which did so in 1887, after Victoria had had an experience of commissioners for something like four years. Then in 1888 New South Wales placed her railways under commissioners, and in the same year Queensland did so; and, going back a year, I may say that in 1887, South Australia also adopted the same system.

MR. ILLINGWORTH: Did not South Australia appoint only one commissioner?

MR. PIESSE: No: every colony adopted the system of three commissioners, with Acts almost identical in regard to their wording and to the duties of the various commissioners. Then we find that changes are made. New Zealand is in this instance the first colony to take the initiative; and in 1894 New Zealand found that the system of three commissioners did not work to the satisfaction of the country, with the result that a change was made. They did not go back to the system of one commissioner, as other colonies, as I will show, afterwards did; but they adopted the system they are now following—that is, a system similar to our own, with the railways under a Minister; and New Zealand has not changed that system since. But we find the other colonies, in a different order, gradually changed their systems of railway administration, some of them reverting one by one to the practice of having the railways controlled by one commissioner; and that is the system ruling in all the colonies to-day excepting New Zealand, which is under the same system as our own colony, and New South Wales, to which I shall presently refer. In Queensland they have a railway commissioner in receipt of a salary of £1,500 a year, with a deputy commissioner, who is also an official of the department, being the chief traffic manager

there, he giving his assistance to the commissioner upon all matters in which assistance is required. The Victorian railways are now under one commissioner. We know the gentleman who came from Queensland to take up that position, and who is paid a very high salary of £3,500 a year. In South Australia the system is that of a Minister with a board of advice, and the commissioner there is in receipt of a salary of £1,200 a year, with, this year I think, a prospect of some increase in his remuneration. If we take New South Wales we find that is the only colony which has continued under the system inaugurated in 1888: it has three commissioners. It is the only colony which has not changed, and it is evident the system has worked satisfactorily there, and consequently that colony seems to be the only one that has retained the system which on its first adoption was thought the best conceivable, of having a board of three commissioners. I mention this because it has been suggested that Western Australia should follow the course the other colonies followed in the first instance. Now, with the experience before us of the changes which have since been made in the sister colonies, it seems to me that to propose to adopt the course which they adopted, and to change, as we shall have to do eventually, is not good advice to give in present circumstances. It may be said that the system which New South Wales adopted and supposed to be correct at first has since worked satisfactorily; but its satisfactory working is attributable to the strong personality of the late Mr. Eddy, who was considered the most prominent railway man in Australia, and who was regarded as a very capable administrator throughout the whole continent. His untimely death was undoubtedly a great loss to the Australian railway world and to Australasia generally. To-day the New South Wales railways are managed by two of the gentlemen who were associated with Mr. Eddy, assisted by another gentleman selected from the staff, who was formerly chief traffic manager and was raised to the post of commissioner. That system seems to have worked well hitherto; but how long it will continue to work it is hard to say. With all this evidence before us, it seems to me unreasonable to expect that Western Australia should follow the lead of

other colonies in this matter by commencing with three commissioners and subsequently changing to one. Experience teaches that the system which at one time was thought to augur such success for the whole of the Australian railways proved eventually to be not so successful as was anticipated. And what can be the reasons for making those changes? They are not far to seek: in fact, to those who could spare the time it would be most interesting to read through the debates of the period in the various Houses of Parliament, showing the causes which led to those changes in railway administration. The causes are similar to those we find in operation here. The causes, I may say, were the demoralisation of the railway system by the political interference of people who endeavoured to alter the system of administering the railways without knowing what effect their interference would have upon that administration. It was really to prevent this interference and the consequent trouble brought upon the railway system that these commissioners were appointed; and that which was expected of the scheme would doubtless have resulted, had it not been for the changes brought about by those who subsequently came into power, and who saw that which they had before—the parliamentary control of the railways—was slipping through their fingers; and they looked around for some way of getting that control once more within their grasp. And there is no doubt they had not far to look for it, as will be seen in the case of New Zealand, where we find that immediately the labour party came into power, or very shortly afterwards, a change was again made—a change which placed these railways under a Minister. What was the object of that change? The object, no doubt, was to revert to the system that had ruled in the past, and to enable those persons who were strong enough and who wished to interfere with the management, to use their influence to their own political advantage. I have discussed this matter with many leading people in the eastern colonies, and one and all agree with me that although the system of placing the railways under the control of commissioners is no doubt a right one so far as the political element is concerned, it is, after all, giving up a great deal of

power—it is giving to a commissioner power which should be retained by the Parliament and the Government of the day. Those with whom I discussed the question see great disadvantage in that: at the same time they see advantages in removing railways from political control, for the reason that the Minister is thus saved a great deal of work and worry, and interference with the department and the working of the railways is prevented. If I were asked what I thought the best thing for the railways of this colony, I would say that to continue the present system is preferable to placing the railways under a commissioner, provided we have a Minister strong enough to resist the influences which are brought to bear on him. I consider there is no better system than the system we have in this colony to-day, but, with my experience and in my desire to prevent troubles which will occur in the future unless a change be made, I would sink my opinions to-day for the good of the country and advocate the appointment of a commissioner. I know how much simpler it would be for the Minister to carry out his duties if there were a commissioner, because I have had four and a-half years experience of control as the political head responsible to Parliament. I know the difficulties I have had to steer clear of, and I know that if I had been a Minister, with a commissioner responsible to Parliament by statute, my duties would have been much less onerous, and I should have been free from a great deal of the trouble which surrounded me during the whole term of my administration. I have noticed recently much comment on this matter, and I will give a synopsis of a sub-leading article which appeared in a daily paper a few days ago, giving reasons why a change should be made, and a commissioner appointed. That sub-leader reads:

In the old days the present system suited very well, but with expansion the ancient methods of working should be discarded. Thus drastic alteration in control of lines is imperatively necessary. The great fault lies not so much in political interference which has been resisted but in the existence of certain antiquated systems, which should have been swept away years ago. The first thing needed is a searching investigation by a select committee to show where the present system is weak, and after that the appointment of an able commissioner, independent of

political influence, to conduct the railways' affairs on up-to-date commercial and fair lines.

I read this extract because it seems to me to voice the general opinion or the opinion most people appear to express; but that opinion is expressed by people without their knowing the facts, and we have not far to look for the cause.

MR. GREGORY: Differential railway rates.

MR. PIESSE: At all times throughout Australian history we find the various railway administrations in disrepute; there is always trouble and there is always difficulty, for the simple reason that the railway administration comes constantly into contact with the people who, not being able to get everything they desire, no matter how unreasonable their requests may be, at once turn round and blame the system. If we analyse this sub-leader a little we find that the writer says: "In the old days, the present system suited very well." I would like to say that to-day it is recognised throughout Australia, that the Western Australian railways are up-to-date in regard to management, equipment, and system; that they are second to none in the whole of Australia. Why such a remark should be made by this newspaper I cannot understand. I am quite satisfied we might go throughout the whole of Australia and not find railways better managed or better equipped than the railways of this colony. As I said the other night, the management is not free from blame in many instances; but show me a great concern which is free from blame, and it is difficult to manage any great concern without finding some faults or some matters which might be remedied to advantage. The sub-leader goes on to say:—"but with expansion the ancient methods of working should be discarded: thus drastic alteration in control of lines is imperatively necessary." That is all nonsense, and those who speak in that way know nothing about what has been done. If such people would only follow up the system and be reasonable, and give a little more kind encouragement and help to those trying to do their best for the railways, they would do much good. The writer goes on, "The great fault lies, not so much in political interference which has been

resisted, but in the existence of certain antiquated systems, which should have been swept away years ago." I can see no "antiquated systems," and in the four and a-half years of my experience, the endeavour from day to day was to advance the system of railways and keep pace with systems elsewhere; in fact, we have endeavoured, wherever, it could be done, to excel in better working. The sub-leader further says, "The first thing needed is a searching investigation," and so on, as I previously read. Well, I say that what I would like to have is an investigation. I told the House long ago that if there was anything which hon. members considered should be investigated, they ought to have an investigation. I never feared an investigation during the time I administered the department; indeed I should have been only too glad to see an investigation held. No doubt there are weak spots in the system, and these could be found out, and I would welcome any investigation which would bring about a remedy. The question is, by whom should the investigation be held. It is said there should be a select committee or a royal commission, and recently we had a royal commission, the result of which we know, though only a portion of the service was dealt with. An investigation could be carried out by a select committee appointed to deal with the general working of the railways; and if such a committee be able to obtain information which will assist the working of the railways and remove many grievances said to exist, good work will be done. The appointment of an able commissioner is said to be a very simple matter, and no doubt it is easy to decide to appoint a commissioner, but the difficulty is to place our finger on the right man. It is all very well for people to say it is easy to find men, but the future success of our railways depends entirely on the selection, and, after all, this is an experiment which should be well thought out before a decision is arrived at. My own opinion is that all these matters which have been mentioned are not the cause of the trouble at all. The cause of the trouble is not far to seek; and I hope later on to deal with that matter, when I think I can suggest to the House a simple remedy. Going back to the question of the appointment of a commissioner, it was

very surprising, immediately this question cropped up some weeks ago, to find the number of people in Perth who aspired to the position. The number of railway managers in the colony was to me simply astonishing, for almost at every turn I found men who, according to their account, were the very men who would make the railways a success. It is true some of them knew nothing about railways, but were heaven-born railway commissioners.

THE PREMIER: They think it an easy billet.

MR. PIESSE: I have only one further remark to make before I conclude my remarks on this branch of the subject. I would urge the House to be very careful; and there is no better way of dealing with such a matter than by the appointment of a select committee, which could make inquiries necessary to arrive at a decision. Such an investigation would no doubt take up a great deal of time, probably some weeks, but in such an important matter time, I take it, is no object, though, of course, the time occupied ought to be reasonable. Hon. members would find the time well spent if they were to do as I have had the opportunity of doing during the past few days, namely, look through the debates which have taken place in every part of Australia on this important question of railway administration. Everywhere we find the same allusions, the same remarks, the same difficulties cropping up, the same charges against the department, the same charges of demoralisation of the service; and I could almost imagine, when reading these debates, that they were debates in this House of Parliament under similar conditions. All this just shows how history has repeated itself in every instance; and having seen the failures, we ought to profit by experience. We have been told before that we have the whole of Australia as our guide, and have seen the pitfalls into which other colonies have been launched and the difficulties which they have had to face in times gone by. We have been told from time to time "let that be your example; let that be your guide; or let that prevent you from following the course they have followed." We have all this before us, and it behoves the House and the country to deal very carefully with the important question of railway administration in the

future. It will be noticed that in framing my amendment I said that, "pending the report of the Select Committee being received, the official recognition of all railway associations be deferred." The question of official recognition was the cause of my severance from the Government, and I ask the indulgence of hon. members to enable me in as clear a manner as possible to place my views before them. The importance of the subject will excuse the length of my remarks which I trust will prove convincing to the House and induce hon. members to support the amendment. The cause of the trouble will be seen when I deal with the question of interference by a section of the public and nearly the whole of the Press of the colony, in connection with the railway regulations. If we go back in the history of the associations, we find that early in 1899 application was made to me for official recognition. That application was made repeatedly and every effort made to have it granted by the Locomotive Engine Drivers, Firemen's and Cleaners' Association, which was the only association I knew at the time. Although I objected to the recognition of the association in the form in which they wished me to recognise it, I have repeatedly said I have no objection to an association as a mutual provident benefit society or for any purpose of improving the social and intellectual condition of the men. I never had any objection to that, but I had an objection to the interference of the men through their associations or authorities in regard to matters which I considered matters of administration. That is the reason why I objected to the recognition of these men at the time I speak of. I will go back to the remarks of the late Locomotive Engineer with regard to this question. So long ago as 1897, he said in a memorandum addressed to Driver Langridge:

Without wishing to restrict employees in the organisation of any measure which will promote the common good, I may say that I am of opinion that the society is not likely to attain this end, and it is not calculated to promote the best interests of the department and its employees.

On the 12th January the late Locomotive Engineer, in dealing with a charge against the same driver, said:

He made an attack upon the inspector, and abused all and sundry. He said that he was

now chairman of a society which was going to make all the officers of the department "sit up." In order to obtain some further information of the society, I directed that an inquiry be held, specially to make inquiry with a view of intimating to the employees my disapproval of the existence of the society, and its not being in any way justified or required. This society had been organised by the imported drivers and guards.

This Driver Langridge was one of the men we imported from England, and it is a singular thing that the late Locomotive Engineer in his recommendation stated that the reason why he preferred to obtain men from England at the time was that they were not influenced so much by the union principles and movements which occurred in Australia. That was the reason why this man, with others, was brought out here, but we find that in 1897 he was the first man to commence this very system of what was then termed the Amalgamated Railway Association. He commenced this very thing which has grown little by little into the associations which we see to-day. I may say that although I had repeated requests made to me in regard to this recognition, knowing the difficulties and dangers which would occur if recognition were granted under the conditions they asked for, I, although treating the men kindly and endeavouring to work in a conciliatory manner with them, certainly desired that no official recognition should be granted. We all recollect, no doubt, the strike that took place at Fremantle among the lumpers. At that time it was said the railway employees in sympathy with the lumpers would come out. But we found afterwards that although a great many of our own men were in sympathy with them to a certain extent, still the drivers and the firemen (no doubt with a good object and with a desire to prevent matters from becoming troublesome) decided not to join with those people at all, and any doubts which I may have had in my mind with regard to the action of those men were set at rest by a letter of the 16th March, 1899, stating their intention. I take an extract from that letter as follows:

I hardly think it necessary to assure you that such a thing as going on strike has not at any time been mooted or even mentioned among the members of this association, for one of the first items in the preamble to the constitution adopted by the conference held in

Melbourne in 1882, and which is binding on this association in common with the kindred bodies in the sister colonies, reads as follows: "Strikes and other barbarous methods of obtaining redress are not in consonance with the spirit of the times, and we rely on the justice of our cause and the force of public opinion to attain our ends, as the results so obtained are more lasting, although a greater length of time may be necessary to gain the required point."

It will be seen by these extracts that these associations—at least the authorities of them—condemn strikes, and consequently their action in that instance was looked upon by me as being very satisfactory. I thought at the time that they were dealing with this matter in a very fair way, and that it was very helpful to us. Therefore, as their attitude commended itself to me, I, believing they were reasonable men and would not resort to extravagance, had my criticism rather disarmed by them, and they placed themselves in a very favourable light in my opinion at the time. I then communicated with a gentleman who was here in the colony, and who had had a great deal to do with strikes in the Eastern colonies. I saw him, and as he was returning to Melbourne I asked him to discuss this matter with Mr. Matheson, a Railway Commissioner of Victoria. He did so, with the result that he eventually wrote a letter to me which I subsequently dealt with, and which no doubt eventually was the cause of my agreeing to a partial recognition of the association upon certain terms. After having received this letter, a deputation was arranged with these men on the 19th April, 1899, and at that deputation a rough extract of a letter from Mr. Matheson was read, wherein he said he considered that under certain conditions recognition would be satisfactory to the working of the railways. I mention this because I want to lead up to the question of the recognition to show the reasons why that recognition was granted at the time. It will be seen from a publication which has been issued by the authorities of the association that they have published almost the whole of this letter, of which I read an extract. It goes to show that they obtained this letter in some way, not through me, and that they were able to publish it. I had no objection to the publication of this letter, nor have I now any objection to it, but at the same time it is a private communication and one which should not

have been handed to the men. It had a good deal to do with the question of recognition on the 19th April, 1899, with the result that this recognition was agreed to on the condition that it should be given a trial for twelve months, from the 19th April, that being the date upon which my answer was given to the men. We find that immediately this recognition was obtained the Secretary commenced with his usual tactics. He was a most troublesome man throughout. The association having obtained this right, it soon made itself felt, and that was one of the reasons which of course subsequently prompted me not to agree to a subsequent term of recognition.

MR. VOSPER: What did the secretary do?

MR. PIESSE: I will point that out very soon. I have some extracts here which will show you. Then, of course, we remember that just about the time this matter was being dealt with, there were several alleged grievances—at least it was said they were grievances—throughout the department, which required remedying, and we remember that the member for East Fremantle (Mr. Holmes) brought the matter before this House and the hon. member was informed on that occasion that it was intended to appoint a Royal Commission to deal with this and other matters. We all know the result of that Royal Commission. The charges which had been brought forward by the men were not proved, and the result was that the General Manager, who had been accused at that time by another officer of the department, was entirely exonerated from blame and the officer in question was dealt with rather severely by the commission. Of course that report is before the members of the House. In that report it was stated that if the late Locomotive Engineer did not withdraw the remarks he had made or act in a certain way, his services should be dispensed with. The result was that the matter was looked into, and it was thought that it would be better for the department and for the Government as a whole that the officer's services should be dispensed with. I sent for him, and after discussing the matter with him it was decided that he should resign upon certain conditions. These conditions have already been placed

before the House, and there is therefore no reason for me to go into them in detail. Immediately this was made known, general dissatisfaction arose at Fremantle amongst a certain section of the men—principally among the locomotive engine drivers and the cleaners, and others attached to the works. This officer, who had been liberally dealt with, on finding that there was no other possible chance for him to continue in the position he had previously occupied, agreed to certain conditions. When these became known to the men they, as I said, objected to this, and a large meeting was held, with the result that the following resolution was passed and forwarded to me:

That we view with indignation the removal of Mr. Campbell from his office, and that the General Secretary communicate with the Hon. the Minister and inform him that unless he can give an assurance that Mr. Campbell's services will be retained, that he be given 24 hours' notice that the members of this association will cease work.

That, I think, is one of the most peculiar and I may say one of the most threatening resolutions which could be passed by any body of men, and they certainly afterwards carried it into effect. Those men met and they passed this resolution objecting to the services of an officer of the department being dispensed with, or that officer resigning. This action did not agree with the previous letter, in which they state that strikes and other barbarous methods of obtaining redress are not in consonance with the spirit of the times. We find that these men, notwithstanding that they said before that they would not think of doing anything so wicked as going out on strike or bringing about the inconvenience which such conduct would cause to the public, sent to me a threatening resolution such as this, stating that if a certain officer was not reinstated, they would cease work at 24 hours' notice. That has been denied by some of the authorities. It has been denied by the Secretary, who said that no such resolution had ever been forwarded. But we have a copy of the resolution, and the resolution is to be seen on the file of the department.

A MEMBER: Sent to you?

MR. PIESSE: Sent to the Under Secretary for Railways. It was addressed to the Under Secretary of Railways, and

not only that, but it was repeated to me by these men at a meeting subsequently held.

MR. HOLMES: A letter signed by the secretary?

MR. PIESSE: Yes; signed by the secretary. This was a most impulsive resolution, which seemed to me to have been hastily conceived and ill-advised. These men, notwithstanding the fact that they had other opportunities of getting matters dealt with, and other channels through which they could air their grievances, and notwithstanding that they had previously stated to me that they would not resort to such extreme measures, used a threat which seemed to me to convey a notice of an intention to cease work and to stop this great railway system, which subsequently they did stop. Afterwards I met several of these men, who came to see me in connection with this matter. I refused to discuss with them the reinstatement of Mr. Campbell. At the same time I was quite prepared to look into the question of their grievances. I had already agreed to do so, and in fact the matter was in training, and there was no justification for the action the men took. After seeing me they, on the very day that they saw me, and without giving me the warning which they said they would give me by this notice, left the office, and the Secretary of the association telegraphed throughout the colony calling these men out and telling them that a strike had been declared and that they would cease work at 12 o'clock at night. They left me on the afternoon of that day, and without giving notice, stopped the railway system of this country, which caused great inconvenience, and great loss to the country. Their position was untenable. The public at that time showed by their action that they did not hold with the men in the ill-advised and hasty action which they had taken, with the result as we know, that two days afterwards work was recommenced. Meanwhile the public suffered intensely. During this time when the men found the public were against them, they fell back on the grievances which they had brought forward previously. These grievances could have been looked into by any of the principal officers of the department, and had there not been sympathy extended to the men by those

who did not know anything of the matter, there would have been no difficulty in attending to them. The men repudiated having sent a threatening letter to me, but stated that the cause of their going out on strike was on the question of grievances. That is a fallacy, however, as the resolution sent to me was the cause of their ceasing work on that date.

MR. GEORGE: It was published in the newspapers at that time.

MR. HIGHAM: Who signed it?

MR. PIESSE: It was signed by Mr. Cartwright. What happened? At this time these men were servants of the State entrusted with work in connection with this great institution, but they ceased work, causing great inconvenience. The trouble might have resulted in serious punishment to the men who did all these things knowing full well that they were amenable to the law. The ringleaders of it, those who were prominent, could have been punished, and no doubt ought to have been punished. We find these men began to be anxious to return to their work. They adopted an attitude which they could not maintain with the result that they approached the principal officers of the department and said they would return to work on the afternoon of that day. Then we find other people taking this matter up, and two gentlemen of Fremantle assisted, and I say were most reasonable in their requests to me. They went into the matter with me, in the afternoon, although previously in the morning I had said that if the men returned to work by 1 o'clock of that day they would not be marked. The question of grievances was looked into, and I hoped the matters in dispute, or anything complained of, as to grievances, would be cleared up. These were the lines on which these two gentlemen approached me, with the result that we were able to frame an understanding, and on that understanding the men returned to their work. There has been a great deal said about the way in which I carried out that agreement, but I say that that agreement was carried out by me to the letter. We find the terms of the understanding were:

1. In regard to the Royal Commission, in so far as the alleged personal grievances of the employees are concerned, the Commissioner

is prepared, as he intended, to go exhaustively into them, with a view to an adjustment.

2. With reference to making the Locomotive Engineer directly responsible to the Minister, the Commissioner states that he cannot comply with this request.

3. With reference to certain alleged personal grievances, which have been under consideration during the past 12 months, and upon which decisions have been arrived at, the Commissioner undertakes to give immediate effect to.

4. With reference to holidays, the Commissioner thinks there is some misunderstanding on this point, and he expresses his willingness to take the matter into his immediate consideration.

5. If the engine-drivers, firemen, and cleaners resume work at once, the Commissioner promises that no one of them shall be marked, or in any way suffer for having taken part in the strike.

6. It must be distinctly understood that the staff who have remained loyal to the department shall in no way be interfered with.

That was the understanding arrived at, and that was the understanding that has been carried out throughout. Therefore the question which arose at the time as to grievances was dealt with on that understanding, and every course taken to arrive at a satisfactory conclusion with the men. At a meeting held in the General Manager's office later to deal with the grievances, ten or eleven of the men met that officer, together with the other officers concerned, and the matter was threshed out. The differences were settled, and the men approved of the understanding. I may say that at the meeting almost every matter was brought up, and at the conclusion of the meeting the request was again made for official recognition. This meeting was held in February—the term for which they had been recognised, twelve months, expired on the 19th April from that date. When the men applied to me I stated that I would not agree to further recognition, that a trial had been given them, but that the questions dealing principally with matters of general concern, questions of mutual benefit, and technical education, I was still quite willing to agree to, but that I did not feel inclined to further continue to recognise them on the lines which I had previously agreed upon. I consider that by their action in the past, during the eight or 12 months the association had been recognised, nothing but trouble had arisen, and that which we expected would be the result of

a partial recognition happened; it only brought more trouble on the Department. Therefore, with the experience before me which I had gained, I was satisfied that to continue further recognition was a mistake.

MR. WILSON: What were the terms of the recognition?

MR. PIESSE: I will tell you in a moment. To agree to the recognition on the terms asked for, that the secretaries were to be the medium of communication between the Minister and the men, it seems to me would have interfered with the discipline of the department. I was quite certain that it would lead to disorganisation, and it is necessary in great concerns like the Railway Department to maintain discipline, but I was sure the recognition of the association would interfere with that discipline. By a recognition of the association the secretaries would be the medium of communication, and it would be necessary to deal with them individually, instead of with the men collectively or with the men individually. I was certain that if the communication with the men was to be through the secretaries, we should find ourselves in a great difficulty as to administration. The demand for recognition was not the request of the men as a whole, but was the outcome of the paid secretaries, whose very livelihood depends on their continuing to fill the position. These are the people who caused all the trouble. They are the men who have kept the service in a strait for workmen. One of the secretaries had filled a similar position elsewhere. He was well known in the colony of New South Wales, where he came from, and in which colony he caused a great deal of trouble. Had it not been for the influence of such men as these we should not find ourselves to-day in the difficulty which we are in. I may say in regard to one of the secretaries, the secretary of the association which was formed afterwards, we have not had so much trouble in regard to him. He has been very moderate in his demands, and in his communications; but the man I have already alluded to, he has been the cause of great trouble, and I could see it would be quite impossible for us to get on with him.

MR. HIGHAM: You never went the right way.

MR. PIESSE: Wait till I read you some of the letters.

MR. HIGHAM: I know all about it.

MR. PIESSE: It has been stated that the position of these railway men is analogous to that of other workers; but, in my opinion, it is not. These men have accepted service in the greatest State institution in the colony. They have to abide by the rules which are laid down for their guidance, and, if grievances exist, they can be abated. These men have every opportunity of getting to the bottom of any trouble, if trouble exists, by taking the constitutional means provided for redressing grievances. They have ample means of ventilating their grievances, as their complaints come under that rule dealing with any questions that arise, and about which there is a complaint. That rule, I may say, is framed in this language:

Under the departmental regulations in any case where an officer or permanent employee considers he has not been fairly treated, he must, in the first instance, appeal to the head of his branch for redress, and then, if he still considers he has not been fairly treated, he may appeal to the General Manager and the Commissioner of Railways; such appeal must be in writing, and pass through the head of the branch in each case.

The decision of the Commissioner of Railways shall be final.

All appeals of the running staff must be forwarded through the locomotive foreman immediately in control of the appellant.

If the employees of any shed consider themselves to be labouring under any disability or injustice as a body, they are requested to bring the subject before the foreman by deputation, and he will then report on the matters so placed before him. For this purpose any employee of the shed concerned may act as chairman (or spokesman), secretary, or in any other capacity for putting forward the matter at issue. If the reply to the request made is not considered fair or just, the men as a body, through one or two representatives, may appeal in the same manner as is provided for individual cases in the preceding clause.

MR. VOSPER: There is a third clause which says, if they cannot get satisfaction from you, they are not to appeal to Parliament at all.

MR. PIESSE: It is not in this set of regulations from which I am reading.

MR. VOSPER: No; but it is in another.

MR. PIESSE: So that hon. members will see these two clauses provide for appeals. If the men wish to obtain redress they can do so individually or

collectively. We have seen that the men have these advantages of appealing, and now we come to another question, that of the railway men being analogous to other workers. What do we find? They are better paid than the average outside working man; they have privileges which other workmen do not enjoy; they have the advantage of a free pass over the railways; they have holidays; they have train tickets for their wives to attend the market towns, and other privileges for themselves and families during certain seasons of the year. With all these things their condition is quite different to that of the ordinary worker. If we take a lumper, for instance, he has a change of master very frequently. One day he is working for one shipping master, and the next day for another, and so on; but the railway man goes on from day to day in the employment of the State; he has his position guaranteed; he has his holidays guaranteed, with certain advantages, which, I take it, are greater than those possessed by any outside worker. Not only that, the rate of pay is equal to, if not higher than, that received by other workmen. In my opinion, to grant this recognition that has been asked for would be virtually handing over the control of the railways to the associations. Those two bodies would seek not only to control the railways, but to secure power in Parliament: that is what these men are driving at. I say, by all means give the men every opportunity of exercising their political privileges and of using their votes; but to give power to bodies such as these associations would result in great disadvantages to the State in the future. One cause which no doubt led to a great deal of sympathy being extended to these men was the support given them by the Press and by a section of the public, especially by the goldfields public, who urged them forward at certain times to disobey rather than to follow the rules and regulations laid down for their guidance. Another thing, too: it is stated that if this recognition is not accorded strikes will result. Now we have had an experience of one strike; and I say, rather than agree to give that control which is asked for, to hand over these railways as is proposed, to the tender mercies of such men as the secretary to whom I have alluded, and

those who associated with him, I should prefer to have another strike. I should prefer to let the strike come, and to deal with it in a way which would settle it for ever, with the result that we should hear no more of this difficulty; because if the public of this country, who are, after all, the owners of these railways, are to be the masters, let the public control their railways and not allow the department to be influenced and terrorised over by a body of men—I will not thus refer to the whole of them, because there are amongst them a great number of men who are reasonable—but there are certain sections of those men who are unfortunately led by individuals seeking notoriety, and who do not care what happens to the country so long as they obtain their desires. Are the railways to be controlled from the footplate of an engine, or by the political and permanent heads? I take it the latter must have control; and if we allow that interference which has been asked for, and which has been encouraged by certain sections of the Press and of the public, we may then say goodbye to all control of our railway system. I have not arrived at this conclusion without very grave consideration. I have had an opportunity of testing this matter. I have seen the way in which this association worked during the time it was recognised. I have given it an opportunity of working as the members of this House would desire to see it work. Having given that opportunity, I have arrived at the conclusion that it would be disastrous to the administration of the railways and to their future interests to agree to the request now made by the men. I say that to make men who are outside the department and, beyond its scope the medium of communication between the workmen and the officers would be subversive of all discipline; that is the point. That is where the trouble comes in. We should have these men writing letters to the Minister upon all subjects, dealing with matters which should be dealt with departmentally, and taking from the officers their proper power and authority. I say, too, that in politically advocating the claims of these men, an incentive has been given to them to disregard authority; and I do say that is one of the reasons why I consider that if a change is to be

made it should be made in the direction I have previously indicated, namely, by placing the railways under a commissioner removed from political influence, rather than by continuing under the present system, if we are to be assailed, as we have been in the past, by this political influence, and by those who have thought it wise to bring forward the claims of these men and to advocate the concessions which the men demand. It seems to me quite incomprehensible that a body of men, such as I know the railway men to be, because, after all, their very occupation needs intelligence, knowing these men as I know them, it is incomprehensible that they should be so led by certain people, who have their own selfish interests at heart, who are only trying to obtain *kudos* for themselves, who are only actuated by some personal ambition, some desire to place themselves in a prominent position. There is not the slightest doubt a great deal has been done by these agitators with this object; and why the railway servants should allow themselves to be led in that way, I cannot understand. I may say this is not the only colony which does not recognise railway associations. Of course all the other colonies do give that recognition in a certain way—none of them in the way these local associations wish to be recognised. There is in the other colonies some modification of the way in which these men suggest they be recognised—in every colony, except New South Wales, where we find that when Mr. Eddy came, he at once did away with the recognition of the employees' associations, with the result that New South Wales railways have ever since worked satisfactorily. We find that is the only colony where the three Commissioners exist, and that is the only colony which has been able to resist this agitation; and we find no later than last February that Mr. Oliver, the Chief Commissioner, stated to a deputation which waited upon him the reasons why he would not give that recognition. I will give hon. members his words: He stated there with regard to the recognition of the associations that:

He quite understood their wish, but he had to tell them candidly that the association in the past had brought nothing but trouble on the railway service, and nothing but trouble

to the Railway Commissioners. He went further and said that if the men took advantage of the means at their disposal, they could get all the benefits they desired, for every man had perfect access to the officers of the depôt to which he was attached. If the men had anything to represent, they had every opportunity of doing so, and Commissioners would much rather have the men before them and hear what they had to say as they had to-day than through any other medium.

That is the reply which was given by a gentleman who has had long experience of these railway associations, and who is therefore able to judge as to the effect of the working of the associations in that colony, because they were recognised in New South Wales prior to the advent of Mr. Eddy. During the last few weeks a very significant occurrence confirms my opinion, and I think should convince this country that I am right in the stand I have taken; and that is the fact that this same question is now causing difficulty in England. We find there that railway matters have caused some trouble, and that this very question of official recognition is being dealt with by the English companies, and the very same thing is occurring there that has occurred here, the whole problem being on all fours with that which we have to solve. In trying to make out a case for our local associations, one of the secretaries, Mr. Cartwright, said such associations are recognised in England. Now if we refer to the remarks of Lord Claude Hamilton, chairman of directors of the Great Central Railway at home, we shall find such associations have not been nor are they recognised.

MR. VOSPER: That is a very new company.

MR. PIESE: Apart from that, I shall show later on the effect of the agitation. I may say the position in England is on all fours with the position here, and when we find the whole of the railways of Great Britain banded together for their own protection, this fact will be appreciated. The abstracts to which I shall refer are from the papers which came to this colony prior to a telegram appearing a few weeks ago stating that the whole of the English railways had agreed to band together for the purpose of protecting themselves against the desires of the men in this respect; and not only that, but we find that there they treat matters in a way very different from

that in which they are treated here. We find that at home this matter has reached an acute stage, and that the men have picketed the different railway stations as against the free labourers. But we find there a judge of the Supreme Court has gone so far as to grant an injunction preventing this from being done. This is the way in which to deal with a matter of this sort. What we want to say is that if free labour is ready to take up this work, let free labour take it up. I do not see why members of these associations have any right to intimidate other workers who are inclined to serve the railway companies.

MR. GEORGE: Are there any members of Parliament supporting the men in England?

MR. PIESSE: I do not think so.

MR. GEORGE: That is left for Australian politicians to do.

MR. PIESSE: I should like to read two short extracts from a letter of Lord Claude Hamilton in regard to this matter:

The public should bear in mind that the actual wages paid to a railway man by no means represent all the advantages he obtains. His employment is practically permanent, and not influenced by the fluctuations of trade, while in addition to his pay he enjoys very considerable advantages in the shape of holidays, free passes, privilege tickets, uniform, and in many cases reduced rent of houses belonging to the Company, plots of land let to him for gardening purposes at a nominal sum, and other benefits. My board feel, therefore, that the men have no substantial grievance, and that this agitation is merely set on foot by the officials of the Amalgamated Society of Railway Servants in their own interests and in furtherance of the policy they have announced of endeavouring to obtain control of the men of the various railway companies. We, on the other hand, are resolved to deal on all occasions directly with our men and to decline to recognise any outside society, a policy which has long been in force in this company, and which has been attended with very satisfactory results. If, therefore, in this matter the public are subjected to any inconvenience, I hope they will see that the responsibility lies at the door of the Amalgamated Society of Railway Servants and not with the Great Eastern Railway Company.

There we find this chairman of directors expressing his opinion. Moreover, we find in these papers another letter which he wrote on the 24th July:

But we are now, as we have always been, willing to see any man who thinks he has a grievance, and if a deputation of either

shunters, signalmen, or any other class, chosen by themselves, desire to see us, we are willing to receive *bond fide* deputations of, say, from twelve to twenty men of each grade separately. I repeat that the whole dispute arises from our not allowing the Amalgamated Society of Railway Servants to step in between us and our staff, and thus to obtain practical control of the line. We shall resist this interference to the utmost, much as we shall regret a strike, if it occurs, and the consequent inconvenience to the public.

These are the statements of a gentleman who is controlling a railway in England. He has acted in the way in which I consider we should act here. Let us deal fairly with the men. [MR. GEORGE: Hear, hear.] If they have any grievance, let us go into it and let us see what can be done to remove it; and if we do that we are doing all that is necessary, and are trying to help them in every possible way: but, at the same time, let the men obey, let them be obedient to the rules and regulations.

MR. VOSPER: To their pastors and masters.

MR. PIESSE: And let us have good service—that good service for which we pay.

MR. ILLINGWORTH: But you are “agin the Government.”

MR. GEORGE: There is no Government.

MR. PIESSE: I think the action of this gentleman in England confirms my own action. It clearly shows what has been done at home; it shows the very question which is causing trouble here has caused trouble in England; and it shows, too, the way in which that question has been dealt with in England: and although I was not aware of this at the time when I decided to take the course I did take, I am much pleased to find that the very same course has been taken elsewhere. What has been done in the country to help me? I may say that when this question first arose, I found plenty ready to help; but immediately the position became acute, there was a falling off, and those people began to see this was a matter on which they had nothing to say, and which they would leave to work out its own course. I would like to quote two or three short extracts from the local Press; and in the *West Australian*, a newspaper which in the past four or five months has not been favourable to this official

recognition, we find on the 9th April last this statement:

These judicious words may be earnestly commended to the attention of the association. Their truest friend will tell them that they have forfeited their primary rights to demand the continuance of recognition by the basis on which they elected to strike in January. . . . And it must in candour be admitted that if the non-recognition of the association is due to the strike, the association has itself largely to blame.

That is what the newspaper stated then; but what do we find to-day? In a leader of the 24th August, after dealing with my resignation in a way which the editor thought would be some sort of salve for my wounded feelings, and something to help me to get through the battle of life, these words occur:

There can be no doubt, however, that it was a question of Sir John Forrest recognising the association, or finding a hostile vote carried against him in the Legislative Assembly. Of so much there is a comparative certainty.

I join issue on that statement. I say that if the motion had been brought forward and fought out on the day it was first tabled I would have had a majority; and, therefore, I cannot see why this newspaper should state on 24th August that if the matter had been brought before the Assembly, there was a possibility of the vote being carried against me. The House might have agreed that recognition should be granted, but would also probably have agreed to defer the matter with a view to looking into the question before arriving at a decision; and it is in this connection I think a mistake is made. The article goes on to say:

These associations are recognised in most of the eastern colonies. There are inherent reasons why it is useful to have them recognised, as the fact that it is done in so many cases elsewhere in Australia goes to prove.

The fact goes to prove nothing. These associations were recognised for a short time, but that is no reason why they should be recognised again. Two wrongs do not make a right; and, though, it may have been a mistake to give partial recognition, there is no mistake in that no one can charge me with not having given it. People may say, "give it a trial;" but I have done that, and the trial has not succeeded; and I am satisfied that the associations should not be recognised.

MR. GEORGE: The associations have succeeded, seeing they have got recognition.

MR. PIESSE: The newspaper article, dealing with the question of regulations, goes on to say:

It is unquestionable also that in the departmental rules there were many points to which exception might be taken, as was shown by the fact that the first edition was withdrawn, and the Association takes a reasonable view when it contends that had it been in a position to have these rules considered by the Association in its corporate capacity, and to properly urge its opinions, these mistakes would not have been made.

I deny that the regulations were ever withdrawn, and I will show later on that there was no reason to withdraw them. These rules are in keeping with the practice in every part of the world, and not only that, but they are reasonable and fair, and similar rules will have to be framed under the Public Service Bill which we have succeeded in passing through committee to-night. I will take another local newspaper. In speaking at a picnic at Woodbridge held in 1897, I dealt with the question of the Railway Employees' Benefit Society, the object of which was to provide a sick and accident fund and help the railway employees in other matters of that kind. On the 11th May, 1897, the *Daily News* said:—

Care must be taken in the initiatory steps that the society is formed on purely provident lines, and that the element of what, for a better term, we may describe as trade unionism is not to be introduced. Experience in other colonies has shown that some of the so-called provident societies are nothing more or less than trade societies in disguise, banded together to act in passive opposition to employers.

And we find the local Press making statements in the last four or five weeks, embodying entirely opposite views to those they had previously expressed. When there was no prospect of my doing anything in the matter, the newspaper I have just quoted gave a word of caution, proving they were opposed to the very recognition they now advocate.

MR. GEORGE: They have changed their coat.

MR. PIESSE: In the *Morning Herald* of the 12th March we find:—

However much the employers may prefer to deal with individual employees only, it is too late in the day for anyone to attempt to suppress combinations or unions among workmen. These are just one or two extracts, and with these before us we see the incon-

sistency of the leaders of public opinion whom we find at short dates taking views diametrically opposed. It is an age of demoralisation when we find this sort of thing; when people are not strong enough to resist the everyday temptation of obtaining political prominence or helping their party forward.

MR. ILLINGWORTH: It is the Government Press, you know.

MR. PIESSE: Then the writings do no credit to the Government Press. If people desire to act up to certain principles they must be consistent; let men or a newspaper take any stand they please, but let it be done consistently. The question of the general working of the railways is dealt with, and we find that some of the causes which are said to have led to the trouble are the regulations issued. These regulations were issued on the 24th April last year, and came into force on the 1st July this year; and a great deal has been said about the injustice done to the employees by the regulations. But there has been no injustice; there is nothing arbitrary or intolerant in the regulations, and nothing a good servant could refuse to abide by. The regulations were well thought out and well considered and framed with the object of ensuring a good railway service. What has occurred in different parts of the country? We find the Press in some parts of the country have dealt with matters on *ex parte* statements made by the men, who described the regulations as intolerant and arbitrary, and as interfering with their civil rights. These statements are all very well until the other side has been heard. By all means let us endeavour to put matters on a satisfactory footing; but to give way on every point, when we know we are right, seems to be doing a thing unfair to the country and unfair to ourselves. Have we inquired into the question? I say we have not; we have listened to statements, and we have not gone into them in the way we should do. What do we find? We find a delegation of this association goes on to the goldfields, and there calls meetings, and resolutions, passed by a section of the people who know nothing about the matter, are sent down framed in this way:

1. This meeting considers that it is to the best interest of the colony that the W.A. Gov-

ernment should officially recognise the Railway Associations.

2. This public meeting strongly objects to the W.A. Government introducing Rules 15, 17, and 36 as framed in the rules and regulations of W.A. Railways of 1900, and consider the said rules should not be enforced, as they deprive the employees of their rights of citizenship, and, furthermore, that it is unreasonable or unjust to compel men to sign the declaration binding them to obey illegal "rules" and rules "with which they are not acquainted."

3. That this meeting demands —

"Demands," mind you!

MR. VOSPER: Hear, hear.

MR. PIESSE: The resolution goes on:—

demands that the Compulsory Arbitration Bill be amended so that all civil servants be brought under its operations, the measure to become law as soon as possible.

That is the sort of resolution which came down from the goldfields. I would say here that there are men on the goldfields whom I respect, whom I number amongst my friends, and whose friendship I appreciate. There are amongst them a number of good and reasonable men, but how did they act at the time of the strike? They sent to me insolent telegrams which were exasperating in themselves, and an encouragement to the men to disobey. Those who sent the telegrams knew they were not assisting me, and I replied and told them that instead of sending telegrams couched in such language, it would be far better to use their best influences to get the men to return to work, rather than encourage them in the course they were taking. Then followed the resolution I have read; and in this resolution it is demanded—demanded—that certain things shall be done, and this before those who asked knew the facts of the case. I will now endeavour to give a few facts; and in the rules of which they complain, rule 15 provides:—

The Commissioner may at any time, without notice, dismiss, or his officers may suspend from duty, any servant of the department for intoxication, insubordination, disobedience of orders, negligence, or misconduct, or for being absent from duty without leave, and no wages can be claimed from the Commissioner by any servant after his dismissal or during the period of his suspension from duty, or during his absence from duty from any cause. The Commissioner or his officers may impose fines in respect of insubordination, neglect of duty, or any other omissions, and deduct from the wages or salaries of persons in his employ

such sums as are deemed advisable. Should any employee think himself aggrieved at any time, he may appeal to the head of his branch, to the General Manager, and finally, he may memorialise the Commissioner of Railways, but in such case the memorial must be sent through the head of his department, and such appeal shall be dealt with within 30 days after the receipt.

That is one of the rules complained of; but we find the same rule applied in every colony and in the same way. There may probably be some slight modification, but in principle the rule is the same in every colony, and it is necessary to have such a rule. We find a similar rule appearing in the regulations of the Public Service Board of New South Wales, in paragraph 68 dealing with "Insubordination of officers"; and yet it is said here to be an intolerant and arbitrary rule. The Public Service Bill provides for the framing of similar regulations, and how are we going to manage state railways or any government institutions, unless there are rules controlling the men concerned? I say, as I said before, that no man who conducts his duties satisfactorily will object to these rules. It is only those who are inclined to disobey, and to act in a manner not becoming a good and faithful servant. We find that the next rule objected to is 17, which refers to the right of the Commissioner to deduct from the pay of a servant who is the tenant of the Commissioner any sums for rent. That is the same regulation as is in existence in every colony. It only gives to the Commissioner a right which I take it is due to him.

MR. GEORGE: Rent for the cottages?

MR. PIESSE: Yes. Then there is a rule which says:—

Sick and provident, and insurance funds for death, disablement, and partial disablement may be established from time to time, which the employees will be required to become subscribers to as directed by the General Manager, and contributions may be collected through the medium of the pay sheets.

It was at the request of the men themselves that this was put in, and you will notice that it is not imperative, but optional. It says a society may be established, but it was found that there was no desire to establish it at that time, and a circular was issued subsequently, cancelling the operation of that rule for the time being.

MR. GEORGE: What rule?

MR. PIESSE: Rule 17, sub-section b. Then we come to this important rule which is spoken of as taking away the civil rights of these men, rule 36:—

(a.) Employees addressing communications in connection with their public duties in the railway service other than through their superior officers, or using or obtaining outside influence either directly or indirectly, to represent their requirements, will be fined for the first offence, and for a repetition will be liable to dismissal from the service.

(b.) Employees taking up positions in connection with politics, or on municipalities, roads boards, progress committees, or other like institutions, render themselves liable to dismissal from the service.

Out of the book of rules those are the three which have been objected to. I say that these rules are not intolerant, and they are necessary. As to rule 36, I think everyone will agree that it is far better to have a rule of this kind than to have members of Parliament and everybody else bothered by thousands of men.

MR. VOSPER: It is our duty to be "bothered."

MR. PIESSE: It is not the duty of men to interfere with the working of railway concerns. There are several rules provided here by which the men may memorialise the Commissioner in the event of any injustice being done. The men have sufficient remedies and sufficient channels provided to enable them to have these matters dealt with. I may say that the very object is to, as far as possible, meet the men in their wishes to obtain redress, if necessary. The provision is in existence in every colony, and it is contained in the Civil Service Regulations which you are going to establish. Then with regard to taking up positions on politics, or in municipalities, I say that the rule does not inflict a hardship upon any one. What do we find? In other branches of the Government service we do not find people acting on municipal councils or on roads boards. In the Public Works Department in 1897 regulations were passed preventing officers from taking up positions on those boards. And what do we find even when we come to consider private concerns? In private concerns as a rule the employees are debarred from taking part in political matters or upon boards of various kinds. It is only the principals who have time or leisure, and not men such as these are, who are supposed to take up municipal

positions. You must see that men who have their duty to carry out in small places, such as Subiaco (where it is said there have been cases of employees holding positions on the board), are likely to come into conflict with the people who are resident there. They have their duties to perform, and I say let them serve one master. That master is the Government of this country, and let the men do their duty faithfully and honestly. If they do that, they will find quite enough to do without bothering or interfering with other matters that they should not interfere with.

MR. GEORGE: They will do it.

MR. PIESSE: That is a matter which may be modified, but I say that you cannot agree to allow the employees to be on municipal councils, roads boards, or other associations of that kind. But if it come to those other bodies which are included in this, perhaps the point may be considered. A regulation in the civil service regulations of New South Wales says:

No officer shall accept or continue to hold the office of mayor, treasurer, auditor, or council clerk of the city of Sydney or of any borough or municipal district.

Then it goes on again to say in regard to taking an active part in politics:

In order that officers of all ranks may be enabled to render loyal and efficient service to the Government, they are expressly forbidden to take any active part in political affairs otherwise than by recording their votes for the election of members of Parliament.

We find that the officers are especially forbidden to take an active part in political affairs. Then it states with regard to obtaining influence:—

As the career of an officer in the public service will depend entirely upon his personal conduct and the manner in which his duties are performed, he is prohibited from seeking influence of influential persons in order to obtain promotion, removal, or other advantage.

MR. VOSPER: That is a different thing from seeking to redress grievances.

MR. PIESSE: It refers to seeking influence directly or indirectly. It is the same rule, and it will be necessary to have a similar regulation under the Civil Service Act.

MR. GEORGE: You cannot put these men on the same line as the civil servants.

MR. PIESSE: Then we find that not only these officials, but also the police

throughout this country are under regulations. The police are, indeed, under more stringent regulations than those which apply to the railway officers, and I think it will be admitted that the police obey those regulations, and they are not urged to disobedience, as railway employees have been in so many cases that I can name. I have only one more matter to refer to in relation to the rules, and that is in reference to one said to be the most intolerant of all. That is the rule asking for a declaration of the receipt of these rules; the declaration reads thus:—

I, the undersigned, being appointed as — in the employment of the Western Australian Government Railways, do hereby bind myself to obey and observe and be guided by the rules and regulations of the service, so far as such rules and regulations are or shall be in anywise applicable to my office or situation in the service of the Western Australian Government Railways; also, all other rules that may from time to time be issued for the better government of the Western Australian Government Railways; and I hereby declare that I have received a copy of the same, dated 25th April, 1900, as witness my hand this day.

That is one of the things objected to, and it is said you cannot ask a man to sign for that which he has not received. We are not the only colony which does that. The colony of South Australia has the same declaration, as has also the colony of New South Wales, and I may say the reason is that it is necessary for the men to sign for the rules, because in cases where they are brought perhaps into court in connection with an accident they must have a copy of rules upon them, and they must show that they have received these rules. If other rules are issued subsequent to the framing of the rules in the book of regulations, it is not necessary to take a receipt from those men for every rule which is issued. The object of the regulation is simply to enable the department to know that the men are bound by the rules, and to let the men know it themselves. They say that the rule is intolerant and arbitrary, and that to ask them to sign leads to vexation and trouble. Then what do we find here? The application form for membership in their own Amalgamated Society of Railway Servants contains this:—

I undertake to loyally promote the objects of the society, and to be obedient to the rules of the society now in force, or which may hereafter be adopted.

We find that persons who object to sign the rules imposed by the Government, whose servants they are, ask their own members to sign this declaration which is part of their application form; and how they can get away from that I am sure I do not know.

MR. VOSPER: I will show you directly.

MR. PIESSE: With regard to the question of dealing with appeals, we heard just now that the employees have the right to appeal, and every opportunity is afforded them. I may say that at the time of resigning it was my intention to establish a board which would have dealt with these appeals and would have dealt with them promptly, so that there should be no difficulty. It was proposed that the board should consist of the heads of different departments. If the matter to be inquired into concerned the Loco. Department, the officer of that department would not sit in judgment on that question, but the subject would be dealt with by the officers of the other sections of the service. In that way matters would have been sifted much more quickly and we would have got to some finality sooner than we are enabled to do under the present system. In regard to the remarks which I made just now as to the statement in the *West Australian* that the rules were withdrawn, I would like to say that the rules were not withdrawn. The only thing that was done was to issue a subsequent circular, stating that certain rules would not come into operation. Sub-section B of Rule 17 was not to come into operation, nor was the one dealing with the question of appeal. Outside that nothing whatever was done in regard to withdrawing these rules. The rules remain in force in the same way as at first with the exceptions referred to. I may say in regard to this matter generally, that I quite agree that if there is anything arbitrary or unfair, it is probably right for the public to take up these matters and see what can be done. But when these matters are looked into, I think it will be found there is very little to complain of. Then we come to the sympathies of members of Parliament, and that is what I object to. That is why I say the Railway Department should be removed from political control. We find that members of Parliament in one instance at Fremantle attended a

meeting of the Loco. Department, and the following paragraph appeared in the *West Australian*, dated 31st August:

The Government and Recognition of the Railway Associations.—A conference of the executive committee of the W.A. Railway Association and the W.A. Locomotive Engine Drivers, Firemen, and Cleaners' Association was held yesterday in the Association rooms, at Pearse's Buildings, High street, Fremantle. Members of Parliament for the district, and the West Province, were present. The situation as regards the recognition of the associations by the Government was discussed, and we are informed that the opinion was expressed that unless pressure was brought to bear on the Government by Parliament, the matter was likely to be shelved. It was finally decided that the matter should be left in the hands of Mr. J. J. Higham, M.L.A., who promised to obtain a decision from the Premier within a week.

That is a case in which members of Parliament attended a conference of men held at Fremantle, in the association's own rooms, for the purpose of discussing the questions which were brought forward. That conference was contrary to the rule. Members are helping men to break the rules which have been passed, and which precludes them from obtaining this very political influence which it is so necessary to protect ourselves against.

MR. GEORGE: They were considering their constituents.

MR. PIESSE: We have seen recently the result of the meeting of the Congress of Labour; we have seen what they have done, what matters have been brought before them, the resolutions they have passed, dictating to members of Parliament what they are to do, and even dictating to the Government, and to everybody, and stating that if such and such a thing is not done members will be marked. These threats have no effect on me. This body can pass all the resolutions they like, and I shall not worry my head about them. I shall go on in the way which I think I ought to go. That labour body, that organised labour body, said they would look with disfavour on anyone who interfered with the Conciliation and Arbitration Bill as an enemy to labour, and they may look on me as one of their enemies, because if I see anything in the Bill which is objectionable to me I shall object to it, even to stopping it becoming law, if it is not to the advantage of the country. I am not going to

be dictated to by them; I defy them to bring their powers to bear on me.

MR. GEORGE: They brought them to bear very successfully on someone higher than you.

MR. PIESSE: We are going too far in trying to pander to labour organisations. I do not give second place to anyone in trying to do my best in the interests of labour. As a large employer of labour for years I ask those who have been employed by me if they have ever been badly treated. I look with favour on the working man, I have tried to stand by them, and I shall take a firm stand and do what I consider right. I do not fear their intimidation. I do not object to fair and reasonable requests and improved conditions for the men. I shall do my best to help them; perhaps, they will find me doing more than those who have promised much. A day may come when the help given by people like myself to these men in taking the stand which I do, will assist them more than those who have promised a great deal. Some of the representatives who attend the labour congresses are good and reasonable men, who would do a lot to ameliorate the conditions of the working man and help them more than the agitator who makes himself prominent before the public. No matter what is attempted to be done to satisfy some of these men, I say their appetites are insatiable. They want fresh food in the shape of democratic legislation every day. They do not know how far to go; they go to extremes in many measures. It is far better to give a necessary check, and the time may come, as I said before, when the men no doubt will see reasonableness in what is being done by those whom they do not look upon as friends. I think we all understand that with the influx of a large labour population into this country in consequence of the gold discoveries, the political aspect of things has been changed here. It has brought to this country a section of people who are accustomed to democratic legislation wherever they have been. Provided they are moderate in their demands, and do not ask what is unreasonable, it is our duty as legislators to do all we can to help them. I will use a quotation as one so applicable to the present circumstances:

Now that the masses exercise political power there is a growing tendency to fawn upon them, to flatter them, and to speak nothing but smooth words to them. They are credited with virtues they do not possess, and to win their favour, sympathy is often pretended for views, the carrying out of which in practice is known to be hopeless. Popularity as won in these days is by no means a presumption in a man's favour, but is quite often a presumption against him. No man, says the Russian proverb, can rise to honour who is cursed with a stiff back-bone. But the back-bone of the popularity hunter is of gristle, and he has no difficulty in stooping and bending himself in any direction to catch the breath of popular applause.

MR. GEORGE: That is rough on the Premier.

MR. PIESSE: It has been said by the *Morning Herald* in regard to the question of recognition:

If we mistake not Mr. Piesse on one occasion stated that in refusing official recognition to the associations concerned he was actuated not by his own personal views in the matter but by the advice of Mr. Davies.

I would like to say that notwithstanding the fact that the General Manager of Railways has frequently expressed his opinion that this recognition is not in the best interests of the railway service, my own opinions in regard to this question are the same; I have always held the same views. I consider it is a mistake to agree to this recognition, and notwithstanding the general manager's opinion on the matter, it is my own opinion which has prompted me throughout. Summed up the whole matter resolves itself into this: I prefer, as I said just now, to have a non-political head in preference to the present system, if that system is found unworkable owing to political influence. If the present political situation is workable then I prefer to let it remain as it is. I strongly deprecate the recognition of the associations. I have given my reasons why, and I say I consider we ought not to have the interference of these associations in connection with administration. Having shown that, then I ask for the support of the House in that direction. If we give way discipline will be difficult. It will be impossible to carry on the work in the same manner as we have done in the past. The interests of the men can be equally protected under the present regulations, with the channel to the Minister as provided, and in the event of the men not receiving redress

they have the constitutional channel by which they can obtain redress. The regulations under which the men are governed have to be passed by the Cabinet, and approved by Parliament, and if these regulations are arbitrary let them be amended. The work of dealing with the railways will not be successful while political influence is rife, and while the public and the Press go on as they have gone in the past. In no time in the history of the railways has it been more necessary than to-day to give a free hand to a strong administrative control. I think, too, in regard to this question that unless the Minister is supported in the course I have taken, we shall find that difficulty will follow. I think, having all these facts before them, members will see for themselves that this case, which has been stated as being serious to the country, is not after all so serious as it looks. There is no doubt that grievances do exist, but they are not beyond remedy. Let us take the proper means to abate them if they do exist. Let us do all we can to make the railways a success, but do not at this stage agree to the course which has been proposed. I regret very much that the Government have found it necessary to grant a recognition, or rather have promised to grant a recognition in the way they have done. I should have preferred to see the matter discussed in the House prior to that answer being sent to the member for Fremantle (Mr. Higham). It was sent, and the answer that was given is of such a character that it will permit of the House agreeing to my amendment. The amendment can be agreed to in this way. The matter has not been definitely settled, although a promise has been given that a recognition shall be granted. Still the conditions are such that the matter has not been settled. I know a communication has not been sent to the men to say upon what terms the recognition will be granted. Inquiries will have to be made, and while that inquiry is being made this select committee can sit and look into the matter with a view to arriving at some decision in regard to it. No harm can be done to the men by a little delay. They have had to wait some time now, and it will not do any harm to wait a little longer. I ask the House to agree to my amendment that a

select committee be appointed. I hope the Government will see their way to let the matter of the recognition of the Association stand aside until the report of the Select Committee has been placed before Parliament. There is ample ground for making such inquiry, and I take it before it is decided to agree to any condition as to recognition we should have the opinions expressed by all the other railway ministers or commissioners in the eastern colonies. We do not know on what terms they grant their official recognition. We know one colony refuses it, and has good reasons for refusing it. Let us obtain the opinions of all the authorities in the eastern colonies, and not at this stage do that which I believe will be disastrous to our railway system. I ask for this; I hope the recognition will not be granted. If it is to be granted, I hope it will be on such terms and conditions that will not have any detrimental effect on the railway system. I thank hon. members for having listened to me this evening on this matter, and I may say I feel, in taking up the position I have done in regard to this very serious question, that I have taken a stand which will eventually, when I have shown by my motion that I am right; that the course which the Government have taken in promising to recognise the association is wrong; and there is no doubt we shall all live to see that the proper course is what I have suggested. My great desire is in the interests of the railway system. I have worked in connection with it for four and a-half years. I have given a great deal of my time to it; in fact, I may say that I have given the whole of my time to it. I have done that ungrudgingly, and I have tried to do my best. I do not say it egotistically, but no man in the House knows as much of the inner workings of the Railway Department, or the detriment that will follow any recognition of the Railway Employees' Association, as I do. Therefore I commend my amendment to the House. I now move:

That all the words after the word "colony," in the motion of the hon. member for Beverley, be struck out, and the following words be added in lieu thereof, "That a Select Committee be appointed for the purpose of inquiring into the general condition of the Railway Department, with a view to placing the Government Railways under the control

of a Commissioner, removed as far as possible from political influence, and that, pending the report of the Select Committee being received, the official recognition of all railway associations be deferred."

MR. VOSPER (North-East Coolgardie): I regret that I shall not be able to see my way to vote for the amendment moved by the member for the Williams (Mr. Piesse); but before giving reasons for my attitude, I should like to say that while I think a majority of this House cannot be found to agree with the hon. gentleman who was lately Commissioner of Railways, still, I think we must all admire the manly stand he has taken in this matter. [Several MEMBERS: Hear, hear.] He has shown no desire to truckle to popular favour; he has taken an unpopular course in pursuance of what he believes to be right; he has resigned a high and noble position, and he has shown none of that tendency to which the Government have shown themselves only too prone, to trim his sails to every wind that blows. For his consistency, his candour and his manliness, we can all admire and respect him, and it is only when we come to deal with the principles which have actuated him that differences of opinion will arise. The hon. gentleman has given us a very long and on the whole a very coherent account of the rise and progress of the railway associations in Western Australia; he has shown that he has tried an experiment which has failed, and he believes it has failed because of the inherent defects existing in such associations generally. He has shown, certainly, that his experience has resulted disastrously; but that may have been due as much to faults in the department as to faults in the associations. The hon. member commenced his remarks by saying he had no objection to the railway men forming mutual provident associations, or associations for the purpose of technical education; but as soon as they commenced to take a hand in the internal administration of the department, then he began to take exception to their action. Now, I am willing to admit that trade unions and other combinations of labour may do rash and unwise things; and when this is the case, they generally find in the long run that the large majority of the populace side not with them but against them; and so their

efforts carry in themselves the germs of their own failure. But, as a general rule, I think it may be safely said that there could have been no attempt on the part of associations of this kind to interfere with the internal administration of the department, unless their action had, in the first place, been prompted and accompanied by a sense of injustice. What object could they have in interfering with the administration but for the purpose of securing better terms and conditions of working? And that those better terms and conditions of working should be required is a proof that injustice was being perpetrated, inasmuch as the terms and conditions were not so good as they could have been and ought to have been made, consistently with the commercial aspect of the department's business. We do not stand in the same position in this colony as some railway companies to which the hon. gentleman has referred. We are not running these railways and scraping the bowels out of our employees for the purpose of making an extravagant profit. We desire to pay the interest on the money spent on railway construction, and then, if possible, to make a small profit over and above that; but it is not desired that State-owned industries should be made to pay large profits; it is no more the object of the State to make the railways pay than to make the post office pay; because it is obvious that if the railways pay large profits, the profits must come out of the pockets of the people in the first place, and therefore that profit-making is really only an indirect form of taxation. Consequently, we can afford to treat, and it is to our advantage to treat, the employees of the State in a manner very different from that in which such employees are treated by private employers. The associations, I think, in dealing with the ex-Commissioner of Railways, started out on very fair lines, and they seem, according to his own account, to have created a very favourable impression upon him at the beginning. They announced to him in one of their first circulars that they were not in favour of strikes and such barbarous methods of settling disputes; and this resulted in a partial recognition which was confirmed, to a great extent, by the loyalty the associations exhibited towards the department at a peculiarly trying

time, at a time when the department put their loyalty to a very severe test; because everyone who recollects the circumstances connected with the maritime strike in this colony will recognise that the Government were more responsible, or quite as fully responsible, for that strike as the shipping associations themselves. The Government did more to foment and keep going that strike than any other agency; and that very Government which should have done everything they could to bring about a resumption of amicable relations between labour and capital, did everything they could to set those two factors further asunder. In the circumstances, is it in any way remarkable that the associations should have felt a strong sympathy with the lumpers, and is it surprising that they did sympathise with their fellow-workmen? And yet, despite all these things, they still stood loyally by the department—the department which was putting their loyalty to the greatest possible test, which showed there was a very deep-seated and inherent feeling of loyalty amongst the men composing those associations. The next trouble which arose during this 12 months' trial was the proposed dismissal of Mr. Campbell; and we are told that a threatening resolution was sent to the Minister telling him that if Mr. Campbell were dismissed or compelled to resign, a strike would eventuate within 24 hours. That, on the face of it, looks very bad; but we are not told anything of the circumstances which may have led up to that threat being made. I do not suppose any official communication came from the Commissioner, but we are not told anything about the state of friction that existed between Mr. Campbell and those who might have been called his colleagues rather than his superiors; we are told nothing about the conversations that went on or of the correspondence that took place between these various sub-heads, or of the rumours which went around amongst the workmen; all of which were provocative of the idea that an injustice was to be perpetrated, which the men were determined to prevent. In narrating the situation at that time I am speaking from memory; but I say the men found it extremely difficult to get what they considered to be justice from many of

the heads of departments; the one person from whom they could obtain what they considered to be just treatment was Mr. R. B. Campbell; and suddenly, without warning, they find this gentleman is singled out for dismissal. What conclusion could they come to in circumstances like these? The inevitable, the obvious inference, was, that the sole friend they had among the officers of the Railway Department was about to be victimised because of his friendship for their associations. No explanation was forthcoming to them: on the contrary, it seems, judging from the accounts of that strike, that a degree of haughtiness which was certainly calculated to provoke them still more than they had previously been provoked was exhibited by the heads of the department. We find that a very excellent clue to the mode of treatment adopted was furnished by the Commissioner himself; because, after this resolution had been sent to him, the men came to him on a deputation, and asked him to discuss the question of the dismissal of Mr. Campbell; and he flatly refused to discuss it with them. I am not going to say whether he was right or wrong in that refusal; but it shows the high-handed manner in which those proceedings were conducted. The men go to the Commissioner and say: "Come, let us reason together"; we want a reasonable way out of this difficulty. If you can show us that Mr. Campbell is in fault, we are prepared to withdraw from our aggressive attitude, and to return to our work peaceably." If the deputation meant anything it meant that. And what did they get? They simply got a refusal from the Commissioner even to discuss the matter at all. Then the ex-Commissioner tells us in this House that the men took the extreme step of going on strike. Well, I say that I know the men are opposed theoretically, and I believe practically, to the practice of going on strike; but if there was anything which would make a strike absolutely necessary, this was the course which was certainly calculated to produce that effect. When the Commissioner observed so arbitrary a course of conduct as to say to the men, "Not only must you submit absolutely to my decision, but more than that, you must submit without discussion; we shall not

even treat you as reasonable creatures"—can we be surprised at those workmen, who had quite as much self respect as he—can he be surprised at those men following out the course he himself would pursue, coming out on strike and defying him to do his worst? We are told by the ex-Commissioner that the temporary recognition of the associations bred nothing but trouble. Well, was that due to the aggressive action of the associations, or was it not more due to the fact of the officials of the railway department finding that, for the first time in their existence, some check was placed upon their proceedings, some eye outside official circles was watching their actions, some force of public opinion was being evoked for the purpose of controlling their management. When the officials discovered that, I ask hon. members to consider whether it is not natural that they should chafe under it to some extent; and is it not also probable, judging by their past history, that they adopted an arbitrary tone towards the men and towards the associations; and that the associations, finding that such was the case, began to find it necessary, in pursuance of that instinct of self-preservation which belongs to associations as much as it does to individuals, to assume an aggressive attitude? It is all very well to say they encroached upon the prerogatives of the heads of the department; but aggression is only a form of defence, and I think it is highly probable, from what the ex-Commissioner has said here to-night, that these men were forced to take up an aggressive position, because they knew full well that unless they did so, their various lines of defence would very soon be beaten in.

MR. PIESSE: I did not refer to their letters. I treated the men in a conciliatory manner throughout.

MR. VOSPER: Some of the latter remarks of the hon. member can scarcely be reconciled with those principles by which he says he was actuated; and it seems to me his expressions could hardly be interpreted in a conciliatory manner. What is the position? We are told that this agitation has been fomented by paid officials. Now let me say that I have no love whatever for what are called official labour circles. I have never received at

their hands any grateful recognition of my services in this House or anywhere else. They opposed me at my last election, and they are going to oppose me at the coming election; whatever I may say on their behalf in this House or outside of it is dictated by a sense of duty; for to differ from them would be more in accord with my inclinations. Nevertheless, I am trying to look at this matter from the standpoint of the men and not from that of their officials; and after all, when we see a man who is chosen by his fellow men to represent them, and is paid a small sum for doing that work, is that not a proof that the men repose some confidence in him? Is it rational to believe they would be so blind as to retain a man who was continually betraying them? No. The real position these men take is simply this: They say that when an individual goes to the officials of the department and for redress for grievances he finds himself not altogether ignorant, but more or less unskilled in argument and unused to the technicalities of debate. He is confronted with a number of gentlemen of superior education in many instances, at all events of superior skill in dealing with matters of a controversial character which affects the man seriously. The man has a case and a grievance, and though he may be seized of the subject he lacks words to express his meaning; and what is more natural than that a number of such men should combine and endeavour to obtain the services of a skilled advocate? That is exactly the position of these associations; they are combinations of men who club together for the purpose of getting their case presented in a businesslike and workmanlike manner, and they employ secretaries in the same way as we employ lawyers in the Supreme Court. They know there is a combination of officials against them. I do not suppose that the combination is illicit or improper, but the feeling of *esprit de corps* among the officials is sufficient to account for a combination; and when the men find this, it is only natural they should endeavour to have a counter combination and choose the most skilful man possible to represent their side. Otherwise the individual is put at the mercy of a combination of officers, and we know well what that means in all

grades of the civil service. We were told by the member for the Williams (Mr. Piesse) that these men can obtain redress by constitutional means; but I think the word "constitutional" in this instance is a misnomer. I cannot see that the mere right of appealing to the head of the department is a constitutional mode of obtaining redress; because what I should understand by "constitutional mode" would be the right of appeal to Parliament, the taking advantage of the rights conferred on every individual of the State. I will show later on these rules are specially devised to prevent that kind of appeal, and the present appeal, so far from being constitutional, is rather an institutional one, or only an appeal to the head of the institution. And what is the position in regard to the heads of departments? The very men to whom appeal has to be made for redress of grievances or for a remedy for injustice, may be the man's accusers or may be his enemies, and, in any case, they are to a great extent, for the reasons I have given, interested parties and not fit to be judges; that is, the man does not appeal to men qualified to judge, but to men only qualified to act as partisans. Workmen feel and know this, and consequently say, "If we have no appeal except to the head of the department, we might as well suffer in silence." I admit some modification of the scheme which the member for the Williams says he would have adopted in appointing an independent board, would have removed this grievance, and I only regret the hon. member was not long enough in office to carry out so intelligent and so just a scheme. But the scheme has not been carried out, and the position is the same now as when he resigned. If the men never have any appeal but to the head of the department, they will never be satisfied, and the very fact that this is the only appeal will be serious cause for disaffection.

MR. GEORGE: The men can go beyond the head of the department.

MR. VOSPER: I will show later on that they have no appeal except to the head of the department, according to the existing regulations. The interference of which the member for the Williams spoke, only means the interference of one or two men at most, seeing there are only two associations and only two paid secretaries;

but the hon. member says that interference by these men will have a detrimental effect on the service. I can hardly see why; indeed, I do not see why.

MR. PIESSE: These men are outside the service, you know.

MR. VOSPER: I know they are; but it is a fact that in such a body as the British Army, men are allowed to belong to societies and to represent their grievances through channels outside the army altogether. Even when it comes to a question of a court martial, and a man is tried for an offence serious or otherwise, or if it come to a court of inquiry held by the officers, men are permitted to have outside counsel to represent their grievances and demands. Both the army and navy of Great Britain have their own associations and their own newspapers and organs of public opinion, and no objection is taken by either the Admiralty or the War Office; and nobody can say the discipline of either institution has suffered in the smallest degree owing to the existence of these bodies. Some associations, such as the Masonic and Orange organizations, are prohibited in the army or the navy, but a man is no better for being a Mason or an Orangeman; and the only provision is that no lodge or association shall be actually formed in the regiment consisting exclusively of members thereof. So far as outside associations are concerned, for the amelioration of the condition of the soldier or the sailor, there are a number of such in existence, and the best proof that they are not subversive of discipline is that they are tolerated by the Imperial Authorities. What is good enough for the Imperial authorities in the bodies which constitute the defences of the greatest empire in the world, is surely good enough for the Railway Department in Western Australia. We have also been told that political interference is against discipline, and I can understand that such interference is used for getting one man promoted over another. But in what way it can be subversive of discipline for a man, who finds he cannot get a remedy for his grievances, to come to a member of Parliament, perhaps his own member elected partially to represent him and his grievances on the floor of the House, and ask him to bring up the question and make the responsible Minister answer, is

entirely beyond my apprehension. It must be obvious that what is required to promote discipline, as well as any other form of order, is a sense of confidence; and so long as men know they can appeal to Parliament, and have a certainty they will obtain justice or, at least, investigation, that in itself will act as a safety valve and save a good deal of disaffection. The mere fact that Parliament sits to redress grievances is a safeguard that prevents the State breaking up.

MR. GEORGE: It would be better to have an independent court.

MR. VOSPER: If Parliament is not an independent court—though I do not believe that is the case—members must have a low sense of their position and duty.

MR. GEORGE: That is not my meaning.

MR. VOSPER: Parliament, by the privileges which surround us and the position we occupy, the term of existence, and the mode of election, is independent and should be the most impartial court on the face of the earth.

MR. GEORGE: That is not my meaning. My meaning is that you are over-burdening Parliament with details which another board could deal with quite as well, if not better.

MR. VOSPER: That is the old question of who shall take care of the custodian. If you appoint a board you will soon require Parliament to look after the board, and there will be the result which the Attorney General pointed out as existing in Victoria, where a board was created and another board appointed to look after that board, so that with the two boards and Parliament there were three boards altogether. The more boards there are the more trouble there is; and perhaps, the old patriarchal system of sitting at the city gates and dispensing justice to all and sundry, was better than the Parliamentary system. Let us not complicate matters by more boards. I cannot see that political interference of this nature is in the slightest degree dangerous, because it forms a valuable safeguard in itself, creates a sense of confidence and a belief in the ultimate justice of the country. We were told next that the men should not complain because they had perfect access to all the officers. That is all very well; perfect access to an officer is all right, if you have confidence in that officer, but if

there be no confidence, all the access in the world is of no earthly use; in fact, as a general rule, if you have no confidence in a man, the less access you have to him the better you are pleased. It is no use blinking the fact that in some of the higher officials of the department the men have not got confidence, and neither have the public to a large extent.

MR. PRESSE: The men will not have confidence while they have their present advisers.

MR. VOSPER: The men are not guided so much by advice as the hon. member seems to think. Advice can be picked up at every street corner, and is a thing very easy to give but hard to get people to accept; and while it is all very well to say the men accept advice, "where there is smoke there is fire." No man can induce me to row unless there is substantial reason for rowing, or I am of a peculiarly bellicose disposition; and out of the 5,000 or 6,000 men in these associations there are not many men of that type. The next argument used was one of a character which I think the hon. gentleman would have done better to leave alone. It would have been better to leave this aspect of the question entirely out of consideration, although I can quite understand that on finding that the great railway companies of England were taking similar measures to these, it was natural he should fall back on them to a certain degree. What is the position? It is this: That the railway companies in England want to make the largest profit they can out of the employees and out of the general public. And their managers have only one object in view, that being to make as much money as they possibly can in a given time for the sake of interest. There is no doubt that capitalists will do anything for the sake of interest. Capital will commit a crime for a small percentage, and a murder for a big one. A great author has said that, as the profit on capital gets bigger, so capital generally becomes more unscrupulous. That is the general tendency. I am not saying a word against capitalists as individuals. What I am speaking of now is the general system of capitalists. These railway companies are reformed for the purpose of making interest, and beyond that they have no object in existence. At the present moment the companies in

England are fighting these men because they recognise the fact that associations aim at securing a higher share of the profits of railway enterprise for the men who work upon the railways, whilst the companies want to obtain the larger share for the shareholders. That is the whole position of affairs. There is no such position as that here. Here every individual, even the humblest porter who works on the railway, is a shareholder in the concern. Every man who walks about Western Australia is a shareholder in our railways. Very well, what do we want to do? We do not want to make a profit so as to declare a dividend. All we want to do is to obtain sufficient out of our railways to recover interest, to meet the cost of our sinking fund, and meet our liabilities. Whenever the railways enable us to do that they have fulfilled the object aimed at. If I were in England at the present time, I should look upon the step taken by the companies as an exceedingly dangerous one, for it would at once recall to my memory the actions of capitalists in another country. We have seen in America during the course of the last century that various railroads there have been one after another getting into the hands of the capitalists, until at last they have come to be controlled by capitalists. The most atrocious crimes have been committed by those men during the last twenty years—crimes which, for magnitude and audacity, are simply unparalleled. There are such men as Rockefeller and Jay Gould, whose names will stink with infamy in the nostrils of future generations. That is the sort of thing carried on by companies in America, and now we have similar companies being formed in England. I say that if that endeavour be successful, it will prove the most disastrous thing that will have happened to the mother country from the beginning of her existence. What have these capitalistic conspiracies in America done? There they have accomplished what the English companies are only attempting to do, and what the member for the Williams (Mr. Piesse) would even have us imitate.

MR. PIESSE: The condition of the men in this colony has improved during the last four-and-a-half years.

MR. VOSPER: I am not speaking of that. I am speaking of the condition of

things now existing, and of the condition of things that will be experienced if the action, to which I refer, be followed. The member for the Williams (Mr. Piesse) says that we should follow the policy which the railway companies in England have taken. I say that such policy has reached its full result in the United States of America. We find that ironworks and other establishments have become fortified places, supplied with Maxim guns, and controlled by police; and we find tram cars and railway cars carrying police. We find this whole armament arrangement for coercing people in the United States and dragooning and controlling them, and this has been done by millionaires, who have formed such combinations as that to which the hon. member refers.

MR. GEORGE: There is dragooning on the other side.

MR. VOSPER: I do not deny that. I have only said that these companies have led to that state of friction. I say that if a policy of repression is going to be brought forward in this colony—

MR. GEORGE: We do not want that.

MR. VOSPER: If the policy of the Railway Department here is to be that they will not recognise the trades unions because trades unions have acted in a spirit contrary to the policy followed by such men as Rockefeller, that will lead to the same results as have been experienced in America. The only logical result of the adoption of what the hon. member advocates would be that we should have to fortify our railway stations and use arms.

MR. GEORGE: Not a bit of it.

MR. VOSPER: This may be a *reductio ad absurdum*. Still, the hon. member for the Williams (Mr. Piesse) advocates that we should follow the example of the British capitalist, and the British capitalist is only following the example of the American capitalist. If we follow the example we shall have the same result. Make no mistake about that. For my part I do not wish to see the system of Carnegie followed in this country. I do not want to see adopted here a system which is followed by the railway companies in Great Britain and elsewhere. I do not want Western Australia to adopt a policy of greed or repression. Very far from it.

MR. PIESSE: I mentioned what I did in order to refute the statement of the secretary that such associations are recognised at home. I say they are not.

MR. VOSPER: The hon. member was not content with refuting what the secretary said, but he asserted that we should follow the example set us in England.

MR. PIESSE: I said the principle.

MR. VOSPER: If you follow the principle you will get the interest, and what I have referred to will come about.

MR. GEORGE: Not in this colony, anyhow.

MR. VOSPER: I also hope not.

MR. GEORGE: What is the good of talking about this sort of thing in connection with British companies.

MR. VOSPER: That is all very well, but British companies are not sacred, any more than other companies. The reason we have not met with these troubles in British countries is that, as a rule, British companies are too wise to go to this extreme.

MR. GEORGE: And too fair.

MR. VOSPER: I do not know whether the member for the Murray (Mr. George) understands the very beginning of logic; but I have been combatting the arguments which have been brought forward.

MR. GEORGE: The hon. member is misrepresenting.

THE SPEAKER: Speak to the Chair, please, and do not argue with another member.

MR. VOSPER: I say that if we introduce the American system of greed and repression here, if we adopt the system of unfair play which the member for the Murray (Mr. George) deprecates, we must expect the same results, and we shall most decidedly get them. That such a policy cannot be followed here is proved by what has taken place in the Cabinet—the resignation of the member for the Williams. I am only trying to point out to him that if this policy he proposes is adopted, if the State as the greatest employer of labour in the country sets an evil example of that kind, it will be followed by private employers as time goes on, and so the general idea of repression will be carried out; and it does not mean repression only, but rebellion, and rebellion means anarchy and civil war. With regard to these rules I ventured to comment upon them last night,

but I want to say a word or two more about them, because the Commissioner has seen fit to deal with them himself. The most obnoxious of these rules is No. 36. Regulation 15 I regard as fairly passable; so long as it is judiciously carried out and no injustice is done. Also with regard to sub-section b of Section 17, I do not see why compulsory insurance should not be enforced, provided it is not to the detriment of the officers; but when we come to Clause 36, I must again join issue with the hon. member (Mr. Piesse). The fact of the matter is that the whole right of applying to Parliament for the redress of grievances is destroyed when a man is told that if he applies for outside influence at all, if he appeals to a member for the redress of grievances, he is liable to a fine in the first instance, and dismissal for a second offence. We are told that the same thing exists in the Public Service Bill, but the cases are not on all fours at all. If a clerk in the Treasury Department, or in the Department of Justice, in the Colonial Secretary's Department, or the Mines Department, or a permanent officer in any department of State takes part in political affairs I see a reason why he should be prohibited from doing so, because he may get hold of valuable information which he may use for political purposes.

MR. PIESSE: These men are all permanent, too.

MR. VOSPER: I can understand why a policeman is prohibited from taking part in political affairs, because a policeman in civil life is an embodiment of that force on which the State depends for security, and for a police officer to take part in political affairs may have an intimidating effect. There are real reasons why these men should be silenced, but why should we apply the same rule to an engine-driver or a guard; they do not handle State secrets. They have not the handling of public funds; they merely have to convey certain individuals or cattle or goods to a destination.

MR. PIESSE: They have to handle public funds if they are in receipt of revenue.

MR. VOSPER: But that is nothing in itself. Taking the railway servants as a general rule, what do they do? The engine-driver, the guard or the porter, has

to convey, or assist in conveying human beings, cattle, sheep or tons of stuff to a destination. The railway porter, or the railway official is a common carrier and nothing more, and when the hon. member magnifies the employee into the position of a civil servant to deprive him of his civil rights, he is doing the man a great injustice. You are practically disfranchising 6,000 men for no purpose.

MR. PIESSE: Ninety per cent. do not want it.

MR. VOSPER: If 90 per cent. do not want it they need not have it, but why deny this to those who do want it? What do we find? A rebuke is administered to members of the House for taking part in these matters. The hon. member for the Williams (Mr. Piesse) says it is not the business of hon. members to interfere with the internal affairs of a department. I repudiate that idea. My conception of the duty of a member of Parliament is to interfere in everything and anything he sees that is being done wrong, and to bring it to light, with a view to a remedy being effected. A member of Parliament who does not interfere in these matters should not be in this House; a member of Parliament who suppresses facts should not be in the position of a public trustee. As to telling me or other hon. members that they would save a good deal of trouble if they did not bring grievances to light, I hope hon. members will take a higher idea of the position they occupy than that. It is the absolute duty of members of Parliament to listen to grievances. We know what we were elected to do, and we should not hand our duties over to a board or shirk our duty at all. We are sent here to redress grievances, and to listen to a recital of wrongs; to examine the conditions of every department, and to see that they are carried out properly, with justice to the country and to the employees.

MR. PIESSE: This rule applies in all the colonies, and there must be good reason for it.

MR. VOSPER: This is a self-governing State, and we can take what examples we like. The hon. member must admit that the other States are simply experimenting with rules of this kind and they are in a constant state of mutation, no finality being arrived at. The hon.

member, in speaking of the rule prohibiting any man seeking promotion, or an advantage over another employee, said he did not see how we were to get over the argument.

MR. PIESSE: You put it in that way; not over another employee.

MR. VOSPER: I shall be perfectly prepared to assent to a rule or regulation preventing a man applying to any member of Parliament for promotion, or in search of a billet, but when it comes to the redress of grievances we see that the rule goes further, because it does not apply only to the principle of applying for promotion. If a railway servant applies to a member for the redress of a grievance, then he is liable to instant dismissal. If a railway employee is not allowed to apply for advantages he should be allowed to apply for redress of grievances. Now I come to this declaration, and exception has been taken to it because an official is required to sign that he will agree to any regulations made in the future. I can quite understand a man taking up a book of rules and saying, "I assent to this one," and I go further, and say that a railway servant might pledge himself to agree to every one without protest, but to go beyond that and expect a man to pledge himself to any rule that may be made hereafter is not right. The member for the Williams (Mr. Piesse) instanced the case of the pledge required by the association which the members sign, and he said it was similar. The two cases are not on all fours, because where rules are the creation of the Railway Department, and are made by the heads of the department, it is not reasonable that the men should be asked to agree to any rule that might be made in the future. To make a man pledge himself to regulations which might be made hereafter is nothing more nor less than an act of tyranny. Of course men are perfectly willing to pledge themselves to the rules of their own association, because they make those rules themselves, and therefore they are perfectly willing to agree to any rule they may make in the future. We were told just now that by attending the conference at Fremantle the member for Fremantle (Mr. Higham) and other members had been guilty of assisting the men to break the rules, and to bring about a breach of discipline. I

think the hon. member for Fremantle can defend himself, but these rules are supposed to have no force in law until they have been laid upon the table of this House in accordance with the Railways Act.

MR. PIESSE: No; I have looked up the matter, and find there is no necessity for their being laid on the table.

MR. VOSPER: Well, the sooner that is the case the better. I anticipated something of that sort; therefore, I shall not further refer to the matter. But I pointed out that while the railway servants may be bound by the regulations, I do not think members of Parliament are bound by them; and I think the member for Fremantle and other members were perfectly within their right in listening to the grievances of their constituents, because no rule made by the Commissioner of Railways can possibly override the rights of members of Parliament.

MR. PIESSE: I do not deny that.

MR. VOSPER: With regard to the connivance of the Premier, this conference was held at Fremantle, and the hon. member (Mr. Higham) promised to obtain an answer within a week. And he did obtain that answer. I do not think he would have made a promise of that kind without some grounds for it, and if he had those grounds it is presumable he saw the Premier before he went there; so that if the hon. member is blameable in the matter, the Premier himself is equally open to censure. I find the matter was subsequently delayed—delayed, in fact, until, all of a sudden, I raised much antagonism in this House when I brought down a motion which covered the ground. Then, within 24 hours, the member for Fremantle received his letter, and the association were “smooched over,” with the promise that by-and-by they should be recognised.

MR. PIESSE: I think the hon. member (Mr. Vosper) was responsible for that rather rapid change.

MR. VOSPER: I was responsible, and I take a certain amount of pride in the fact, because I am not one of those who have been with the men at one time and against them the next; therefore, having carried my application to that successful issue, I am rather proud of the fact than otherwise. I may say I am entirely in sympathy with the member for the

Williams (Mr. Piesse) in what he has said in regard to threats addressed to members of Parliament by various public bodies. We had a reference to the late Labour Congress, and to some messages sent, resolutions passed, and things said thereat which were indecent and improper; and, technically speaking, I suppose they amounted to a breach of the privileges of this House. The conference delegates had no right to make use of those threats towards hon. members; that is not the way in which the labour party or any other party can hope to attain their objects, because that kind of thing only makes a self-respecting man who was previously opposed to them still more determined not to accede to their wishes. But, even there, I say the head of the Government in a very large measure is responsible. What was the substance of those threats? The threats were not against the ex-Commissioner, for he had resigned; but they were directed mainly to members of the Opposition in this House; and we were threatened with political extinction if we ventured to proceed with a vote of censure on the Government, which we thought the condition of the country justified. And who gave the incentive for these threats that were used? Who “sooled on” these men to threaten members of Parliament in the discharge of their public functions? The right hon. the Premier, who is now blandly smiling at me across the House. As a political move, he stirred up the trade union congress to go far beyond their functions, and to make use of threats which were derogatory to the privileges of this House. It is no wonder the member for the Williams says these things are symptoms of demoralisation. I can confidently say that, as far as I am concerned, I have never asked for or received favours at the hands of the labour party; I have received nothing from them in the past, and I expect nothing from them in the future except their opposition; and whenever I feel it my duty to oppose their measures or actions, I shall do so without fear and without favour. Similarly, when I think they have right and justice on their side they will find me, as to-night, supporting their demands. But nobody should be threatened, and no politician, whatever his eminence, is entitled to avail himself of threats for

political purposes. I think I am only voicing the views of members on the Opposition side of the House in saying we are determined in labour matters, as in other matters, to do our duty according to our lights, and to advocate the cause of justice, whether on the side of labour or on the side of capital. On the question of the recognition of these railway associations, we hold, I think, a general opinion that those men are entitled to be recognised, because it is only by means of such recognition they can find an adequate and convenient channel for expressing their wrongs and finding a remedy for their grievances. I take it that members of the Opposition are glad to congratulate the Government on what they have already done in this direction, and would be still more gratified to hear satisfactory assurances of more being done than in the past. We all regret the loss of the member for the Williams (Mr. Piesse) as Commissioner for Railways, because a more painstaking and efficient man it would be difficult to find. While we differ from him on this point of principle, we are sorry to lose his services; but it is time that he and this House abandoned the old conservative policy of repression, which, in the last year of the nineteenth century, will not answer. The time for that is past; cease the policy of repression and try to take up the policy of sweet reasonableness.

On motion by MR. DARLOT, debate adjourned till the next sitting.

ADJOURNMENT.

The House adjourned at 11.7 p.m. until the next Tuesday.

Legislative Council.

Tuesday, 19th September, 1900.

New Members, swearing-in—Papers presented—Question: Circuit Courts, to begin—Question: Sunday Train, Kalgoolie—Question: Criminal Libel—Fata how issued—Question: Dredging at Albany—Motion: Posts and Telegraphs, hours of closing—Registration of Births, Deaths, and Marriages Amendment Bill, first reading—Commercial and Business Holidays Bill, Select Committee's Report—Game Act Amendment Bill, third reading—Legal Practitioners Act Amendment Bill, second reading—Division; in Committee, Division, reported—Slander of Women Bill, second reading, in Committee, reported—Accidents Compensation Bill, second reading, in Committee, reported—Adjournment.

THE PRESIDENT took the chair at 4.30 o'clock, p.m.

PRAYERS.

NEW MEMBERS, SWEARING-IN.

Two other of the additional new members, elected under the Constitution Act of 1899, took the oath and subscribed the roll; namely, the Hon. Thomas Frederick Outridge Brimage (South Province), and the Hon. George Bellingham (South Province).

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Letter from the Postmaster General, London, relating to the change of the port of call for mail steamers in Western Australia. 2, Further correspondence between the Secretary of State for the Colonies and His Excellency the Administrator, relating to the amendment of Clause 74 of the Commonwealth Bill. 3, Perth Public Hospital, Report of the Board of Management, 1899-1900. 4, Fremantle Public Hospital, Report of the Board of Management, 1899-1900.

Ordered to lie on the table.

QUESTION—CIRCUIT COURTS, TO BEGIN.

HON. A. G. JENKINS asked the Colonial Secretary: 1, Is it the intention of the Government to make provision for holding Circuit Courts? 2, If so, within what period will such provision be made?

THE COLONIAL SECRETARY replied: 1, Yes. 2, As soon as Parliament sanctions the appointment of a Circuit Court Judge.