

be becoming of me in my position to move "That the Bill be read this day six months," and I am not going to do so. I merely rose for the purpose of entering an emphatic protest against the continuation of this legislation on the statute-book. If I may express an opinion as to the fate of this Bill in another place, if it passes this Chamber, there is not much chance of its getting on to the statute-book. It certainly is, in my opinion, a deadly blow aimed at the existence of unions, because up to the present whatever benefits were to be obtained from the Act were intended to be given to members of unions only, whereas under this Bill those benefits are to be open to persons who are not members of unions. And there is also the additional provision which will preclude the possibility of the rules of these organisations in the future providing for the utilising of any portion of their funds for political purposes. I think, therefore, that the fate awaiting these proposals in another place does not augur well for the passage the Bill will have through that Chamber. And even if the Bill finds a place on the statute-book, I cannot see where any improvement will have been effected in this dismal, dead failure up to date. I can see nothing before us that is going to enable us to surmount the difficulties; and I think the Government would have been well advised either to have left the present statute alone, or to have brought in a Bill of one clause for its entire repeal. I believe that undoubtedly will be the result, if not now, at least in the immediate future. One word with regard to the clause which replaces Section 98 of the present Act. It was under Section 98 that the recent prosecutions were brought, and the re-enactment of that section is in Clause 76 of this Bill. I notice that in other parts of Australia, in fact in the Federal Parliament, an attempt is being made, or is proposed to be made, to cut out of the Federal Arbitration Act that part which provides for the penalising of persons taking part in a strike, or being concerned in a lockout, or contributing funds in aid of those on

strike or of those participating in a lockout. I am afraid that if a similar attempt be made with regard to Clause 76 of this Bill, the only portion of the Bill that is of any avail at all, the only clause that enables the enforcement of the slightest obedience to the awards of the court, will in another place be seriously assailed. I do not propose during the passage of the Bill through Committee to take the slightest exception to it. I merely rose to give expression to my opinion, formed after carefully watching the operation of the Act for five or six years, that it is legislation that ought not to be on the statute-book, having been a dismal failure up to date and not likely to be any better in the future.

On the motion of the *Hon. J. W. Langsford*, debate adjourned.

ADJOURNMENT.

The House adjourned at ten minutes past 6 o'clock until the next Tuesday.

Legislative Assembly,

Thursday, 25th July, 1907.

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The SPEAKER took the Chair at 4.30 o'clock p.m.

Prayers.

QUESTION — RAILWAYS, OFFER TO LEASE.

Mr. WALKER (without notice) asked the Premier: 1, Has he received any offer to lease the railways on or since the 10th of this month? 2, Has he given any reply thereto?

The PREMIER replied: 1, Yes. 2, Yes.

QUESTION—HOSPITAL FOR INSANE, LIGHTING.

Mr. ANGWIN asked the Minister for Works: 1, For what reason was the firm of Messrs. Noyes Bros. appointed to prepare plans and specifications for the installation of electric plant and fittings at the Claremont Lunatic Asylum? 2, What are the terms on which Messrs. Noyes Bros. are engaged, by payment or fixed amount or commission? 3, What is the amount or commission to be paid? 4, Are Messrs. Noyes Bros. prohibited from tendering for the work and material required? 5, Are the firms that Messrs. Noyes Bros. represent in this State as agents prohibited from tendering for the work and material required? 6, If not, will the Minister take immediate steps to prohibit Messrs. Noyes Bros. or any firm of which Messrs. Noyes Bros. are the agents from supplying any of the work or material required? 7, Why are the tenders deposited with Messrs. Noyes Bros. and not directly with the Public Works Department, as is the usual custom? 8, Does the Minister consider it fair to request other electrical firms to submit their prices or tenders to Messrs. Noyes Bros., who are sole agents for one particular firm doing business in this State? 9, Does the Minister consider the officers connected with the Government Department as electrical engineers competent to carry out this work? 10, If not, does he intend to take the necessary steps to remove them from their employment in the Government service?

The MINISTER FOR WORKS replied: 1, It was necessary that the electrical work of the Asylum should be put in hand so that all work should proceed simultaneously. The Government Electrical Engineer was at the time in England *re* electric cranes, and no other expert officer was available. On the recommendation of the officers of the Department, Messrs. Noyes Bros. were appointed as engineers of this work on March 14, 1906. 2, By commission. The arrangements made enabled the Government to employ Noyes Bros. to prepare plans and specifications only, or to supervise the work in addition. If the former, that firm would have competed in ten-

dering with other firms, but if supervising the work they would be precluded from tendering. The latter course has been adopted as being fairer to other firms. 3, Two and a half per cent. for plans and specifications. A farther 2½ per cent. for supervision. 4, yes. 5, No. Tendering is as open and on as wide a basis as possible, and the specifications are so drawn as to preclude the possibility of ear-marking the goods of any particular firm or firms. 6, Answered by four (4) and five (5). 7 and 8, It is not asked that tenders be lodged with Messrs. Noyes Bros., but with the Public Works Department, as usual. This being the case, the Minister's opinion as to the fairness of the method (inaccurately outlined by the hon. member) is unnecessary. 9, Yes. 10, Answered by nine (9).

QUESTIONS—ELECTORAL REGISTRATION.

Claims Refused.

Mr. HOLMAN asked the Attorney General: 1, Is he aware that claims from electors for the Legislative Assembly rolls are being refused by the Electoral Officers? 2, Have any such instructions been issued by the Electoral Department? 3, If so, for what reason? 4, Is he aware that in the taking of the electoral claims now proceeding a number of electors was being missed? 5, What provision is being made for the placing of their names on the electoral rolls?

The ATTORNEY GENERAL replied: 1, No. 2, No. 3, Answered by No. 2. 4, No. 5, Any elector who may be missed during the electoral canvass must send in a claim form, duly signed and completed, to the Electoral Registrar.

Names struck off.

Mr. HOLMAN asked the Attorney General: 1, Have any names (other than those removed by the Revision Courts) been struck off the Electoral Rolls? 2, If so, by whom, and by what authority?

The ATTORNEY GENERAL replied: 1, Yes. 2, The Revision Court is not the only authority by whom names may be struck off Electoral Rolls. Names may

also, under certain circumstances, be struck off by the Inspector of Parliamentary Rolls, under the provisions of Section 30, and by any Registrar under Section 38, Subsection 4, of the Electoral Act.

DEBATE—ADDRESS-IN-REPLY.

Ninth Day, Conclusion.

Resumed from Tuesday.

The ATTORNEY GENERAL (Hon. N. Keenan) : Recognising the wisdom of the remark of the member for Leonora, as well as of a number of members of this House, that a great deal too much of public time has already been wasted on the Address-in-Reply on petty details which have served as the occasion for so much that is oratorical and so little that is sensible, it was not part of my intention to speak at any length, if at all, on the motion before the House. However, I feel sure members will allow that I am justified in departing from that resolution in view of the fact that I have been made the subject of personal remarks, and also in view of the fact that criticism has been directed against the permanent officers of those departments of which I am the parliamentary head. I desire to say in reply to these criticisms that I draw a sharp distinction between that criticism which is designed for the welfare of the country, that criticism which has as its main object the promotion of party ends, and lastly that so-called criticism which is merely vulgar self-advertisement. No one objects to the criticism which has for its object the promotion of the true interests of this State, which has for its object the avoiding of the faults to which all Governments, being merely human institutions, are prone. Even although at the time such criticism may be distasteful, yet on more mature consideration no man in his senses will challenge its honesty and its utility. I cannot speak in such a laudatory manner of the criticism which in the main is designed to assist party ends and, incidentally only, to serve the interests of the country. Sometimes, in fact too often it is the mere slavish fol-

lowing of what happens to be the popular whim of the moment, without taking into consideration its expediency or its legitimacy. I acknowledge I have sympathy with any real straight-out fighter who in fighting makes the best use he can of the circumstances of the moment to make the best fight for his side ; and if it be that I thrust back successfully against any criticism offered to me, I hope those who made it against me will be the last to cry out if they come second in the battle. Then there is the third form of so-called criticism, that is not loyalty to the country because it is concerned not with the country's fortune, that is not loyalty to the party, because the whole thing is self, and it realises nothing but the ambition of the individual to acquire some degree of notoriety, I will not say repute, by means which he alone descends to. We find such criticism too often in our midst. It is nurtured by a species of newspaper articles which one finds in the Press of questionable character. Little paragraphs appear informing the public that the long-winded discourse, the platitudes, the Sunday school talk of the Leader will be excelled by the brilliant member for So-and-So when he rises and addresses the assembled House. That is the direct puff. Then there is the indirect puff when the minor lights are extolled far and away above their worth in comparison with the efforts of the chosen leader in order that the inspiring angel, knowing that he can excel those minor lights, may receive effusive praise of his own efforts when the psychological moment arrives.

Explanations and Order.

Mr. Walker : Whom do you mean ?

The Attorney General : I leave it to any person to whom it may apply.

Mr. Walker : That is not a fair thing. You are making a cowardly insinuation, and an untruthful one.

The Attorney General : If the member interrupts me farther, I may have to say something which will be unpleasant for him to hear.

Mr. Walker : I am willing to hear it.

Mr. Speaker : The hon. member must not use the word "untruthful." I am

sure, with the hon. member's long experience, he must have forgotten himself for the moment.

Mr. Walker: On a point of explanation—

The Attorney General: Is the hon. member going to make an explanation during my speech—an explanation of an interjection?

Mr. Speaker: It has been the custom to rise as the member for Kanowna did just now; but strictly speaking, according to the Standing Orders, explanations should come at the close of the remarks of the hon. member then occupying the floor, unless by consent of the member speaking, who may choose to sit down for the purpose. The Attorney General has now the right to the floor, unless he likes to give way to the member rising in explanation. That hon. member can offer an explanation, but the word "untruthful" is certainly contrary to the Standing Orders. I shall be glad if the hon. member will substitute another word.

Mr. Walker: In answer to your request that I should withdraw, I say I know no other word by which I can characterise the insinuation made against me by the Attorney General. He has made statements which clearly he intends to apply to me; and I should absolutely tell an untruth myself, which would be unparliamentary, if I admitted those statements to be true. I cannot supply another word which will express their incorrectness. Perhaps that is the word—those statements are incorrect. I withdraw "untruthful," and say, "absolutely incorrect." Now I desire to take a point of order. It is distinctly out of order for a member to threaten any other member in this Chamber. The hon. member threatened that if I interrupted again he would say something which would be unpleasant, or something of that kind. That is distinctly disorderly, and I ask the Minister either to withdraw the statement or to state the unpleasant thing.

Mr. Speaker: The Minister should not use any threat to another member of the House. That is contrary to the Standing Orders.

Debate.

The ATTORNEY GENERAL: If I have committed any breach of the Standing Orders, I submit at once to the rule of the Chair. When interrupted, I was passing on to deal with what has been the general tone of this debate, the general allegations of those who criticised the Government policy and the Speech of His Excellency, and to point out that those criticisms may be summarised in the allegation that there is, first, an excessive depression existing in the country to-day, and secondly, that the depression is due to the gross incapacity of the present Government. Now it is not at all surprising that the Opposition should say so. I do not know that in any part of the universe where parliamentary Government is in vogue, the Opposition are not always prepared to charge the Government in power with being possessed in the highest possible degree with the vice of gross incapacity. But one would expect to find some attempt made to explain the obvious causes of the depression, and, for the satisfaction of the general public, who after all are not expected to swallow the dictum of the Opposition as being unbiased, to prove that the indictment is supported by actual facts. I have said that there are obvious causes for the depression, such as it is, that now exists in this State.

Mr. Johnson: The member for Subiaco (Mr. Daglish) apologised for you the other night. You need not repeat his remarks.

The ATTORNEY GENERAL: The member for Subiaco had no reason to apologise for any person, unless it be that the hon. member interjecting considers it necessary to enlist his sympathies for that purpose. I was pointing out that the causes of the depression are so obvious that even the schoolboy at his desk knows of their existence. Before dealing with them, may I be allowed to remind the House that no great events in history have ever happened without costing their price; and the Federation of the Australian States, which in my humble opinion is a great event, and one which in after years the chroni-

cler of our imperial history will find one of the noblest events that he will insert in that history—this Federation has undoubtedly cost its price. The member for Subiaco pointed out when speaking the other night that inasmuch as the Premier (Hon. N. J. Moore) has avowed that he had always been opposed to Federation, and had also mentioned Federation as being the most prominent cause of the present troubles in the State, it was my duty as a member of the Ministry to advise them as to any possible outlet from the existing situation. In reply to the hon. member I say it is no part of our State politics to discuss the question of separating from or remaining in the Federation. The issue is of so momentous a character that it would be absurd to circumscribe it by any party limits.

Mr. Daglish: I was speaking of something mentioned in the Premier's policy speech.

The ATTORNEY GENERAL: If the hon. member will allow me to finish, he will clearly understand the position. I say, this is not an issue for State politics; it is one for the whole of Western Australia and the Commonwealth, if the issue should ever arise; and then it will be of a character so momentous as to ensure its complete exclusion from party politics. And if it does arise on any occasion, I have no hesitation in saying that I will side with those who are prepared not to accept a check because of the first difficulties, and who are not prepared to sacrifice the work of the best brains and the best years of Australian history by destroying what has taken so long to consummate. However, it must be acknowledged that the burden which, as I say, is natural to this great disturbance of existing events, has fallen most grievously on Western Australia. We have been called upon to bear, not that share which may legitimately be said to be proportionate to our resources, to our population, and to our wealth, not even a share equal to that of the great Eastern States, who have so long since left behind them the dangers, the difficulties, and the trials of our pioneering stage; but we have

been called upon, in common with the smaller States of the Commonwealth, to bear almost all the burden, and to have at present but a very small share in the gain. Our manufacturing industries, which are growing up in our midst, have been strangled in their infancy. Those industrial enterprises which returned to the worker a larger and more generous share than usually falls to his lot, have come into sharp conflict—a conflict which can have only one end—with a state of industrial conditions which admits of a far cheaper cost of production; and our primary industries have been hampered by a tariff which gives no protection to Western Australia, is no more a protection to us than is the great wall of China. These are indeed serious causes of any depression that exists, and it is necessary for us carefully to think them over, and to devise paths which will be influenced in the least possible degree by those causes, for the purpose of guiding the destinies of this State in such paths. It is a matter of surprise that the depression, such as it is, is not larger than we find it; and we can congratulate ourselves that by our enterprise, and by our launching forth into paths that these causes do not affect, we have in some measure limited the evil influences that they have exerted on our fortunes. There is, moreover, another side to this depression. It naturally becomes exaggerated. In times that are not moving, the invariable tendency of the human mind is to refuse to launch out in fresh enterprises, and to conserve its energies and husband its resources, until better days are in sight. And we see the signs of that, and proof of it, in many present day indications; but in no way perhaps more clearly than in the large increase of Government Savings Bank deposits. If members will look at the figures for themselves, they will see that at present the average deposit per head of estimated population is £9 14s. 9d—by far the highest figure on record, although the population of the State from the natural order of events must be increasing every day, and the infant population are not able to add anything to the wealth of the State.

Mr. Bath: Is not that increase largely due to the greater facilities given by the savings bank?

THE ATTORNEY GENERAL: Possibly the greater facilities will account for part of the increased deposits; but if members will study the figures they will see they are far too large to bear any other meaning than this, that people in this State are not now prepared to launch out in enterprises which they would have gladly engaged in when times were more favourable; and that is as I say the feature which largely contributes to exaggerating the existing depression. Nor are other signs wanting to prove that this depression is greater in appearance than in reality. If members turn to the record of business done by banks operating in Western Australia, they will find exactly the same phenomenon as is found in the Government Savings Bank—a large accumulation of ready money; and from that I draw the deduction that if we recognise the altered conditions that exist by reason of Federation, if we assimilate ourselves to those conditions, if we make the best possible use of the opportunities that exist for pushing the fortunes of this country—opportunities which are least affected by those conditions—we have no reason to doubt that the unabated energy of our people, the possession by them of funds sufficient to give them a necessary start, will ensure results of a character that we have a right to expect. Before dealing with the work of the session that has passed, or with the work before us this session, I desire with the indulgence of the House to refer to a personal matter. It is not pleasant to introduce personalities on the floor of the House, nor can any member say that I have ever been the first to do so; but when one is made the subject of a personal attack, the only course to pursue is to do what I am now doing before the House—to ask their indulgence for referring to it. The member for Kanowna (*Mr. Walker*) was good enough to ask me the other evening to allow him to precede me in the Address-in-Reply debate, because he wished me to have an opportunity of replying to

anything he might say; and I desire to thank him for that courtesy, and to be all the more explicit in doing so because the remarks which I may find myself called upon to make may bear the construction of being more direct than courteous. If in anything I have mistaken the purport of the hon. member's remarks, if in anything I have misconstrued his remarks, I hope he will correct me; not in the manner which is customary in this House, by jumping to the immediate conclusion that there is some idea of placing an absolutely false construction on the words used by members; because I have noticed that frequently the natural meaning is at once denied to be the right meaning. Now I shall put on the words their natural meaning only. It may not be the meaning which the hon. member had in view. If it is not, his duty is to tell me so. Reports of his speech have appeared in the Press. He stated, for instance, that in a case he mentioned the Attorney General prosecuted and Keenan and Randall defended. I have not seen a copy of *Hansard*, but I have seen reports in the newspapers here and on the goldfields; and that is the way it is reported. That is an absolutely false inference. The hon. member should have known that I did not personally have anything to do with the prosecution, which was a police-court matter in the ordinary course of events; and farther, the hon. member ought to have known that I had nothing personally to do with the defence, that the counsel who prepared the defence was not myself but *Mr. Randall*. But the natural meaning to be attributed to the hon. member's words is the meaning that I am pointing out now. I am of course aware that that was not the meaning in the mind of the hon. member. The language apparently bears only one meaning, and yet one can scarcely believe that the hon. member thought or intended that meaning.

Mr. Walker: You understood me rightly. You prosecuted; you are the officer responsible for the prosecution.

The ATTORNEY GENERAL: I am not the officer responsible, as the hon. member will soon recognise.

Mr. Walker: You are the responsible Minister.

The ATTORNEY GENERAL: But not in the sense to be taken from the words that have gone forth to the country. As I say, an hon. member of this House would not make the mistake, the obvious mistake, that the natural meaning of those words conveys; but there they are, with a meaning attached to them which is plainly an absolutely incorrect one. And now I turn to what is the thesis of the hon. member's long, and I may add eloquent, remarks that so long as I occupy the post of Attorney General of this State Mr. Randall, who is a partner in a firm of solicitors that I am a partner in, should be debarred from advising any person on any matter which, in the ordinary course of events, may lead to litigation with the Crown, or in which the Crown may be interested as the other party. Taken in a broad way, because that is what it must come to, it is perfectly clear—unless the hon. member goes as far as I am putting it, that is to say that Mr. Randall is to be debarred from advising in any capacity any private individual who comes to him—it will be impossible for him to plead in the State at all; because no one would imagine the hon. member suggesting that he could advise a client and then merely brief counsel to go into court. I am not doing the hon. member any injustice when I say he could not harbour such a thought in his mind, that a solicitor would go through the farce of advising a client and then briefing another person to carry on that advice in court. Therefore it means, as I have pointed out, going into the whole question of acting in the capacity of adviser to any private individual engaged in any matter in which the Crown may be the party on the other side. It is also necessary to point out that it must apply to criminal and civil business equally, or not at all; in fact more so to civil business, because it is recognised in many places, and to some extent in our State, that it is the duty of the Crown to furnish a defence

for prisoners in criminal cases. But leaving that on one side, it must, it is clear, extend equally to civil and criminal business. Let me examine what it means as regards firstly criminal business. It means not only that Mr. Randall should be debarred from acting for an accused person in any proceedings at the Perth Criminal Sessions, which are the only sittings for which the Attorney General signs the indictment in the State, and then only formally; but also that Mr. Randall shall be debarred from appearing for an accused person charged on an indictment signed by a chairman of a Quarter Sessions. Then again it must also debar him from appearing for any accused person in any police court proceedings. I ask members of the House, is there anything reasonable in such a proposition? Having regard to the circumstances in which the profession in this country exists, in which the dual positions of solicitor and counsel are intermingled, would it be reasonable to ask for a rule of conduct such as that? I desire to follow that farther; but before dealing with that issue in its entirety, I will deal with the civil side of the question. In regard to civil business, it would mean that Mr. Randall should be debarred not merely from advising a client regarding any matter that may form the subject of civil proceedings against the Crown in our Supreme Court, but would also debar him from advising a private individual in any matter in which the Crown might be on the other side, in any Court in the State. Members are aware that this State has business transactions of a most multitudinous character; we are carrying on many important business propositions, with our modern socialism; and as these are all Crown Departments everything relating to them is matter relating to the Crown. Thus, for instance, if a person in Kalgoorlie be sued by the Goldfields Water Supply Board, that would be a Crown procedure and entitled to rank as Crown business; and is it to be said that Mr. Randall must be debarred from defending such person in the civil court in a case of that character? And again, if a claim be made for freight on our railways, that is Crown procedure.

Mr. Hudson : No ; a board is a corporation.

The ATTORNEY GENERAL : If the hon. member will allow me, I will point out that not only in this State but also in New South Wales, such has been distinctly held to be Crown procedure ; and the Crown Law Department, in the ordinary course of events, if it were a serious matter such as a big claim for engine-sparks setting fire to country, or something of that kind, would brief counsel. Then it also embraces the smallest claim for freight ; and is Mr. Randall to be debarred from acting in respect of any claim arising out of the multitudinous business concerns in which this Government is engaged ? In regard to land, it is well known that land may be taken up for mining purposes, for agricultural purposes, and even for residential and business purposes ; and in many of the cases the Crown is one of the parties. Is Mr. Randall to be debarred from advising the other party to the contract, or from acting for him ? It follows from the mere fact that, under our land laws especially, there is possible legal friction ; and is he to be debarred, if legal friction arises, from acting for his client ? The contention is one impossible to be sustained. Let me point out, as a matter of common knowledge, that so extensive are the ramifications of Government in the business of our daily existence, and so wide a bearing have these ramifications on the private life of our citizens, that were any firm of solicitors to turn away from their doors every person who had a case relating to these incidents, it would be equivalent to shutting their doors entirely. When I assumed office, I took it on the same conditions as applied to my predecessors, and those were the only possible conditions on which any man having any sort of practice here would be willing to take Crown office. The conditions were that I personally pledged myself to give my services to the Crown, without any limitation whatever—my personal services. But I did not for one moment pledge myself to dissolve the partnership that had existed before I took office ; nor did I undertake the ridiculous duty of pro-

scribing the business of the office in such a manner as would close its doors. I have used a phrase which probably may not be understood by all members of this House, and so I will put it in another way—I did not agree to “put up my shutters.” Although when I went to the Crown Law Department I gave myself up entirely to the public service—and any hon member who has had experience in these matters will know that I have done so, whether he be on this side of the House or on the other side—I did not for one moment undertake that I would sacrifice entirely all my future. Such a proposition would not be listened to for a moment by any man having a position in this country. The arrangement I did make—and I submit it to the House as one that any honourable man could make, and let me say that I hope members, not only on this side of the House but gentlemen sitting opposite also, will allow me the privilege of deeming myself an honourable man—was that with all matters in which my official duty was concerned, Mr. Sayer the Solicitor General, and Mr. Barker the Crown Solicitor, should have the exclusive right to deal with them if any private firm was acting for any of the parties, and that such matters were not to come before me and were not to be dealt with in any way by me. And that arrangement deals with not only possibly contentious matter, but with all the duties incidental to my office, such as the fixing of the question of stamps on deeds, or any matter of that character. And that arrangement is one which I say is honourable to me, because it relieves me entirely of the duty of having anything to say in regard to matters that concern my private firm ; and it is an arrangement which is absolutely safe for the country, because in those gentlemen the country has two officers on whom it can absolutely rely. The hon. member referred to two cases—his Honour Mr. Justice O'Connor and his Honour Sir Edmund Barton. Let me point out to the House how absolutely fallacious such reference was ; and I cannot acquit the hon. member of not knowing it was so.

Mr. Walker: I did not catch what you were saying.

The ATTORNEY GENERAL: I said that the comparison was absolutely erroneous. Mr. Justice O'Connor at that time was a counsel practising in the State of New South Wales, and the present Sir Edmund Barton, then Mr. Barton, was also practising as counsel in New South Wales. This House knows that a counsel is a man who personally acts as pleader in a court, and only personally—outside of his own personality he has no existence. Now it happened that a gentleman named Proudfoot was bringing a claim for a large amount against the Railway Commissioners in New South Wales, and no doubt for the purpose of strengthening his case he employed the best counsel available in the State—I think he employed four or five, amongst them being Mr. Barton and Mr. O'Connor. Now in order that no reflection may be cast on those honourable gentlemen, I would like to inform the House why they accepted personal briefs in that case. Shortly before that, the Railway Commissioners had appointed an independent solicitor to act for them. They had taken the unusual course of severing themselves, at any rate in appearance, for the time being from the Crown; and I do not know that the action of these two counsel in accepting the briefs was not influenced by pique at the course taken by the Railway Commissioners. At any rate, I mention it as showing that those gentlemen did not take briefs against the Crown, as the hon. member's reference would lead the House to understand. Therein the distinction lies. A counsel is a man who pleads personally; outside of his own personality, he does nothing. If the hon. member could show—if he could even deem it possible—that I would accept a brief against the Crown in this State and appear personally and plead, then the comparison would be on all-fours with the comparison cited in New South Wales. But, as I have already informed the House—and I do so with the greatest sincerity—since I accepted office I have not allowed myself to accept any work outside my office, although that work

might not in any way have materially affected Crown business.

Mr. Angwin: Your predecessor did plenty of it.

The ATTORNEY GENERAL: My predecessor was Sir Walter James.

Mr. Bolton: What about Mr. M. L. Moss?

The ATTORNEY GENERAL: There has been no Attorney General of the State since Sir Walter James. I trust that the members of the Opposition will at least grant me this, that I listened to their remarks in perfect silence and gave them an absolutely good hearing; therefore, when I am speaking, surely I am entitled to a return of that consideration, and should not be interrupted by interjections which, even if offered in a joecular spirit, can only have the result of prolonging what I have to say and of leading me away from my path.

[*Mr. Scaddan*: You have nothing to complain of to-day.] I have got this far, to the point of showing the difference between New South Wales where a man is a counsel, and here where one is not. Where counsel's work is concerned here I have absolutely kept aloof from acting in any matter which might even appear to be in any way detrimental, or opposed, to the Crown. I must now ask the hon. member for Kanowna to state specifically what he does mean in connection with the charges he has brought against me. Does he mean that I on any occasion, as Attorney General, have extended to Mr. Randall any undue favour, or any favour at all?

Mr. Walker: It is to Mr. Browne I refer.

The ATTORNEY GENERAL: Does he impute that I, as Attorney General, have extended to Mr. Randall, on any occasion whatever, any favour?

Mr. Walker: No, but to Mr. Browne.

The ATTORNEY GENERAL: The hon. member knows as one who hopes, I believe, to be a member of the legal profession, that an answer to that question of mine can be made only in one way.

Mr. Hudson: He answered "no."

The ATTORNEY GENERAL: Well I will take it that that is his answer, and

that he admits I have not in any way abused my powers of office to favour Mr. Randall. What becomes then of the hon. member's attack? Does it deserve any further notice at my hands or at those of any self-respecting member? It appears that the hon. member is one who is desirous and anxious to wound, but is afraid to strike.

Mr. Walker: I did strike.

The ATTORNEY GENERAL: Yes, a foul blow.

Mr. Walker: A true blow.

The ATTORNEY GENERAL: How is that a true blow unless I were guilty of favouritism to Mr. Randall. There is no possibility of the hon. member now saying there is any justification for his remarks. The hon. member has now admitted that he does not charge me with favouring that gentleman, therefore out of his own mouth he stands condemned. If I were to apply to him every term of contumely the English language contains I could not so humiliate him as he has humiliated himself when he confesses he has made a foul slander on me.

Mr. Walker: I ask that the hon. member should be ordered to withdraw those words. I did not use those words.

The ATTORNEY GENERAL: I leave it to the House to say whether those words were not used.

Mr. Walker: I will leave it to the Speaker. I have made no foul accusation, nor any accusation which I am unable to sustain. I ask that the Attorney General be ordered to withdraw. He says that I have confessed to making a foul accusation.

Mr. SPEAKER: The words used were "foul slander."

The ATTORNEY GENERAL: I say Mr. Speaker that the conduct of the hon. member in now confessing in reply to me that I have not favoured in one iota Mr. Randall, condemns and convicts him of making a foul accusation.

Objectionable Remarks and Epithets.

Mr. Walker: Mr. Speaker, I draw your attention to those remarks. That is not a statement which should be made in the House.

Mr. SPEAKER: I understand that the Attorney General withdraws the word which he used in his original remarks. The explanation which he has just made contains words which certainly were not in his original remarks. If the hon. member for Kanowna takes exception to the words used, I am bound to ask the hon. the Attorney General to withdraw. I may perhaps say at this stage, and I do not want it to apply either to the Attorney General or to Mr. Walker, that the idea seems to be rather prevalent in the minds of hon. members that when they say something which is offensive and withdraw it that is sufficient. That is not so, for I can call upon any member who has said something offensive to withdraw it and, in addition, I can name him. I mention this because it has been the custom in the past for a member merely to withdraw. Surely it must occur to them that, considering the sting of their remarks, a mere withdrawal is not at all times sufficient.

The ATTORNEY GENERAL: If I have transgressed in any way the rules of the House I will withdraw.

Mr. Walker: An unconditional withdrawal. You have transgressed and must apologise.

The ATTORNEY GENERAL: If I have transgressed I will conform at once to Mr. Speaker's ruling. I will not allow interruptions to come from those who avail themselves of every occasion to hurl epithets at members on this side of the House, and which are generally allowed because the members do not take the trouble to reply to them.

Mr. Walker: Who is it that made accusations?

The ATTORNEY GENERAL: The hon. member did the other day.

Mr. Bath: Mr. Speaker, on a point of order—

Mr. SPEAKER: The hon. member for Kanowna has risen.

Mr. Walker: I wish to draw attention to the fact that the Attorney General has been making accusations of motives and insinuations against hon. members. I have tolerated accusations of motive—

The ATTORNEY GENERAL: Is there any point of order in rising to interrupt me when I say that hon. members hurl disgraceful epithets at this side of the House?

Mr. Bath: I take exception to that. I think it is absolutely incorrect for the Attorney General to say that, and I rise to a point of order. The first point is whether the member for Kalgoorlie should withdraw the statement he made that the member for Kanowna had made a foul accusation. This you ruled out of order, and the Attorney General then proceeds to say that if he has done it he will withdraw; but he does not withdraw and goes on to state that we on this side of the House hurl foul epithets at members on the other side of the House, I take strong exception to that.

Mr. SPEAKER: I do not think he is out of order, but he is not quite in order. Foul epithets have been thrown from one side of the House to the other.

Mr. Taylor: Why is all the blame attached to this side of the House?

Mr. SPEAKER: I cannot tell what was in the hon. member's mind, but the point at issue is that the Attorney General has said something which the hon. member considers offensive, and he must withdraw that. I will ask him to comply with the Standing Orders. The hon. member for Kanowna took exception to the words on the ground that he considered them to be offensive.

The Treasurer: You must rule whether the words are offensive or not. If in your opinion the words are not offensive or unparliamentary you will not call upon the utterer of them to withdraw. If you think they are offensive, then you will order a withdrawal.

Mr. Walker: May I say that the statement made by the Attorney General was out of order in the first place because it was untrue, and in the second place—

The ATTORNEY GENERAL: This is what goes on every day. Licence of the most extraordinary character is allowed from the opposite side of the House, but not from this.

Mr. SPEAKER: The hon. member for Kanowna must withdraw the word "untrue."

Mr. Walker: I withdraw that remark, but I will substitute for the word "untrue" the words "absolutely incorrect." It was unparliamentary because it was a charge made against me of having uttered against him a foul slander, which I have never done in my life. It was furthermore unparliamentary, owing to the fact that by our own rules any statement made offensively and likely to create disorder is always ruled out of order by the Chair.

Mr. SPEAKER: The hon. member for Kanowna now says that the words used by the Attorney General were offensive, and therefore, according to the Standing Orders, they should be withdrawn. The Standing Orders exist, and I have no other course to adopt than to follow them.

The ATTORNEY GENERAL: In compliance with that ruling, Mr. Speaker, I withdraw that statement. I was saying when last interrupted, that epithets are hurled from that side of the House to this. Let me remind the House what those epithets were. When speaking the other day the hon. member said across the floor of the House that there were sneaks and cowards—[An hon. Member: "Crawlers" he said.]—Well, sneaks and crawlers in the precincts of the House. If we want to look for proof of the statement of the hon. member we have only to consider the speech which he then delivered.

Debate.

The ATTORNEY GENERAL: Resuming my remarks, I now turn from this low plane to which the hon. member dragged the debate when he spoke, to the far more palatable work of discussing the statesmanlike speech of the member for Subiaco, and I turn with pleasure from the wrangling in which the hon. member lives. The hon. member for Subiaco dealt naturally and properly with our finances, and the key-note of his utterance was the necessity for the State to practise economy to the greatest possible extent, and to add to our revenue by new sources of taxation. Has not that been the policy of the present Government in the past, and is it not their

policy to-day ? True, natural causes have brought about delays in effecting that policy, but these have occurred through reasons quite outside our control. The Government have been hampered in many ways; the proposed legislation in regard to adding to the revenue was not successful, and the desire to reduce expenditure was hampered by obvious causes, not the least being the danger of making a sudden reduction in our great spending departments. This has been added to by the fact that mischievous people are always prepared to make speeches, pointing out supposed wrongs that they say will be inflicted on civil servants if any reduction in expenditure is made. You cannot reduce expenditure without either reducing the salaries of those civil servants who are retained in their positions, or else dispensing altogether with the services of officials. In each case there is a marked hostility to the policy. Let me reply to a statement which was made the other evening by the member for Mount Magnet, who said that great discontent in the civil service was due to the repeal of Regulation 141. I emphatically deny that any discontent exists in the civil service. If there is any discontent it is from one cause only; that the real workers who are able to do the work do not receive adequate reward for it, but that on the other hand the expenditure is very large indeed owing to the many men who do not work at all. When we came into office I found Regulation 141 in force. The effect of this was, that notwithstanding the classification, if any civil servant were reduced below his present salary because the position he occupied only warranted the lower payment, he was to continue to receive his former salary. The result of this would be that notwithstanding the classification, there would be a greatly increased expenditure in the civil service, and this would have resulted after the classification of only one single division of the service. Had the classification been carried out subject to this condition, it would have meant an increased expenditure of £11,000 a year. I ask any hon. member to consider this position; if a man holds

a position which is only worth a certain salary in the opinion of the Commissioner, is it justifiable, in the absence of a special authority by statute, to pay him a single penny more? And I would point out that when the Public Service statute was passed, that authority was deliberately left out. It was inserted in the Commonwealth Public Service Act for some reason that I cannot comprehend, but it was left out of our Act. And any person apart from a lawyer who has to interpret the strict meaning of the words apart from sentiment, any person who found the circumstances as they existed, would have objected to such a regulation being enforced in the State. Without question it was *ultra vires* and it was equally inexpedient. As a farther reason why effective economy does not appear immediately on the surface, when you have a great machine such as the State and you set to work to reduce it to a normal expenditure you have to take away useless parts and you find it necessary to duplicate other parts, and it is a considerable lapse of time before the effect is presented; so it is in the economy in this State. I have no hesitation in saying in the course of time the economy will bear good fruit, although at present we are unable to realise that it has achieved much. There is one farther matter before leaving the question of economy, and it is this: we must remember that this State is still in its pioneering stage: there are many communities which are visited with enormous difficulties because practically they are battling with rude nature, and if we were to change the old order of things suddenly and to minimise them and take away altogether the support which in the past the Government have given to institutions it would inevitably lead to their early destruction. That is not a result desired by any member I am sure. If we must economise as has been pointed out in local subsidies, let us do it as gradually as possible. Let us reduce them year by year so that we may become accustomed to their conditions and not bring about a violent change, which would bring in its turn a

good deal of suffering. Another matter I wish to say a few words on is the question of the sinking fund. I think a great deal of misconception exists as to the attitude of the Premier on this matter, and that misconception arises from this fact: if the Commonwealth exercise their statutory authority and take over the debts as they existed at the date of the inauguration of the Commonwealth, such debts would have a sinking fund of half per cent., that being the amount which the Commonwealth in their wisdom deemed sufficient to redeem the loan expenditure. That no doubt would be a relief to Western Australia in its present circumstances. I am not aware that the Premier, and I am certain I am personally convinced, never intended to advocate that we as a State should abandon our sinking fund and adopt the sinking fund on the basis of the Commonwealth. It is only in the natural order of things in a short space or time that our debts, which existed at the inauguration of the Commonwealth, will be taken over. The Commonwealth have the statutory authority to take over all our debts, and may take over not only debts as they existed at the inauguration of the Commonwealth but the debts up to date. And these new debts will be taken over on exactly the same conditions as will the debts of the other States of Australia who do not go in for a sinking fund. I admit the utility of a sinking fund. I admit the weight of every remark made by the member for Subiaco that we should adhere to it as long as we as a State control the State's indebtedness, but as soon as the Commonwealth undertakes it and we hand it over to the Commonwealth control surely it would be an anomaly if we contributed more than any other State in Australia to the common fund, and after all while it might be justifiable while we were in a financial position which enabled us to do so, I submit we should require grave reasons for doing so when we are in a financial position which we find ourselves in to-day.

Mr. Johnson : It is premature.

The ATTORNEY GENERAL : I do not know if the hon. member regards as premature something that may happen

within the next few months. And as far as what took place at the Brisbane Conference is concerned it is the immediate wish of the Commonwealth to exercise their powers. Does the hon. member regard that as premature?

Mr. Johnson : If that is the case the Premier should certainly have given us more information on the question.

Mr. Bath : If we made contributions and the Commonwealth took over the debts we should be credited with the sinking fund.

The ATTORNEY GENERAL : But we should have no advantage from that as it is at present. At the present time our sinking fund is our own local inscribed stock, and if we hand that over to the custody of other persons where is the advantage to us? It is not a business proposition to be considered for a moment. If you take your own redemption fund and use it yourself, and earn interest on it yourself, that is one matter, but if you have to hand over your redemption fund to another party and you have to pay the principal every year and get no advantage for the interest, that is another matter.

Mr. Bath : We get the same advantage from the investment.

The ATTORNEY GENERAL : It may be the explanation I have offered the hon. member has not been able to grasp. Let me put it in this way. Is there not an enormous advantage in using a sinking fund in your local inscribed stock, using it for your own present wants—the amount of interest it earns may be anything, it may be five per cent., six per cent., or seven per cent. [*Mr. Underwood* interjected.] I listened last night without making a single remark to the hon. member talking on the camel question, because I am not a judge of tick, but when I speak on financial matters I ask the hon. member to listen to me.

Mr. Underwood : We shall not learn much.

The ATTORNEY GENERAL : I will pass on from that—

Mr. Underwood : It is just as well.

The ATTORNEY GENERAL : To deal with the attacks made generally by

members on the Opposition side on the magistrates on the benches in this country. As one who has had the experience of a year in the administration of the law of the country and who has come personally into contact, and by correspondence in contact, with a great number of magistrates, I have no hesitation in saying whilst magistrates have their drawbacks from an educational point of view as lawyers, all these magistrates are just and honourable men. When we remember they were appointed at a time when lawyers were not available, and when we remember in many instances they were appointed for purposes not directly connected with the administration of the law, it is not a matter for surprise that they now and again—less often than they might have done so—make mistakes in the administration of the law. I have no hesitation in saying that the mistakes which have been made by them have been honest mistakes, not for evil purposes, but because from a lack of practical education they are not able to administer the law as a trained barrister would. It is a peculiar feature of any criticism of these gentlemen that it is always the criticism of parties whose version of affairs the magistrates did not accept. Let me remind the House whether it is a Supreme Court Judge or the humblest magistrate on the bench, if he does not accept the version of affairs put forward by gentlemen opposite he is inevitably damned, his reputation is gone, and he stands confessed as a fool if not a rogue. And to illustrate that, only last session a number of charges were made against some prominent railway officials by the member for North Fremantle (Mr. Bolton). One of the most learned members of the judicial bench was appointed a Royal Commissioner to inquire into those charges; he did inquire into them with the result that his finding was not favourable to the hon. member. Did the hon. member accept that? Not a bit of it! Only the other day when addressing his constituents the member practically repeated what had been inquired into by the Judge and found not to be substantiated.

Mr. Bolton : Why do you not quote it?

The ATTORNEY GENERAL : Does the hon. member challenge the statement that he did repeat it?

Mr. Bolton : I deny that I repeated the charges, and the hon. member must know what he says is not correct.

The ATTORNEY GENERAL : Does the hon. member deny that he repeated portion of the charges?

Mr. Bolton : I do ; I deny that I repeated any portion of them. I said I did not regret my action and that is a totally different thing.

The ATTORNEY GENERAL : I am not going to quibble about words. The hon. member does not regret his action, which has been declared by the Commissioner to be unfounded.

Mr. Bolton : Why did you not say that at first instead of saying what was untrue?

The ATTORNEY GENERAL : Is it necessary to labour the point farther, after the simple confession by the member given to the House that he did not regret his action? We know at one time the present Chief Justice was President of the Arbitration Court, and in such capacity he delivered certain awards; the member for Mount Magnet informed the House, speaking of these awards, that they were so ridiculous in character that Mr. Lohring in speaking to him characterised them as ridiculous. That has been reported in the Press and has invoked a reply from Mr. Lohring that this is not the case. Here we have the first Judge of the land, and because what he says is not in accord with the opinions of the hon. member the award he makes is ridiculous.

Mr. Scaddan : In the hon. member's opinion they were ridiculous.

The ATTORNEY GENERAL : I am pointing out to the House that when members of the Opposition criticise the bench, either the magisterial or the Supreme Court bench, the hostile criticism is due to the mere fact that the Judge has not pronounced an opinion in accordance with their wishes.

Mr. Scaddan: Does the hon. member object to the criticism of Mr. Lovegrove's remarks?

The ATTORNEY GENERAL: Members are quite right in criticising any remarks; but what has that to do with the instance I have given? I will go farther. Mr. Justice Burnside was appointed the Judge of the Arbitration Court, and what happened? He delivered an award. I am not here dealing with the award, but with the spirit in which it was received. It was pointed out that the Supreme Court Judge, in consequence of this award, is not a fit man to be President of the court; that he has no worldly knowledge.

Mr. Collier: That has been pointed out by our party for the last three years.

The ATTORNEY GENERAL: Is that not an absurd contention?

Mr. Collier: It has been contended for by our party for three years, not in consequence of the award.

The ATTORNEY GENERAL: I do not think I should be interrupted in this manner. The same Judge gave an award in court which agreed with the opinions of members opposite, and that award was applauded by them; but the moment he gives an award which is not in accord with the opinions of members opposite he is not competent to sit.

Mr. Collier: That is not correct.

Mr. Scaddan: You ought to quote these things.

The ATTORNEY GENERAL: I will go now to the attacks on Mr. Roe. We have heard many things said in this House about Mr. Roe. In a case which was heard recently in Perth a complaint was brought by certain parties, and some member of this House was among the defendants. Would the complaints have arisen had the decision been otherwise? Do hon. members attack the equity of the decision Mr. Roe gave? Do they deny him the right to form his own decision? Is he to accept their reading of the law, or is he at liberty to form an opinion on the facts that come before him? The whole of the attack rests on the fact that the decision did not coincide with the opinion formed by those making the attack. There again I am

not discussing anything but what is the prevalent idea in members' minds when they attack these officers—simply that they had not pronounced opinions in accordance with their own.

Mr. Taylor: Mr. Holman protested right throughout the case against the action of the magistrate.

The ATTORNEY GENERAL: I have no doubt protests were offered by both parties. Let me tell the House my experience over a fairly long lifetime of persons who indulge in court proceedings—simply this, that in not one single case is the party who has not got the decision in his favour satisfied with the decision given. That is the case with members of this House. [Interjection by *Mr. Collier.*] Mr. Haynes was briefed, and being briefed was prejudiced. I am not here for one moment to criticise anything he did or said, or left undone or unsaid. Let me go on to the case of Mr. Walter. We are told by the member for Cue that this gentleman proceeded on an investigation with his mind already made up; practically with his verdict in his pocket. No one can say anything more serious of a Judge or more derogatory to his character. What is the evidence of it? Simply that Mr. Walter did not deliver a finding in accordance with the hon. member's expectations. If this is to be the standard on which we shall judge our magistrates and Judges of the Supreme Court, then I say the time has come for someone to take a firm stand and say we are not going to set ourselves up as the final court of appeal in cases in which we are ourselves interested. It is ridiculous to have an interested party as the final court of appeal. Now let me pass on to the matters that will come on during the session. In the first place—and I hope members will be under no misconception as to the earnestness of the Government in pushing the measure—the Land Tax Assessment Bill will be submitted. It is said that last session the Upper House made certain amendments in that Bill and if the Government had accepted those amendments the measure would have become law. It has been said again and again. What is the

truth in that? What is the real position? As a matter of fact when the Bill did go to another place, it was fought by some members tooth and nail, and their only object in moving amendments was, not to improve it, but to de-troy it. On the other hand, those who supported the measure opposed those amendments. The result was that the opponents of the measure were successful in putting amendments in the Bill, which amendments came before this House. It does not need more than two grains of sense to make out that the object of those amendments put forward by those who were openly hostile to the measure was to secure its rejection; and furthermore I say that honourable men will support their friends who were endeavouring to save the measure from destruction, from an early demise, and will not support the avowed enemies to their measures. Are we, then, going to turn round on those friends and join with those who have openly declared hostility to the measure and their desire to wreck it any moment? [Mr. Taylor: We took up that attitude when the Bill left this Chamber.] Anybody possessing two grains of sense will know that it was not an honest and genuine amendment to the Bill but that it was for the mere purpose of wrecking it. [Mr. Taylor: It was an amendment proposed in this Chamber.] Let me deal with the exemptions in that measure. It is correct that I am not personally in favour of exemptions, but three months before I joined this Government at a time when the stability of the late Government was apparently so great that it would last out the whole of the term of this Parliament, I addressed my constituents at Kalgoorlie and explained to them that in order to get a Land Tax Bill through there must be some provision for exemptions, and I explained the matter at great length. [Mr. Taylor: That is correct.] That was three months before this Government was formed. Does any member suggest that whatever my personal convictions are I would be untrue to undertakings made for the purpose of this Bill being carried through? Is it possible for the suggestion to be

made or countenanced for a moment? While my convictions run in the direction of no exemption whatever, I intend to stand loyally by those who supported the measure in the past and whose support in the future we may look to. Another matter which I shall personally have charge of is the Electoral Bill, and I do not propose to lay the features of it before the House to-night, for the simple reason that though the machinery of it will in all respects be as simple as possible, yet if I were to fully explain the clause dealing with preferential voting, it would occupy far more time than I have at my disposal. When the Bill comes before the House I will make everything as clear as possible to members, and farther I will endeavour to meet members' wishes when they are genuine wishes for improving the measure. Also during the present session an effort will be made to consolidate and amend our laws dealing with licenses for the sale of wines, beer and spirit; and when that measure comes before the House there is one feature I hope will receive calm consideration, and that is that this State of ours covers an enormous area, that the conditions in the State vary considerably in one part and another, and that the law which is a good law in one part, as regards a measure of that kind, may be a very bad law in some other parts. If members will bear that in mind I feel sure they will support the measure which will be submitted to the House. I have already spoken at some considerable length. I have probably trespassed on the patience of the House to an extent which I had no intention of, but before concluding I would like to say there is no possible gain to be made by an individual who happens to be in the Government to-day. The circumstances of the hour are such that everything is difficult. Administration is difficult. One is obliged to refuse applications which bear on the face of them the absolute necessity for granting them; one is obliged to turn a deaf ear to wants one fully recognises are wants. Again, one must always remember that the general mass of the people take affairs as they find them as the criterion

of the Government of the day. If those affairs are prosperous, then they shower blessings on the Government of the day ; but if on the other hand, depression of any character hangs like a pall over the land, then we know they rail at the rulers and say there are the men that have caused it. Whatever the difficulties of our duties, the plain path lies before us which we have to follow, and if these difficulties are greater, it is all the more reason why we should stick to that plain path of duty and bear up with brave hearts against criticism of an unfair character and that misrepresentation of our motives which we have only too good reason to know will be our lot from at any rate some members of the community. I trust with the assistance of those who are genuine lovers of their State and of their country, we may be able to turn the corner of this page and to open a new chapter in the history of the State, and that when those days come, as I hope they will come in the early future, we may look back to the depression we have passed through now as only something to illustrate the vicissitudes of human affairs.

Mr. J. SCADDAN (Ivanhoe) : I have listened with great attention to the remarks of the Attorney General, and must express surprise at the warmth of that gentleman on questions which were not of a personal nature. Of course in matters where he was personally affected one can imagine his getting into a heated temper; but on the other hand, I think they are matters of sufficient concern to this State and to every member of the House to have them dealt with as coolly and calmly as possible. If the Attorney General had done this, the House would have been in the possession of information on those matters, and the Attorney General would have felt much more relieved at the conclusion of his speech. I agree with the Attorney General that at times we are apt to make accusations in the heat of discussion which we would not have made thinking matters over in cooler moments. I have often made statements in this House that have not been absolutely correct,

but have been as near as my memory and recollection of the facts could make them appear to me to be absolutely correct, and I have made statements at times which have been misrepresented by members on the other side of the House, but I have not had to absolutely withdraw any statement as being incorrect. I have made charges in the House and I have not been so fortunate as other members; I do not know the reason why; probably it was because the charges proved on inquiry by the Minister to be true, with the result that I did not obtain a Royal Commission as others did. Perhaps I was just as well served by not having a Royal Commission. However, there are one or two matters I desire to bring forward for the purpose of showing that even when members take the trouble to inquire into public questions, to supply the House and the Ministers in charge of the departments with the facts, their statements are often overlooked and nothing farther is done. Members will recollect that a select committee was appointed during last session to inquire into a boiler explosion at Gwalia. The committee inquired exhaustively, and reported to the House. Just before the session closed the chairman of the committee (Mr. Lynch) moved to the effect that the report should receive the early and earnest consideration of the Government; and I, thinking that was a wise course, supported him. Other members, probably with greater experience of the early and earnest consideration of the Government, disagreed with the motion, and said we should move that the report itself be adopted. However, I accepted the motion that the Minister in charge of the department and the other Ministers should take the report into early consideration, and hoped that they would take some action. I have since watched carefully the columns of the Press, and have inquired in other quarters, but cannot find that the Government have done anything up to date. As a matter of fact, I am informed from a good source that the matter has never received any farther consideration than it had received

at the close of last session. [*Member* : You are making a charge.] The Minister (Hon. H. Gregory) can accept my statement as a charge if he so desires. I say emphatically, from what I can learn, that the Government have done nothing, in spite of the resolution supported by themselves and passed at the close of last session. We have often been told by Ministers that their time is so fully occupied during the session that they cannot attend to every matter of administration in their departments; but they promise to attend to everything when they get into recess. And what do we obtain? We are like the man who asked for bread and was given a stone. I expected the Minister would have done something, but I find he has done nothing. I have heard that one of the officers concerned has been dismissed; but I wish to tell the House and the Minister, so that they will not misunderstand the position, that the officer in question was recommended for dismissal before the committee sat. He had to take the whole of the responsibility for the neglect of which the Machinery Department was guilty, and he is taking it to-day. I want to know what the Minister has done. I believe the Minister has not given the matter consideration, and a public servant has had to suffer in consequence. I wish to lay the responsibility for the explosion at Gwalia, together with other instances of maladministration in the Machinery Department, on the Chief Inspector of Machinery, who, I contend, is the responsible head of the department, and should bear his share of the responsibility. It is useless for us to arrive at conclusions, as the committee did on that occasion, if the Minister permits the man accused or one of the accused, to do just as he likes afterwards, and does not consider the report of the committee. In this particular case a serious charge was laid against the Chief Inspector of Machinery; and in the face of that charge, practically proved by the report of the committee, that gentleman was given something like five months' leave of absence from the State, as a reward for not doing his duty to the community. I say that should not be tolerated for a moment,

and the Minister in charge of the department has certainly not done his duty, which was to see that the report of the committee received his early and earnest consideration. I have another matter of the same nature to mention, and it will probably be as well for me to have it out here and now. I am sorry the Minister is not in his place, but I must make this statement now, because I promised at the close of last session that I would take the earliest possible opportunity of clearing myself in respect of a statement in a paper laid on the table of the House. Speaking on the motion for the early consideration of the report of the select committee on the Gwalia explosion, I made certain statements about a boiler at Collie; and the Minister said I had made a very grave charge, and whether it was true or untrue, he would have a report prepared and laid on the table of the House. I wish to say here that the Minister's action on that occasion, or his subsequent action, proves conclusively to me that the statement I made was absolutely true, otherwise he would have done what he has done in other instances—asked for a Royal Commission in order to show that I had made false or inaccurate statements, and then I should have had the honour of making a public apology. [*Mr. Taylor* : He would have appointed a whitewashing machine.] That is so. What did the Minister do? He obtained a report from the Acting Chief Inspector of Machinery, and laid it on the table without making any statement or remark of any kind. I was absent when the paper was presented, but my attention was drawn to it when the House prorogued. The concluding paragraph of the report is as follows : "I find on careful examination of this case that Mr. Scaddan's remarks are absolutely incorrect." That is as near as he can go to saying that I am a liar. The Acting Chief Inspector of Machinery continues, "and am of opinion that he should endeavour to remove the reflection cast on this department by his remarks." Now the reflection I cast on the department by my remarks was to the effect that a certain boiler at Collie had been examined and inspected and certified, and had

worked on that certificate for the prescribed period, and had then continued in commission without a farther thorough examination for a period of something like three years. [*Mr. Ewing*: It was out of commission for about twelve months.] The hon. member has just told the House what I intended to tell them. That is the point I wish to make in connection with my charge. That boiler was out of commission for a period of about twelve months. A certificate can be granted for only twelve months. The boiler was out of commission for a small portion of the twelve months covered by the certificate, and for some time afterwards; but the boiler was sold to another company and removed, and was afterwards placed in commission again, and the Machinery Department advised of the fact that the boiler was now in use, the department being asked for permission to continue it in use. The department sent down an officer who found that the boilers were under steam and could not be inspected. The management pointed out there was a heavy inflow of water, etcetera—the usual mine officials' excuses—and asked the inspector to grant a working certificate, which he did. This state of affairs continued for a considerable time; and this is the point. The absolute negligence of the department lies in the fact that after the boiler had been out of commission for nearly two years, the department permitted the boiler to continue working under a working-inspection certificate, without being satisfied that the boiler was in good condition. We are told the Act provides that in the absence of an inspector, the manager of the mine and a first-class certificated engine-driver may make an inspection and report; and if such inspection and report be satisfactory, a certificate will be granted. That is the only authority under the Act for granting a certificate to work a boiler, except after a thorough examination, and a thorough examination is one in which an internal inspection is made. In this case the engine-driver employed on the mine was never consulted. There is no evidence that an engine-driver or

any other person except the manager himself or the engineer of the mine made any report on the condition of the boiler. The report by the engineer, just prior to a thorough examination being made, was to the effect that the boiler had been inspected. He found on internal examination that there was no sign of scale, pitting, or corrosion, and that the boiler was in really good condition. But what were the facts? On being inspected a month or so afterwards by the district inspector of the Machinery Department, the boiler was found to be eaten through in one place, and it was absolutely condemned there and then, together with another boiler placed in position at the same time, and of the same age, which was also ordered to be thrown out of commission. As I stated on the previous occasion, those are the facts. I do not know what has since transpired. But the report by the Acting Chief Inspector read, "After careful examination of this case"—which careful examination appears to have been a perusal of the file in connection with the boiler; and he concludes that the statement I made was absolutely incorrect. I wish the House to bear with me when I say the facts I previously stated have been proved by this report laid on the table, and if members and the Minister will read that report they will find the statement I made was absolutely correct, and not in one iota incorrect. The statement I made was made in the interest of the country; and if a departmental officer or any public servant or other person does something of a public nature not in the interests of the State, I take it as part of my duty to bring it before the House and before the responsible Minister. On this occasion such a thing came under my notice, and I did what I thought was my duty. My statement has in my opinion been proved correct, and I think the Minister should make the officer explain why he came to the conclusion embodied in that last paragraph of his report. This is not the only matter to which I wish to refer in connection with the Machinery Department. I will admit I have at times been rather

severe in my criticisms of that department simply because I have taken an interest in the Machinery Department. I took a deep interest in the passage of Machinery Bill, just as I took a deep interest in the Mines Regulation Bill, with the result that I take a keen interest in the administration of those Acts; and I say that under the present head of the Machinery Department the Machinery Act to-day is not receiving justice. I make that accusation openly. [*Mr. Taylor*: Is that owing to the incompetence of the head?] I will not say anything about the competence or the incompetence of the head of the department. The Minister is in my opinion responsible, because he should take charge of that department as he does of others. [*Mr. Taylor*: What about the permanent head?] I have no knowledge whatever of his ability as an engineer; but I say that the Machinery Act passed by this Parliament has not received justice at the hands of that gentleman. I think I have sufficiently wearied the House on this particular point to justify the statement I made last session, and to prove that the concluding paragraph in the report of the Acting Chief Inspector is not justified; and I say the Minister should take some steps to remove that slur cast on my character. The Minister was probably of opinion, after I made that charge, that it was a personal attack on some person in the Machinery Department; but I think the Minister will find, and other members also, that when criticising any action of any department I have refrained from attacking any person. I believe that in all my experience I have not been personal in any of my attacks. I endeavour to be as severe as possible at times in my criticism, for the purpose of compelling notice to be taken of it. But I have no desire to do any personal injury to any public servant, and it is only because I take a deep interest in this department that I made the strictures in question. It will probably be as well to deal with some other inspectors. Even with them I do not desire to deal personally, though I shall have to mention their names to draw attention to them. We have recently heard something of the appointment of

new inspectors of mines. I am not in possession of the facts of those appointments. I will not criticise the Minister's action or his methods in making the appointments; but I will criticise the board of examiners appointed, and probably the Minister too must take his share of responsibility for not seeing that the board carried out their instructions, if they had any. When they called for applications with the assurance that an examination should be held, why did they not examine all the candidates? That is up to date the only matter that I complain of in this connection. If applications are invited from persons willing to stand for an examination to fill positions, then I say no board of examiners have any right to accept any of the papers produced and dismiss the other candidates without examination. The board accepted the papers of two candidates and recommended their appointment, dismissing the others without examination at all. I wish to know how the board of examiners could satisfy themselves that the two they appointed were the best for the position, simply because those two candidates had papers and the others had none. We hear it often from members on the Government side, and probably often from the Minister for Mines himself, that if anything is necessary in a mining inspector it is practical knowledge. I agree with the Minister there; and it is only through examination by practical men that one can arrive at a true decision as to whether the would-be inspectors are or are not practical. But to accept papers issued in other countries concerning which we have very little knowledge of the method of examination, and to dismiss the whole of the other candidates without any examination or consideration whatever, does not in my opinion redound to the credit of those responsible.

The Minister for Mines : There was an examination of the two who were appointed.

Mr. Bath : But some of the applicants were never examined.

Mr. Taylor : What became of the other applicants ?

The Minister for Mines : They did not get the jobs.

Mr. SCADDAN : I am prepared to accept the assurance that an examination was held of the two appointed, but my complaint is with regard to the other applicants.

At 6.15, the *Speaker* left the Chair.

At 7.30, Chair resumed.

Mr. SCADDAN (continuing) : Prior to the tea adjournment I was discussing the appointment of two additional inspectors to fill positions, owing to retirement of two other inspectors, in the Mines Department, and I wish to refer to the method adopted by the department in regard to these appointments. I stated that outside the fact that the applications were called for from persons willing to pass an examination that examination was never held. The appointments were not dealt with by the Public Service Commissioner in accordance with the Act, but the main point I wish to make is the injustice which has been done to the other applicants for the position, practically dismissing them without any examination. The Minister during the tea adjournment has been kind enough to permit me to see the files in connection with the matter, and I notice on the file he was strict enough to satisfy himself that the State Mining Engineer should first put these gentlemen through a *viva voce* examination. That is all very well and I admit probably the Minister was prepared to take all the precautions necessary, but I fail to see while doing that, he was dealing out justice to the other applicants for the position. The papers supplied by the two gentlemen did not satisfy the Minister that they had a practical knowledge to fill the positions, and he required that the State Mining Engineer should hold a *viva voce* examination of the two candidates. The position may be this, that among the 63 other individuals applying for the position there may have been many who had not papers similar to those presented by the two gentlemen who were appointed, but who may have had a better knowledge of mining from a practical and theoretical standpoint. In my opinion the department made a huge blunder in not dealing out

fairness to the other applicants. In reading through the Mines Report for this year, which I congratulate the Government on bringing down at an early date compared with the time it has been brought down in previous years, I notice certain criticisms by the inspector of mines at Coolgardie and the State Mining Engineer in connection with the number of accidents which have occurred in our mines, and Inspector Crabbe, of Coolgardie, undoubtedly put a good case from his standpoint, and some of the conclusions arrived at by that gentleman show that he had taken great care in arriving at his conclusions, but the great trouble is that he starts from the wrong standpoint that certain persons—I put the cap on because I believe it fits on this occasion—should take the responsibility for the working of the mines, and he thinks we desire to place the responsibility on the Government inspectors. I want to disabuse at once the mind of Mr. Crabbe on this matter, and I may tell him that I have no such desire. My continued complaint is that while we have an Act, and under that Act certain regulations compelling mining officials to do certain things for the safety and protection of the miners, and while we have a staff of inspectors to carry out these regulations, inspectors do not on all occasions enforce the Act and regulations. Mr. Crabbe is worth quoting on this matter because we have some members here who will not trouble to read the Mines Report because they represent agricultural districts, and so that they may arrive at a decision on this question, I will read Inspector Crabbe's report to them. He says:—

“ Falls of ground are undoubtedly one of the greatest dangers our miners have to contend with, and an examination of the statistics furnished by the department will show that the majority of fatalities are brought about through this cause, and when compared with some other countries show a greater percentage. The superficial inquirer may attribute this state of affairs to the ground being more treacherous here than else—

where, but I find on inquiry, and from personal experience, that such is not the case. Generally speaking the ground in our mines is what is termed 'good standing.' This being so, it is only reasonable to think that instead of the death rate due to falls being higher than in other countries it should be lower. The question that now arises is (a.) What is the cause? (b.) What steps can be taken to minimise them? These are matters that I have given a considerable amount of attention, and I am thoroughly convinced that loss of life through falls of ground is almost entirely due to a lack of proper method in securing the underground excavation."

There is an admission by an inspector which bears out the statement which I have made times out of number, that there are not sufficient precautions taken to secure the ground, and they do not pay proper regard to the safety of the men employed. The inspectors bear out what I stated during the discussion on the Mines Regulation Bill last session. He goes on to say :—

"Often in the course of my inspection work I have made inquiries regarding the condition of certain portions of ground which I had good reasons to think unsafe, and have been informed by both workmen and mine officials 'Oh, it's all right,' but on sounding same found it otherwise. If farther questioned as to when it was last sounded, the usual reply is 'About ten minutes ago.' It is in such mines where this sort of 'all right' policy reigns supreme, and the so-called safe roof or wall that causes the trouble."

He goes on to refer to too much reliance being placed on the sounding, and he says on this point :—

"This method, although good, cannot on any account be relied on implicitly, especially in the case of roofs or walls in which 'joints' are known to exist." That bears out exactly what I stated last session about high stopes, and the need for not depending too much on sounding. but that a man should satisfy himself that the ground is of such a nature that there is no danger, and that he should

take down all loose ground. He goes on to say :—

"There is no question that the maintenance of filling to within a reasonable distance of the roof and the liberal provision and maintenance of reliable supports, even where their necessity may seem open to question, constitute the best safeguard against accidents."

I want to say right here that in my opinion Inspector Crabbe has given great consideration to the question, and he is undoubtedly right; but what I complain of in Mr. Crabbe is what he says later on, and it is this :—

"There seems to be a very strong feeling entertained by a part of the public that legislation can do everything, and that a greatly increased Government inspection should be introduced for the purpose of rendering mines more safe. I must say, from my own experience, that nothing could be more pernicious than the idea of substituting for the daily and hourly inspection of the agents of the mines any Government official. When it is remembered the extent of workings that have to be thoroughly examined, and that they have to be inspected every day, any notion of sending Government officials down every few days is to my mind preposterous, and I think if such a regularity of inspection were brought about it might produce the worst effects, in removing responsibility from those who are constantly among their men, and placing it on outsiders. The safety of a mine depends from hour to hour, it might be said almost from minute to minute, upon the care and attention bestowed upon every portion of it by the mine officials. A Government official may go through a mine and find everything perfectly safe, and in a few hours afterwards the conditions in many places might be changed, and instead of being safe, might be in a condition of great danger. I therefore hold any idea of substituting outside inspection for that daily and hourly care which should be expended upon the mine by the mine officials, to be altogether out of the question."

I totally agree with Mr. Crabbe there, and I have taken up that attitude ever since I have been a member of this House; but what I complain of in Mr. Crabbe is an inspector of mines is only to be regarded in the same light as an inspector of factories. It is not the duty of an inspector of factories to be continually going to a factory and telling the owner of evasions of the Act.

The Minister for Mines: The conditions are different. What may be good to-day may be bad to-morrow.

Mr. SCADDAN: Exactly, that is the position which I take up, that an inspector of mines should be more careful. Inspectors cannot be continually on every mine, and the result is that during the interim between the visits the responsibility of carrying out the Mining Act is in the hands of the manager. If an inspector of mines visits a mine and finds that the management is not carrying out the Mines Regulation Act and all the regulations thereunder he should, after giving fair notice, prosecute and certainly urge for a heavy penalty, because we are continually pointing out the number of accidents here. Inspector Crabbe has frequently pointed out the accidents from falling ground, and in view of that fact where I see the inspectors are lacking in their duty is in not prosecuting.

The Minister for Mines: They do.

Mr. SCADDAN: They do, and as the Minister for Mines asserts that, I will for the information of members of the House read where an inspector prosecuted the other day. What attitude did that inspector adopt?

The Minister for Mines: Was it not a prospecting show?

Mr. SCADDAN: I have no knowledge of what the show was, but it came under the Mining Act. This is the *Kalgoorlie Miner* of Tuesday last, and it says here:—

“Breach of Mines Regulations.—At the Coolgardie Police Court yesterday, before Mr. J. M. Finnerty, R.M., Geo. Imlah was charged on the information of Mines Inspector J. Crabbe that on 17th July and other days, at the Golden Gully G.M., Coolgardie, he,

being manager of the mine, did not provide a chain or other form of ladder so as to ensure a safe means of exit from the mine, as provided by general rule 34 of section 32 of the Mines Regulation Act, 1906.”

The position was this, as stated by Mr. Andrews, who prosecuted for the Mines Department. Mr. Andrews said that a heavy penalty was not asked for in this case, and then he goes on to state:—

“The facts were that the inspector visited the mine on 6th July, and practically every regulation was found to be ignored. He warned Imlah of many defects, and gave him both verbal and written notice to amend his ways. The inspector again visited the mine on 17th July, and found things exactly the way he had left them ten days before. He then took proceedings in the public interest. The R.M. said a reckless disregard for the safety of life had been shown. This was the first case he had heard of the kind, and he would be lenient, and would inflict fine of £2 only, with £2 4s. costs.”

The Minister for Mines: It was only a prospecting show.

Mr. SCADDAN: I am not disputing the fact whether it was a prospecting show or another Great Boulder, that does not enter into the question now. The inspector of mines visited the mine and found absolute disregard for the Mining Regulations Act, they were ignoring the department and the Crown. After giving verbal and written notice the inspector prosecuted because no notice was taken of the notices. I have pointed this out previously to the House, and on one occasion I read a list of mines which were reported on by the mining inspector at Kalgoorlie where times out of number he had visited the mines and given the management notice in regard to the high stopes and other things to be attended to, and on revisiting the mine absolutely nothing had been done, the order had been disregarded.

The Minister for Mines: You will not find that the case now.

Mr. Hudson: Were they prosecuted?

Mr. SCADDAN: They were not. It is useless to ask that when, in view of the decisions and the disregard for the safety of our miners, it is almost useless to prosecute. The position is that under the Workers' Compensation Act the companies are required to insure their men, and if they can get out of the expenditure of sums of money in the direction of making their mines safe they will take the risk, simply because, having insured their men, an accident costs them nothing. The men's lives are as nothing. If that was not so there would be no need for a Mines Regulations Act. It is useless for the Minister or anybody to say that mine managers have full regard for the men working in their mines. If that were so, there would be no need for us to continually bring before the House the necessity for amendments to the Mines Regulations Act. The matter of inspection should have attention from the officers of the department. My view is that if an inspector visits a mine on a second occasion and finds that the regulations are being disregarded, he should straight away prosecute and press for a heavy, not a light penalty in view of the accidents that are occurring in our mines. Some six or eight weeks ago there was a case under the Workers' Compensation Act dealt with in our Supreme Court. A young fellow named Russell had sued the Belle Vue Company operating in the East Murchison district, and I was struck with one or two things that came out in the evidence. In that mine they used self-filling skips and for the use of those skips they required a bin at the plat and a door for the purpose of filling the skips. Of course to work this system they required a ladder-way. I was astounded that there were three compartments in the shaft, two being winding compartments, and yet they had that ladder-way in one of the winding compartments; and there was only one knocker line in the shaft. I was still more astounded that the Inspector of Mines had visited that mine while this system was carried on. If our inspectors receive salaries from the State to

see that the laws and regulations are enacted by the authorities on the mines, why do they shut their eyes to this sort of thing? It is useless for an inspector to tell me that he inspected that particular mine and did not see the ladder-way in the winding compartment, and did not know there was only one knocker line. It was his duty to find it out. So long as these accidents occur in our mines, I am going to bring this matter of inspection before this House. We have heard so much from the Ministers about the protection of the mining companies' gold and property, but we do not hear so much about the protection of the lives of the miners who are winning the gold for the mining companies. It is all very well to say that the individuals controlling the mines have their black cloth to wear, but there is no concern for the other individual who is wearing a bandage over the eyes because he has been rendered blind through an accident. It is useless to shut our eyes to the fact that there is neglect somewhere, and it is the duty of the inspectors to find out where these things occur. If we have not sufficient inspectors, by all means get more; it is our duty to see that these miners are properly protected, and until the inspectors of mines know that it is their duty to prosecute where absolute breaches of the regulations occur, they are not fit for the positions they hold. I understand that the State Mining Engineer has taken somewhat the same line of argument as that of the Inspector of Mines at Coolgardie. They talk of certain individuals, but while no names are mentioned I know that the members on the Opposition side of the House who took active part last year, in face of the advice of the departmental officers, in endeavouring to amend the Mines Regulations Act are the subject of that remark. We had no desire last year while attempting to make the Act something of the nature of a benefit to the men working in the mines to do anything of the nature of placing more responsibility on inspectors of mines. While we make regulations we appoint inspectors to see that the law is carried out by persons in

high positions, and at present they are not doing so. While dealing with this subject, I will pass to another mining matter, the proposed amendment of the Mining Act as outlined by the Minister. There is one standpoint taken up by the Minister to-day which I cannot understand. I remember fairly well that about 18 months ago the Minister visited Cue in his rambles about the State, and there he made a certain statement. I took particular notice of the statement made on that occasion. It was when the Minister was first introducing the proposed amendment to the public. The Minister said that he had amended the regulations, giving better facilities to the prospector in almost every direction. I agree with him that he had amended the regulations for the purpose of benefiting the prospector. But the Minister went on to say that assistance to the prospectors and efforts to induce our own people to assist the industry were not sufficient in this great country so rich with mineral resources: we needed capital. Yet to-day the Minister, the member for Coolgardie and other supporters of the Minister's proposals, say that their desire is not to assist the capitalist but to assist the poor prospector. Why this reversal of form on the same subject? If the Minister was of the opinion that he had done all that he could for the prospector and that his object was to induce the expenditure of farther capital, why does he try to hoodwink the House by saying that it is to assist the prospector and not the capitalist that he is proposing this amendment? [Mr. Hudson: Do you take him seriously?] I am in duty bound to take him seriously; because if I did not, the possibilities are that it would be on the statute book in a week or two. If I have any power and if I can raise my voice, which I think I can, I am going to fight this to the bitter finish, and if the Minister is successful in getting this proposed amendment through before Christmas, I hope I will be by that time shadow and bone. The Minister referred the other day to certain regulations of the Mining Act where we allowed large areas for dredging claims and where we allowed them not

to work for 12 months, but the Minister carefully avoided mentioning that a dredging lease and a gold mining lease were two different things and that there is no comparison between the two. The Minister knows well, but other members may not, that a dredging lease is only granted under one of three conditions; firstly, when the ground applied for has been previously worked for minerals or gold and abandoned; secondly, when the known poverty of the ground warrants such claims; and thirdly, when such ground is only suitable for dredging on account of its excessive wetness, or on account of the cost of appliances for the purpose of working it. [*The Minister for Mines*: That is pretty wide.] It is, but it is like many other sections of our Mining Act. The Minister knows that well and he spoke particularly about the fact that the Mines Department could forfeit a mine if the owners failed to work it for a single day. I am prepared to admit that though the provision is wide the Minister knows that he could not in face of public opinion give the Great Boulder or the Persverance as a dredging claim, and he knows that it is clearly laid down that the dredging lease can only be granted when the ground has been abandoned or when the poverty of the ground is known or when it cannot be worked in any other way. In the course of the last two or three days we have found that the Minister replied to certain requests made by the Leaseholders' and Prospectors' Association at a conference. I carefully looked through these but saw nothing in the nature of a request for something to be done to assist the prospectors in the way of better security for their leases. There may have been requests that certain fees should be returned and that the rent should be reduced, or something of that nature, for the purpose of assisting the poor man in working his lease, but there was nothing in the nature of asking the Minister to strike out the labour covenants or to introduce a more secure system of tenure. When the Minister is so prone to represent that this proposal is on account of his anxiety for the prospectors, one would

have thought that the prospectors had induced the Minister to take up this line of argument. [Interjection by the Minister for Mines.] At any rate a member of another House who is usually well informed has stated that it is in the interests of the prospector, and the Minister has made the statement in this House and cannot deny it. [*The Minister for Mines*: I did not say that it was for that only.] At Cue the Minister prefaced his remarks by saying that he had done everything to assist the prospector, but that was not all the country required, and now he was going to help the other fellow—the capitalist who lives in London. The Minister cannot deny that, and members should be careful before they pass anything of the nature proposed by the Minister. I hope better counsel will prevail with the Minister. I hope that when he brings down his Bill his expressed intention to give better tenure will not be part of the measure, because I know many members who support the Government cannot see that the proposal would be beneficial to the mining industry, with which contention I agree. There is one matter to which I wish to refer. I said the other night that the Colonial Secretary had received a deputation from the Chamber of Mines, and had made it his duty to go to Kalgoorlie to give a reply. I maintain that if the Chamber of Mines or any public body wishes to bring anything before the Government it should be done in an open fashion, and that if there is anything needed to be done to assist the mining industry the representatives of the districts should know the nature of the request. I have always taken up this position, that if any body in my constituency, mine owners or others, desires to bring anything before a Minister, I would bring it before that Minister, though at the same time I take up the position that I may disagree to the request. I take it that everything should be put before the Minister to enable him to arrive at the proper conclusion; but the Chamber of Mines or any other body has no right to secretly interview a Minister for the purpose of making a request which means

a farther expenditure of public money. The Minister would not like to say he secretly interviewed them at the Palace hotel. [*The Minister for Mines*: How about the Union Club?] I know nothing about that; the only club I visit is the Weld Club. The position is that the Chamber of Mines, or any other body, when making requests to the Ministry should do so in public so as to allow the people to know the nature of their requests. The Colonial Secretary, however, I believe, announced that there was a proposal to increase the detective staff in Kalgoorlie and that the Chamber of Mines would be prepared to assist with financial help in that direction. I find since I referred to this matter a few evenings ago that a paper called the *Bendigonian*, which will be unknown to most members, although the member for West Perth will know it, referred to the question of gold stealing in Bendigo, and incidentally made certain remarks in connection with gold stealing in Western Australia. It will be well for hon. members to hear it, and the extract I have from that paper is as follows:—

“A letter has been sent to the Mines Department inviting attention to a circular which is being forwarded to the directorates of all mines in Victoria suggesting a conference of delegates to adopt a scheme for preventing gold stealing. It is declared that lax supervision at the mine, or imperfect supervision, is responsible for an immense amount of gold being stolen in Victoria by persons who have no difficulty whatever in disposing of it to gold buyers who do not ask inconvenient questions. Some such system as the one to be proposed was introduced into Western Australia by Mr. Kavanagh, who was for long assistant to Detective Christie in the Melbourne Customs service, but now holds an official position in the State mentioned. Its application resulted in an estimated saving of upwards of £130,000 worth of gold per year to the shareholders in mines. The firm that suggests the conference on the subject is familiar with Mr. Kavanagh's methods having, indeed, assisted in carrying them

through, and offers to undertake the task of adequately checking gold stealing throughout the State if the mining companies can generally agree to pay a small annual fee for the purpose. A leading point in the method that would be adopted is that in no case would the actual discoverer of the dishonesty be ever permitted to give evidence. Care would always be taken to have the thief detected by a plainclothes policeman or official of the mines acting on information from the discoverer. Thus the watchers would always be *incognito*."

I had not heard of this system as existing in Western Australia until I saw the extract, and I would like to know from the Colonial Secretary, or I suppose through the Premier as the former Minister is not permitted to speak in this Chamber, whether he has any knowledge of any such system being in vogue in Western Australia. I can call to my mind a case which occurred on the Murchison field when a man was proceeded against for gold stealing on evidence of another who had been working alongside of him, but who was probably a detective in disguise. If there is one man whom I have an absolute contempt for it is an informer. I detest such an individual. Just imagine a man who can go and work alongside another, take him into his confidence, treat him as a brother, as men working below ground do, probably lead him into committing the offence, and then turn round and give evidence against him. I have heard of such things as that. That is a system which I hope will never be allowed to continue in this State. [*The Minister for Mines*: You do not imagine for one moment that such a thing is being done officially. It may be done by the management of the mines.] I hope it is not done officially, but that such a thing has happened, as I have already explained, is a well-known fact. [*The Minister for Mines*: Probably the mine owner employs his own detective.] It is said in this paragraph in the *Bendigoian* that a certain firm is assisting Mr. Kavanagh to carry out his methods, the result being an estimated saving of upwards of £130,000

worth of gold a year. Is there any truth in this, and if not will the Minister take steps to contradict it not only here but also in Victoria? There is no need for farther detectives on the goldfields; it is perfectly ridiculous to have any detectives at all, for the only thing that is needed is for a man to take a revolver in his pocket, shoot someone and then leave the country. That is the experience that we have gained from what has happened in the past—a loaded revolver, man shot, and the perpetrator leaving the country. [*Mr. Taylor*: You want to have certain associations to be able to do that; I would not promise that you would get off free.] I have had a discussion with a police officer on this question, and he said that no police constable would dare to have done what the private individual in question—all members know to whom I refer—who was associated with the mine, did on that occasion. Instead of being allowed to leave the country he should have been prosecuted for manslaughter. This is really the charge that was made by the member for Kanowna against the Attorney General. I listened to the Attorney General to-night, in all his indignation, replying to the charges which had been made, and I am quite satisfied that he has not answered them. Why was that individual permitted to leave the State while a charge of manslaughter was hanging over his head? I do not make charges against the Attorney General, nor anybody else; I know nothing about the case except what I have read in the newspapers. But the reason for the action of the department should be explained and the public have been waiting for that explanation for some considerable time. In connection with matters in the Governor's Speech the most important question, outside of those to which I have referred, are the amendment of the Conciliation and Arbitration Act and the amendment of the liquor laws. In connection with the former I believe it is intended to bring down a Bill which will practically repeal the measure and enforce altogether new conditions. With regard to the working of the Act my idea is that the object of those gentlemen who framed it has not

been carried out. The name of the Act has in itself been altered. It was originally called the Conciliation and Arbitration Act, but it is now known only as the Arbitration Act. There is no attempt now at conciliation on the part of anyone, but it is a case of fighting on every occasion. Why is this? You will obtain an answer in the Arbitration Court itself. Members will recollect that, not so very long ago, a certain society appealed to the Arbitration Court for an award which was given by the conciliation board. The President of the court said that the society's representative would have to make out a very strong case before the Arbitration Court would alter to any extent the award of the conciliation board. It was explained as a reason that persons who sat on the conciliation board resided in the district in which the trouble arose and therefore were acquainted with local conditions. The result of the appeal was that the society could not bring forward sufficient arguments to convince the Arbitration Court that the board's award was one which the court could alter. Very shortly afterwards another appeal was made against an award by the conciliation board; but on this occasion the employers were dissatisfied with the award and approached the court in order to have it upset. Although the same President sat in the Arbitration Court and heard the appeal, and although the society's representative reminded him of his previous statement in another case, the result was that the award of the board was altered from alpha to omega. It was owing to decisions of this kind that the conciliation board has become a dead letter. Recently a splendid example was given of the value and efficacy of settling disputes by arbitration. I suppose that never, with the exception of the trouble in the timber industry, would such a difficulty arise between employers and employees and such trouble ensue as would have been the case in the mining industry on the Eastern goldfields had the parties not recently come together in conference and arrived at some determination on the wages question. The result of

the conference between the employers and employees on that occasion was that there is now every likelihood of the matter being settled amicably. What does the Government propose? Their main proposal is to start out and fight unionism; that is what it comes to. If they were desirous of doing their best in the interests of the employers and the workers they would endeavour to bring the parties together instead of setting up a battle between themselves and the workers. I tell the Government with all earnestness that it is better, before war actually begins, to withdraw that portion of the amending Bill, the desire of which is to prevent unions from expending their funds as they like. I know from what the Attorney General and the Colonial Secretary have said that their absolute desire is more to prevent the unions from using their funds for political purposes than to prevent industrial disputes. Ministers must recognise this fact, that the day of strikes so far as Western Australia is concerned is, I hope, passed. What therefore have the workers to depend upon in order to ensure they will be treated reasonably? There are the Arbitration and Conciliation Act, the Workers' Compensation Act, the Employers' Liability Act, and other measures which settle their conditions of labour, and are they going to be debarred from assisting in obtaining betterment of their position by political action? Do you think it is likely that the workers and the unionists will permit that liberty to be taken away from them? The Government have taken on a task that will be very difficult to carry through, and if they do it it will not be to their benefit in the long run. There is a strong feeling in the country to-day on this question. We do not compel any individual to become a member of a union, but when a man joins he is handed a card, together with all the rules of the society, and at any time he is able to go into any union office and see the rules. When joining he knows that a certain portion of the funds of the union will be used in order to get better conditions for the workers by political action. We have taken up this position

all along and the members of the union know it. The returns from the registrar of friendly societies show that the number of members of unions has increased considerably during the past 12 months, in spite of the fact that we have had very many disputes, and this proves that, although these men have full knowledge of the opinions and desires of the Attorney General, they intend to show, by joining the unions, that they conform with the idea that certain portions of the funds should be utilised for political purposes. The increased numbers of unions might almost be taken as a protest against the attempted interference with their funds. A proposal has been outlined by the Premier that two of the permanent members of the Arbitration Court—the representatives of the employers and the workers—should not retain their positions, but that special members of the court should be appointed by each industry for each particular dispute. Personally I rather favour this idea to some extent, but I cannot see why the President of the court should be made the permanent head of it. If the other members of the court require to know something about the business that they have to arbitrate upon, to appreciate the local conditions and realise what the industry is, why should not the President of the court also have that knowledge? In many cases the settlement of the dispute is in the hands of the President. The representatives of the employers and the employees do not agree in one case out of a hundred, and therefore the decision rests practically entirely with the President of the court. [Mr. Gull: Why not have only one member of the court then?] This would be better than to have three members under the proposed conditions. Let the President of the court have some knowledge of the industry, like the other members of the court. [The Minister for Mines: Who will appoint him?] How do we appoint the chairman of a conciliation board now? A little while ago in Perth we had a case before a conciliation board, and there was no request to the Government to appoint a chairman. Both parties agreed on a chairman to settle the

dispute; and I say, if the other two members of the Arbitration Court need a knowledge of the industry, the third member also should have that knowledge. I do not wish to attack any Judge of our Supreme Court, because I do not think it wise to do so; but I certainly attack the system of appointing a Judge as President. I say that is not conducive to the settlement of disputes in Western Australia. In respect of liquor-law reform I probably take up a unique position. Members know I have been for a number of years a Reelhabite, and a teetotaler all my life. I say, in this matter as in others it is better to be practical than to aim at something that cannot be realised. What do we find advocated by the members for East Fremantle (Mr. Angwin) and Balkatta (Mr. Veryard)? They have been told, I should not like to say by the W.C.T.U. but by some such organisation, that nothing short of the W.C.T.U. programme will lessen the evils resulting from the drink traffic. Now after studying the matter from a practical standpoint, and making myself thoroughly acquainted with the working of the present Act, I say their proposed system is not the best to lessen the amount of drinking. The member for East Fremantle hoped the other night that the Attorney General would not bring down a measure including provision for limited hours of Sunday trading. I interjected that I hoped he would, and that is still my hope; because in my opinion, though it may appear contradictory, the opening of hotels during limited hours on Sundays will have two very good effects: first, to cause the hotel employees to have nearly all their Sundays off, instead of having to work all day on Sundays; and second, less drink will be sold to fewer visitors at hotels. To ascertain the position to-day, without going farther than Perth, we can find many hotels that absolutely live on their Sunday trading under our present law. Yet we are told by some temperance advocates that we ought to enforce the present law. What are we to do? All one need do is to take the train to Cottesloe on any Sunday, and the traveller

can get as much liquor as he wants, and without hindrance too. Last summer I went to Cottesloe, on several occasions—a very pleasant summer resort; and on two occasions I went to the Cottesloe Hotel to have a drink, to satisfy myself how hotels were conducted. I found the circular bar there absolutely full, and two men working their hardest to serve liquor. Yet we are told by people who do not take the trouble to look for themselves that opening for limited hours on Sunday would involve an increase of Sunday drinking. [Mr. Angwin: How will that be remedied?] In this way. The Attorney General proposes, in lieu of limited hours on Sunday, to strike out of the Act all reference to *bona fide* travellers and to lodgers. Then travellers and other persons will know that within certain hours they can obtain drink, but that outside those hours they can not. Under those conditions I say there will be less drinking than there is to-day. The hon. member knows too it is only necessary to take a shilling ticket for one of our river boats, and he can come back "tight" if he likes within an hour. [Mr. Angwin: Strike out the whole of the clauses permitting Sunday drinking.] That is illogical. The hon. member wants absolute prohibition. If it were possible I should like prohibition too, but I know it is impossible; and knowing that, my desire is to lessen the amount of drinking. [Mr. Angwin: Your scheme will not lessen it.] I say, both on the coast and the fields there are many hotels that obtain the major portion of their takings from Sunday trading; and while that is so it is no use our shutting our eyes to it. The other main point which I think ought to commend itself to the member for East Fremantle, if not to the member for Balcatta, is that the new proposal will involve less employment on Sunday than is necessary to-day. Under our existing law it is essential that *bona fide* travellers and lodgers claiming to be served should be served; hence the proprietor, whether he desires it or not, must either remain on the premises all day or employ a barman to do so, and at the same time

the proprietor has to satisfy himself that a person demanding drink is a *bona fide* traveller, and to do that must employ a man to stand at the entrance. Thus the employer is employing probably two men besides himself to remain on the premises all day on Sunday. I have discussed this with hotel-keepers and others, and can assure members that there is no one more sincere than I in my desire to stop the evil results of our drink traffic. I know something of the results of heavy drinking; and I am satisfied, after fully investigating the question, that limited hours on Sunday, provided they are not outrageously long, like those indicated by the Attorney General, who spoke of twelve or thirteen hours in one instance, the effect will be to lessen the amount of drinking.

Mr. Angwin: Where did you obtain the knowledge that the hotels would close during the prohibited hours?

Mr. SCADDAN: I know it is difficult to make them close, just as I know it is difficult to obtain prohibition even in a prohibition State.

Mr. Angwin: You say the Attorney General will bring in a Bill to provide for limited hours?

Mr. SCADDAN: Yes; and in that Bill we shall provide, though I do not wish to go into details now, that the proprietor shall keep all doors leading to the bar absolutely locked within those prohibited hours; and if at any time they are found unlocked, he should be immediately prosecuted and a heavy penalty imposed. I earnestly and sincerely believe that under these conditions we shall lessen the amount of drinking that takes place in Western Australia. Another phase of the question it will be as well to touch on, but I shall reserve my remarks until we have the Bill; that is the nationalisation of our liquor traffic. Certain statements have been made, and probably the Minister for Mines has not seen the article in the temperance paper, issued a week or two ago, in reference to our Gwalia State Hotel. Of course I know we have to make a fair allowance for such statements, coming as they do from the temperance organisation; but at the same time, I say the statement is

not a fair statement of facts. It is as follows :—

“Coming nearer home, our own State’s experiment in the public house business has proved that the first consideration is that the house shall pay—after that, pay well. Established by the James Administration as an example of what should be done in the public supply line, with a scrupulous manager, the conduct of the house for a time appeared to be exemplary. But it did not pay. Governments had come and gone, and other Ministers, whose need of revenue became pressing, removed restrictions. Another manager was obtained, who was prepared to push business, till a profit of £70 per week is now attained, to the impoverishment of the district. The manager is congratulated by the Minister on this result, and thus encouraged to farther push the devastating traffic.”

I say that is not a correct statement and not a fair statement of the position. I know the manager of the hotel, having met him on one occasion when I stopped at the hotel for two or three days ; and I say that, at all events during that period, there was less drinking in proportion to the population than in any other hotel I have visited in Western Australia. The position as I found it, and I heard of it too from the management of the Gwalia mine, was that since the opening of the State hotel there was less drinking in Gwalia than there had been previously ; and moreover, the management assured me they had now no difficulty in getting the full number of men to start work on Monday mornings, whereas previously, seldom more than 50 per cent. turned up, particularly after pay-day. That arose from the fact that previously the men went into Leonora, where, being *bona fide* travellers, they obtained as much liquor as they wanted, and very seldom got home on Monday mornings. Since the institution of the State hotel at Gwalia there are no inducements offered to drink ; only barmen are employed ; there is no piano on the premises to occupy a musical barmaid, no inducement to rattle the dice-box, no two-up schools attached, and no other mon-

strosities such as we see in fashionable hotels in Perth. I think it is only fair to make this statement in contradiction to that made by the temperance organ. I say the State hotel at Gwalia is certainly in the best interest of the country, and has the effect of lessening the drink traffic in that district. There is one matter I should like to deal with again, though I have dealt with it on a previous occasion—the habit Ministers have of visiting the electorates of Opposition members without notifying those members of the intention to do so. I mentioned this on a previous occasion at a social, and the Minister for Mines (Hon. H. Gregory), in reply, went away on another tack so that I could hardly find him. However, I have him in the Chamber now, and I think I can pin him down to take some notice of what I say. It is absolutely unfair to Opposition members that Ministers, simply because we disagree with them on some political principle, should visit our electorates without giving us notice. The Minister for Mines did it on one or two occasions, the Minister for Works (Hon. J. Price) did it once or twice, and generally there has been a lack of courtesy on the part of Ministers to Oppositionists, particularly to those representing goldfields electorates. The Minister for Mines knows that on one occasion I went to Kalgoorlie to assist him while he was there to obtain all possible information on various subjects. I am always prepared to do so irrespective of whether or not I agree with the persons bringing the matters under the notice of the Minister. I say it is our duty as members to bring before the Minister every request from our constituents ; but if we have no knowledge of the fact that the Minister intends to visit our electorates, we cannot do that ; and I say it would be better on the part of the Minister, it would show more courtesy to members on this side, if he were to notify Opposition members as well as his own supporters. A word on the proposed subsidy to freezing-works in the North ; and here I suppose some Ministers will tell me that it is not in

the nature of a subsidy but a loan. Still, I cannot separate the two, because I find in the daily Press of about a fortnight ago a proposal for freezing-works at another place, I think at Carnarvon. I understand this proposal is exactly on all-fours with the proposal for freezing-works at Wyndham.

Mr. Bath : You have only to read the speech of the Honorary Minister at Northam.

Mr. Butcher : Do not take the fence before you reach it.

Mr. SCADDAN : It is not advisable to do that, but it is advisable to prepare for a dangerous cliff before you arrive there and fall over. That is the position I take up. It is sometimes too late to ring the warning bell after the injury has been done. On this occasion I desire to issue the warning that I am absolutely opposed to this proposal; and I believe the majority of the public are opposed to it. The people whom the Government are endeavouring to benefit can in my opinion afford to erect freezing-works of their own.

Mr. Butcher : So they will, and the works will then become a monopoly.

Mr. SCADDAN : If there were a desire on the part of pastoralists in the North-West to establish a monopoly by the erection of freezing-works, they would have done so long ago, because we know they have to-day the absolute monopoly of the meat trade; so by establishing freezing-works the position will not be altered. [*Mr. Butcher* : That is incorrect.] If it is, I stand corrected; but I think that 999 out of every 1,000 in this State hold the same opinion as I am expressing.

Mr. Butcher : They are all wrong.

Mr. SCADDAN : That is the position. I know there is an endeavour on the part of a firm commencing operations around the coast to try and break up the monopoly and I have heard from some persons that the firm are prepared to sink £35,000 in that attempt. It is a peculiar thing that the amount which the firm are prepared to drop to break up the ring is exactly the amount that the Government are prepared to hand over to the monopolists. One may assume that

this amount is being provided to prevent the firm from bursting up the ring. In connection with the subsidy to the meat works the *West Australian* of a recent date has the following paragraph:—

“*Mr. W. J. Butcher, M.L.A.*, is hopeful that freezing works will be established at Carnarvon. He considers that within a few years an export trade of considerable magnitude could be opened with the southern, and probably other, markets. To equip such works would necessitate a capital outlay of about £20,000 and *Mr. Butcher* says that the Government is willing to subsidise the undertaking to the extent of £ for £. *Mr. Butcher* himself has such confidence in the scheme that he is willing to take shares in it to a large amount, and during the next month or two the matter will be brought under the notice of other leading pastoralists.”

I interjected when the Minister in charge of the Agricultural Department was speaking the other evening and asked whether a promise had been given of a pound for pound subsidy for freezing works at Carnarvon. The Minister said that a promise had not been given. I do not know how the member for the district will take that denial on the part of the Minister, but the Minister assured me that no such promise had been given and generally there appears to be some misunderstanding in the matter. Personally I hope as far as Opposition members are concerned there will be an understanding in the matter, and that we shall not have these feelers thrown out as they were during the recess in reference to cutting up Rottnest Island. The Government send out these feelers to see what the people think and the Ministry may be termed the “Ministry of cray fishing,” not that they go backwards altogether but they send out feelers to find out what the public opinion is like and if they find public opinion is against them we hear nothing more about the matter. I say this is not the proper position for the Government to take up. They should be prepared to take the responsibility and consider what is in the best interests of the State, bring down

their proposals and submit them to the House. After fair consideration if the House declines to accept the proposals they should be withdrawn. As to the proposed amendment of our Railways Act I hope the Minister will give us a fair opportunity of considering this well before the Bill reaches the Committee stage. It requires serious consideration. After the debate on the motion which was moved by the member for Colliest Session for reverting to Ministerial control I was going to be unparliamentary and say, after the subterfuge by which the Minister obtained the support of some members in the House, but I will say that from the explanation given by the Minister subsequent to the mover of the motion having replied, which caused certain supporters to vote against the motion, it was understood that the Minister would take it as a direction to revert to Ministerial control.

The Minister for Railways: I do not think so.

Mr. SCADDAN : That is my opinion, and I think it is believed in the country. It is better to obtain the opinion of the House on an abstract motion rather than bring down a Bill which after all will be accepted by the Government as one of their proposals by which they will stand or fall. That will be the position.

The Minister for Mines : No.

Mr. SCADDAN : The Minister is indignant because I make that assertion, but that will be the position. Only last night, because there was a desire on the part of members of the Opposition side to prevent the introduction of pests in the North-West, the Government took the matter as a party question on which they were prepared to stand or fall. But when we are dealing with one of our greatest assets in the State, the Railway Department, we shall find if the Government are likely to be defeated they will treat the question as a party one on which they are prepared to stand or fall. If they do that there will not be a fair expression of opinion on the part of members in the House. This is a question which should receive careful consideration, but under the present proposals of the Government that

will not be obtained because there are members on the Government side who would rather support the Government proposals than see the Government put out.

The Premier : The Government will notify before action is taken whether they are in favour of one or three commissioners.

Mr. SCADDAN : That is a totally different point from what I refer to now. If the Ministry had permitted the motion to take its course last session I am satisfied in my mind the members of the House would have supported the motion. If the Minister for Railways will only look up last year's *Hansard* he will see that was the position last session in this House. He was allowed to make an explanation which had the effect of causing several members to vote against the motion in the hope that the Minister would accept it as a direction from this House.

Mr. Gull : We are quite satisfied with an opportunity of discussing the question.

Mr. SCADDAN : But the opportunity for discussing it with anything like a free hand has gone by. When the Ministry bring down a Bill it will be part of their policy on which their party will have to support them. That is not in the best interests of the State to arrive at a proper conclusion in the matter. Personally I say I am absolutely in favour of reverting to Ministerial control. The question of one or three commissioners makes no difference. For three commissioners after all means one commissioner in the settlement of all big questions, and still we shall have three salaries to pay. I am in favour of a general manager under Ministerial control, and if we carry out that system the best interests of the railway system and the State will be served. The railways are too great an asset to the State and also too great an institution for the purpose of assisting our industries that we should hand them to any commissioner for the purpose of making money only. If there is need to give the Minister more power there is no need to give the commissioner ex-

tended powers, or his present power. In fact there is no need to have a commissioner at all, but to have a general manager under Ministerial control, which will be in the best interests of the State. The Premier took up an illogical position the other night when he stated that the Government were not prepared to renew the engagement with Mr. George, at the same time saying that there was nothing wrong with Mr. George as Commissioner or his system of control. Then it is up to the country to know why Mr. George's services were dispensed with. There must have been something wrong or the gentleman holding the position was not fit for that position, or the system under which he worked was not in the best interests of the State. From the policy outlined by the Ministry, that we are going to continue under commissioner control and one commissioner only, it appears to me the Government lost faith in the administrative powers of Mr. George, but that they were not game to tell him so. Why do not the Government take up a true position? They were not prepared to tell Mr. George he was not fit for the position, that the system was all right, but they had not the right man.

The Premier : He was engaged for a certain number of years and there was no obligation to renew the engagement.

Mr. SCADDAN : There were certain terms in the agreement, that he was to receive a certain leave. I am not expressing an opinion as to whether Mr. George was fit for his position or not, but the Ministry seemed to take up an illogical position. If the system was bad we ought to revert to Ministerial control but if the system was right but the Commissioner wrong, then the Government ought to have told him so. As to the power of the Minister and Commissioner, in the present Act I agree with the member for Claremont in saying the Minister has considerable powers to-day if he likes to exercise them.

The Premier : Are they not exercised occasionally ?

Mr. SCADDAN : The Premier is trying to make my speech for me. I was going to tell him, if he would permit me

to do so, that the Minister has on several occasions compelled the Commissioner to reverse his decision or to comply with the decision of Cabinet. There was a question of the settlement of the Sunday time on the railways on which the Cabinet compelled the Commissioner to agree to certain terms in settlement of that dispute. But it took some five or six months hard fighting to obtain that decision. That is not in the best interests of the State. Surely on questions of that kind of vital importance Ministers know full well it would be a calamity to the State if the matter had not been settled when it was ; yet we find that it took five months of forbearance on the part of the men before the Government arrived at that decision. Yet if any action had not been taken we would have been told the men ought to have had patience. It is a credit to the railway men they had the patience which they displayed. I myself lost patience completely.

The Premier : You did not lose your temper.

Mr. SCADDAN : I am not given to losing my temper on matters of this kind. It is not to the best interests of the State that matters of vital importance should be hung up with promises and counter promises. I commend the Premier in particular and the Minister for Railways for their final action on that occasion. I do not want to say anything derogatory to the Minister for Railways or not give credit where credit is due, but I may say that the settlement of that dispute was due to the action of the Premier. He was backed up by the Minister for Railways and I believe by other Ministers, although I do not know Cabinet secrets, but the Premier gave his support in the settlement of that question, and where credit is due it should be given. It is not necessary for me to say more. I wish to reply to some remarks made by the member for Greenough, but he is not in his place and probably it would be waste of time to detain the House farther, but I take exception to the remarks of the member for Greenough about the Goldfields Water Scheme. The hon. member in my opinion, and I am satisfied in my mind that he would not be supported by other

agricultural members, shows no gratitude by the remarks which he made the other night. Agricultural members have to be thankful to the gold-mining industry, yet we find the member for Greenough standing up in his place and saying that the goldfields people ought to be compelled to carry a burden that it would be impossible for any community to carry. If we were ungrateful we might just as well turn round and tell the member for Greenough that the agriculturists ought to provide the money which has been expended on the rabbit-proof fence. We might tell them also that they should provide money for the agricultural railways. Many of the statements made by the member for Greenough shows his ingratitude. But other agricultural members I have spoken to I am sure do not support him in his remarks. Some members only live on attacking some other part of the State, trying to show that they have the interest of their own electorate at heart. I contend that when we come here on questions of this kind we should view them from a State standpoint as well as from the standpoint of our own electorates; and if we do that I am sure that utterances such as that of the member for Greenough the other night would not be made. As to the other subjects I shall reserve my remarks until the various matters come before the House.

Mr. J. E. HARDWICK (East Perth): At this late stage of the debate I do not intend to take up too much of the time of the House, but in common with other gentlemen who have spoken, I also wish to congratulate you, sir, on your return to the occupancy of the Chair, apparently fully recovered in health from the very trying ordeal of last session. As members know well it was not a very unusual thing for you to be leaving your Chair at a late hour of the night when the night hawks and opossums had long gone to rest. I hope there will be no repetition of that this session. It has only one tendency, to ruin the health and break up the constitution of the men who are sent here to control the affairs

of the State. I am rather inclined to think that the legislation that emanates from members in the early hours of the morning is not at all conducive to the welfare of the State. The Premier deserves the thanks of the community for calling Parliament together as early as July. The people of the State were really beginning to grow a bit anxious because they were beginning to think we would not meet until next year. The people were also anxious to know what trade we were likely to open up with Japan, and were anxious also to know the justification for the expenditure of four months of our Treasurer's time from the State. Following on a remark made by the Treasurer that we were likely to open up a trade with Japan, I have been making inquiries, and I find that the commercial and mercantile people have been very anxious to book orders; the only trade I found we were likely to do was to supply a cut line of epsom salts in bulk, and by way of commercial reciprocity to take a shipment of Japanese fireworks in return. This country is badly in need of fireworks because the Treasurer may find, when he brings along his taxation proposals, that he may need a few distress rockets in order to secure the attention of members on the opposite of the House. When the Treasurer steamed from the Mikado's country in the direction of Australia we all remember that he was shipwrecked. When that intelligence reached this State a gloom was cast over the country and the people wept. When the farther intelligence reached us that our Treasurer was safe and sound on land the people wept again. I congratulate members on the good feeling that has been displayed throughout this debate. Of course there have been a few reflections cast upon the Minister for Works. Well, he may have deserved them; I do not know. I am pleased to know that during this debate there was no reference made whatever to the Midland Junction episode which occurred some months ago, when there was a search made for a Minister of the Crown in the lavatory and under the seat of a railway carriage. I am pleased to think

that no reference has been made to that, because I believe we should bury the past. No doubt the Treasurer will agree with me on that point. I feel confident that if it were possible for him to bury that deficit of £200,000 we would all be pleased to give him a hand. The Minister for Works ventured to think that he had in no way neglected the administration of his department, but there is no Standing Order to prevent me from remarking that I differ altogether from the hon. member, and I will tell him why a little later on. Of course I must congratulate the Minister on his speech, because in my opinion if it did have a slight odour of the midnight oil, it was really a good speech; but while I congratulate the Minister on his oratory and on the good speech he made, I must say that I was somewhat disappointed in the peroration; because he told us how he was going to establish freezing works and railways and a dock for Fremantle, and many other things for Fremantle, so that I was rather inclined to think that he was for leaving Perth altogether out in the cold. Any move that has been made to open up and beautify the river has been frustrated by the Minister for Works; that is clearly demonstrated by the fact that during their reign the James Government pursued a policy in connection with the reclamation works on the frontage of the river, a policy that was honourably followed by the Daglish Government; but since we have had a Minister for Works from Fremantle, Perth has been entirely neglected in that respect. There must be some effort made among Perth members to organise to protect Perth against these glaring injustices. The question of the dock no doubt will engage the attention of Parliament before long, and I am of opinion that it should have very careful consideration. There are many things to be taken into account in connection with such a great work. [Mr. Bolton : It has been considered for 12 years.] And perhaps it would be wise to consider it for another 12 years. We have to realise that the cost of labour and oils and paints is greater here than elsewhere; and when vessels can in a

few days steam to Singapore and get their docking done more cheaply because labour is cheap there, and oils and paint are cheap, they will most likely do it. We must also consider the fact that the interest and sinking fund on this work will be between £20,000 and £30,000 a year, and I hardly think such an expenditure is warranted. I will need farther information before I feel justified in voting for the dock. There is no mention made in this speech with regard to the gambling evil. Horse-racing in this State is not conducted as a medium for sport but simply as a commercial concern. Some time ago I thought it was time that Parliament should intervene and amend the W.A. Turf Club Act in such a way as to curtail the powers of the W.A. Turf Club, or to give the general public considerably more representation than they have. It needs a man of money and influence to become a member of the W.A. Turf Club, but it is the masses who contribute the funds and invariably pay the piper. I think that the law declares a child under 16 cannot go into a public-house and obtain liquor, and I think the same thing should also apply in regard to racecourses. Children of a tender age, at least those under 16, should not be allowed to frequent racecourses. We see in the columns of the Press the evils of horse-racing and about the class of people who frequent our racecourses, and we notice that the police force has been strengthened and that the force of detectives has been increased to ensure the safety of the people, and we see that the racecourse is not the place for boys and girls of tender age to visit. To my mind it is the duty of the State to protect the children from the evils they obtain on the turf. I notice that stipendiary stewards have been appointed by the W.A. Turf Club. [Interjection by Mr. Gull.] This is a matter which affects the politics of the State; it affects the morality of the State. It would be better if the hon. member would consider the question and look at the other side for a while. The money comes from the pockets of the masses. Racing has a detrimental effect on the commu-

nity, and the evil effects of horse-racing in this State are beginning to stamp themselves on the characters of the people. I noticed only the last week or two where there was a case in Kalgoorlie. It was a sudden reversal of form; I think they call it "doping." Where there is any doping or immorality on the racecourse invariably it is the general public that suffer; and so I maintain that it is a State matter. We give almost unlimited powers to the W.A. Turf Club, and it is time to step in and do something to minimise the evils that exist. It is the best thing that can be done to remedy it. I also notice that the Minister for Works is likely to establish a freezing-works. He said that the idea of the Government was to contribute £35,000 towards freezing-works in the North-West, but who is to receive the benefit of the millions of acres of leasehold land? It seems to me that the time has not arrived when the Government should place £35,000 out of the State funds at the disposal of anybody to establish freezing works, perhaps more so now than 12 months ago, because we have established a route which is supposed to supply the goldfields with stock. It is only a matter of bringing the stock from the terminus of the goldfields railway to Perth. For eight months of the year the meat can be slaughtered there and brought to Perth. Tick infested cattle can be brought down to the Eastern goldfields, and the people of Perth will thus secure a supply of cheap meat; and if we had cheap meat and plenty of it in Perth, it would reduce the amount sent away from this State by way of payment for butter, bacon, cheese and other commodities. I notice that the Premier in his Bunbury speech said they were now round the corner; the Attorney General said in his speech this evening that he hoped to be round the corner; since Parliament met this session I have got round the corner; so you will notice that this is a "three-cornered go." I think that I am much happier here and in my proper place. It is marvellous where a man's political convictions will land him sometimes, and I am sure that the member for Subiaco,

if he were here, would quite agree with me on this subject. I am here to support the policy that I was elected upon, and if there is any deviation from that policy which I do not think will be for the benefit of the State, I will reserve to myself the right to criticise and vote against it.

Question put and passed, the Address adopted.

ADJOURNMENT.

The House adjourned at three minutes past 9 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 30th July, 1907.

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The PRESIDENT took the Chair at 4.30 o'clock p.m.

Prayers.

ASSENT TO SUPPLY BILL.

Message from the Governor received and read, assenting to Supply Bill.

PAPERS PRESENTED.

By the *Colonial Secretary*: Government Railways Act, 1904: Reports and returns in accordance with Clauses 54 and 83, quarter ended 30th June, 1907. Port Hedland - Marble Bar Proposed Railway: Map showing centre line with limits of deviation.