

past three years as a period of steady advance and solid prosperity.

The accomplishment of so great a volume of useful work has made heavy demands upon the time of members, and my advisers desire to thank members for the sacrifices so willingly made, and to express the hope that the electors of the State will appreciate the valuable results which have been accomplished.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

I sympathise with you in the loss which the Parliament and people have sustained by the death of your late Speaker, Sir James Lee Steere. His long life was devoted to the service of the community, and stands as a testimony to a distinguished Parliamentarian and a loyal and brave servant of the State.

I thank you, in the name of His Majesty, for the liberal supplies that you have voted.

MR. PRESIDENT AND HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

I again thank you for your services to the State, and congratulate you upon the record of good work done.

I now prorogue this Parliament to Thursday, the 31st day of March next.

The session then closed.

Legislative Assembly,

Saturday, 16th January, 1904.

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THE SPEAKER took the Chair at 2:15 o'clock, p.m.

PRAYERS.

QUESTION—ELECTORAL ROLLS.

MR. BATH, without notice, asked the Premier: What steps does he propose to take to prepare the new electoral rolls?

THE PREMIER replied: As soon as Parliament is prorogued I purpose to confer with the electoral authorities, and to have extra assistants put on to prepare the provisional rolls for publication. They will be prepared from all existing data, and will enable people to see whether their names have been inserted or omitted. These provisional rolls will be subject to amendment until the Electoral Bill becomes law, and will at once be reprinted as amended up to date, and be published under that Act. Every possible effort will be made to let the public know what is being done, so that there may be no excuse for non-registration.

PAPER PRESENTED.

By the MINISTER FOR LANDS: Permit to construct Timber Tramway in Mt. Malcoln district.

Ordered, to lie on the table.

QUESTION—CROWN BRIEFS.

MR. THOMAS, without notice, asked the Premier: Whether he has in his possession the return as to Crown briefs, for which I moved some weeks ago. On the 16th December, in reply to a question, the Premier promised that the return would be tabled before prorogation.

THE PREMIER replied: I must apologise to the hon. member, and candidly admit that during the last few days I have overlooked the matter. I gave instructions that the return should be prepared; and if the hon. member can afford the time before he returns to Cool-

gardie, I shall be glad to show him whatever data have been collected by the office; but I have not the formal return to lay on the table of the House.

QUESTION—RAILWAY EMPLOYEES AT MIDLAND JUNCTION, BUILDING BLOCKS.

MR. JACOBY, without notice, asked the Minister for Lands: 1, Is the Government aware that the railway employees now being transferred from Fremantle find great difficulty in securing building blocks, in view of the high price of land at or near the municipality of Midland Junction? 2, Will he, in view of the fact that there is a considerable area of Crown land available within easy distance of the Junction, served by the Eastern, Smith's Mill, and Canning railways, take into consideration the advisability of making available blocks of convenient size, under the land regulations concerning residential and working men's blocks, as was done at Fremantle, Albany, and York?

THE MINISTER FOR LANDS replied: 1, No overtures have been made to the department. 2, Working men's blocks are being made available at Mundaring. Additional blocks will, as far as possible, be provided as the demand arises.

QUESTION—FORESTRY COMMISSION, CONTINUANCE.

MR. G. TAYLOR, without notice asked the Premier: 1, What is the intention of the Government as to the Forestry Commission? 2, Are the commission to sit throughout the recess? 3, Has there been any result to date?

THE PREMIER replied: The Commission, having been appointed, will sit until their duties are ended or the commission is revoked. I think the labours of the Commission have, so far, resulted in good to the State. The timber industry is one of those matters on which we desire farther information; and I hope the members of the Commission will find it convenient to continue their labours until due completion.

MOTION—MINERS' WAGES UNPAID, ANACONDA.

MR. R. HASTIE (Kanowna) moved:

That this House is of opinion that the Government should immediately inquire into the

position of affairs at Anaconda, and take such steps as will prevent farther injustice being done.

He said: I much regret that on the last day of the session I have to bring this matter to members' notice; but I feel it to be of such transcendent importance that I cannot miss this opportunity. In a few words I will try to explain the position at Anaconda, a township on the Eastern Goldfields. The difficulty there existing is not novel, but is the result of a new method of getting work done for nothing. A few years ago, certain persons took up a piece of land at Anaconda, for the purpose of mining for copper. They seemed to do well. There were rich surface deposits. Soon afterwards those persons sold the mine to a company which was really a company of promoters who wished to float the proposition. But these promoters did not put any money into the venture, and instead of floating it they raised funds by issuing debentures. Work seems to have gone on fairly for a considerable time. For the purposes of the company a sum nominally of £20,000, but I am sure not actually exceeding £16,000, was sent to this State; and with that money the promoters bought plant and machinery, erected the necessary furnaces, and continued the work of copper extraction. Then, as security to the debenture-holders, who were to all intents shareholders, the promoters gave them a mortgage not only over the machinery and plant, and over the leases themselves, but apparently over all the copper to be produced. Work seems to have progressed smoothly till about two months ago, when it was ascertained that the facts concerning the mine did not tally with the original prospectus issued by the vendors; in fact, I believe I am within the mark in saying that the directors knew two months ago that there were 240 tons of copper less than they had expected. Though the directors knew the position, their orders were peremptory: they insisted that work should continue. From two months ago till about a fortnight ago—a period of six weeks—there were employed on the mine in extracting copper 160 workmen; and between 30 and 40 were getting firewood in the bush—a total of about 200. Many of these men had wives and families on the spot;

but during that period of six weeks no one was paid his wages, though it seems that in the same period £12,000 worth of copper was sent to Fremantle, and I believe most if not all of it was shipped to another country. When the men, as was natural, asked for some money for the Christmas holidays, they were told there was none; and the mine was peremptorily closed. It seems the directors miscalculated; for I believe they then left in the mine about £1,500 worth of copper. However, as that, like the copper sent abroad, is mortgaged to the debentureholders, the men have got nothing whatever. From the newspapers I am glad to learn that the Minister for Mines has acted particularly well in this case. The newspapers state that the Minister, on behalf of the Government, has come to the assistance of the men to the extent of giving £100. The Minister has also given some of the men free passes to the goldfields so that they may go in search of work; and to the married people the Minister has given orders on grocers so that in the meantime the women and children may be able to get food. The object I had in asking the House to consider this question was in the first place to ask the Minister for Mines to act as generously as possible towards the people who have been deceived. No doubt some members will think that the miners did wrong in working on and not asking for their money sooner, but I am certain the member for Dundas and other members representing the goldfields will know how generous and hopeful miners are on all parts of the goldfields, and if it is said that they cannot get their money they are willing enough to hope that the mine will get into a better financial position at an early date. Members will recollect that a short time ago when we were considering the Mining Bill, the Minister for Mines proposed that miners' wages should be a first charge on a mining property. I am glad that now it can be said that this was the first Parliament in the State, if not in the whole of Australia, that passed an Act by which such difficulties as I have pointed out will be avoided in the future. Although that Act gives a great deal, it is not sufficient to meet all that is necessary. There is one thing that requires to be done as a

complement to the first charge for wages, and that is for us to pass an enactment by which wages shall be paid fortnightly. All those who have had experience of the goldfields know that in 99 cases out of every 100, if that was the law and people knew that they must pay wages fortnightly, they would find the ways and means of doing so. If that is done, those wild speculators who try their best to get valuable properties at the expense of other people will, to a large extent, be stopped in their proceeding. I hope, as the result of this matter being discussed, as well as many other cases having been brought before the Minister, in some way or other, by regulation or some method, it will be enacted that on the goldfields at any rate wages shall be paid fortnightly. I remember a number of years ago, when I was in New Zealand, it was the common practice—that was before the advent of the Seddon Government—for numbers of men to be set to work who never received their money. Invariably they were sent to work for a Melbourne syndicate, and the men got nothing, for the Melbourne syndicate sent no money. I hope the Minister will take this matter into his serious consideration, and see what can be done to stop this most cruel and keen mining practice. The company I have referred to have applied for six months' exemption on the ground of work having been done. Much of the work has been done by the people whom the company have never paid—the work has never been paid for. I hope the real position will be considered not only by the Warden but by the Minister for Mines when the application is taken into account. We have to remember that what the State mainly wishes to see in connection with mining leases is that work shall be done on them, and in this case we know for an absolute fact that it is not necessary to grant exemption. Some parties have applied to the company to take the mine, or a part of the mine, on tribute, but this has been refused by the company. The mortgagees may have been within their legal right in doing what they have done, but the State will also be within its legal rights if sympathetic consideration is not given to those who follow such strict business principles as I have described. The points I bring forward are: that the

Government should treat the present sufferers generously, that the company shall not be granted exemption, and every power should be used to prevent other companies following the example which has been set, especially before the 1st March, when the new Mining Bill will come into force. I beg to formally propose the motion, and I trust the Minister for Mines will be able to state exactly what has been done, and also what are his intentions in regard to the matter.

MR. G. TAYLOR (Mount Margaret) : I am sorry that any member is called on to second a motion of this nature, but when such cases arise it is the duty of Parliament to consider them. The mover of the motion has laid the facts clearly before members so far as I can gather. The workers have found out, since closing operations, that the debenture-holders and the directors of the company live in London. That has been found out in the ordinary way by the workers and it may not be correct, but I am told that is the case. The Minister for Mines has been on the spot and has heard the position of affairs, and will be able to put me right if I am wrong. Since operations have ceased the workers have also found out that it was known by the directors and manager of the mine as early as November, that all work on the mine from that time would be unprofitable. The men worked on in good faith, thinking that their wages would be all right, and never anticipating or contemplating any difficulty until the first month passed. When pay-day went by and no one was paid, the men thought it strange that their money was not forthcoming, but they still worked on believing that they would be paid. I am informed that they were never told that they could not be paid. The men got so doubtful on the point that they knocked off work. They thought the management should have informed them what would be done or show them that the money would be forthcoming, but the men had to cease work of their own accord. If it be true, as I am informed it is, that the directors and the debenture-holders (Elder and Shakespeare of London are two of them), and the management at Anaconda knew that there was little or no chance of paying the men's wages, and that they kept the men working for six weeks

knowing this, I say without hesitation it is a criminal offence in my eyes. If there is no law on our statute-book which should compel an employer to have a reasonable idea that he can pay his workmen or he should not be allowed to employ them, then there should be such a law. If an employer knows beforehand that the working of his proposition is not likely to be profitable and that he will have no chance of paying his men, and in the face of that keeps men working for six weeks, I say, as I said before, in my eyes that is a criminal offence. It has been pointed out by the member for Kanowna (Mr. Hastie) that the debenture-holders may be within their legal right in doing what they have done; but there is no doubt they were morally wrong. So far as I can gather, the workmen have endeavoured to sift the case by taking it before the Court at Malcolm. They got a judgment, but found that the debenture-holders have the first claim. The men have consulted solicitors in Perth and Fremantle to see if something cannot be done on their behalf. The debenture-holders are practically the company; they knew they could not meet their liabilities and they also knew the plant could not be seized for wages earned. I say, in the face of those facts, it is a swindle. Although the Mining Bill will come into force on the 1st March, it will not affect this case; it will not make the condition of the workers at Anaconda and that of their wives and children any better. The condition in which these people are is bad; the Minister for Mines must have thought so when he took it upon himself to help them. I thank the Minister for what he has done, Anaconda being in my electorate. I hope the women and children will not suffer any farther hardship. I think the Minister for Mines and the Government acted rightly in relieving the poverty and hardship amongst these people. The single men and the husbands can go about the goldfields and do something, for it is a poor man who cannot hustle for himself in Western Australia, or any other part of Australia; but the women and children must be looked after. Considering the hardships and privations that women and children have to put up with under most favourable conditions, with the hot summer coming on it will be very

bad for them. I hope the Government will see that the children and the mothers will not suffer. This case only proves to me once more the great necessity for wages being paid fortnightly. When the Mining Bill was before the House I pointed out the necessity for fortnightly pays. That was when the clause only allowing a lien for a month's wages was under consideration. Had the Mining Bill been then the law, these men would have only been able to claim a month's wages, although they had worked for six weeks. The condition of things which we are discussing will always obtain while monthly pays exist. Working men always believe an employer intends to pay them, and if the crushing or the yield does not come up to expectations, they are willing to work another fortnight or three weeks, although they have only a lien on the property for a month's wages. To avoid the possible chance of another case such as this one occurring, by some means fortnightly pays should be made the order of the day. It should not only obtain on the goldfields, but in every walk of life in the State. The Government could not do better than institute the system themselves in the civil service and amongst their employees generally. I hope that such occasion will never occur again in this State that a motion of this description has to be moved. We find that a great deal has been made of certain positions taken up by the workers in Western Australia, frightening British capital out of this State. I say there is no part of Australia or any other country where capital is so much welcomed as in Western Australia, and by the whole people of this State, workers included; and those who cry so loudly about the workers and the Labour members opposing the introduction of capital should take notice that this case under discussion to-day is one of British capitalists; and I say some law should be brought into force to protect workers from being plundered in this manner.

THE MINISTER FOR MINES (Hon. H. Gregory): I have some hesitation in dealing with the subject now, because the question will shortly come before the Warden's Court, and it is very hard to determine what exactly are the true facts of the case. The question will come before the court

on the 2nd of February on an application for exemption, and that is where the Government will have power to bring a certain amount of pressure to bear on the company. Of course I feel a marked hesitation in stating to the House what I have heard in regard to the company; but when I state that the information I have received is from those who should be possessed of the best information, I think I am justified in giving to members some idea of what has occurred, because I am afraid very much that when I deal with that application for exemption I shall have to deal with it very differently from the way such applications are generally dealt with. It was reported to us late in December that great distress existed among the people at Anaconda, owing to the closing down of the copper mines at Murrin Murrin, the workmen not having received their wages for the past six weeks. The Premier immediately requested me to take steps for alleviating the distress; and when I was travelling through the district I spent a few hours in the place making inquiries. I gave instructions that some fourteen families whose bread-winners had gone elsewhere seeking for work should be supplied with provisions by local storekeepers, at a cost not exceeding £1 per week for each family, and for a period of one month. I also arranged for the issue of about thirty second-class railway passes (single) to Kalgoorlie or any intermediate station, to enable the men at Anaconda to go away looking for work. The amount of wages due and unpaid was said to be something like £4,000, and in addition there was between £1,300 and £1,400 due to the firewood carters. That was about the whole of the debts due by the company in Western Australia. There was some fifteen hundred pounds worth of copper on the mine, in possession of the receiver who had been appointed. I made inquiries as to the position of the company, and I was told it had been formed as a company with 100,000 shares, which were issued as fully paid up; that the vendors got for the property 30,000 fully paid up shares and 23,000 debenture shares; that the debenture holders then bought the interest of the vendors for £20,000, and thus held the whole of the shares and the debentures. I am given to understand that the directors are also the debenture

holders, that they actually have a mortgage on their own property, and that the capital they sent here was some £16,000. The manager informed the company that his previous estimate of the output for six months could not be kept up, that there were some 240 tons short of what he had estimated, and that he thought the mine would have to close down. But the directors instructed him to keep on working. He kept on working six weeks longer, and then finding there was no money obtainable to pay wages, he was instructed to ship away all the copper he could get from the mine, and it is estimated that he shipped some £12,000 worth of copper, leaving about £1,500 worth still on the property. It was stated, on the other hand, that the true position came as a thunderbolt to the directors, when some £14,000 worth of copper was found to be short of what they had been making advances on, and that they then gave instructions to close down. Until we hear all the facts, it will not be right for me to say we will grant or will not grant exemption. The warden has assured me that he will take care to have the fullest investigation made, when dealing with the application for exemption. I have sent to the company's manager, who has just arrived in this State to take charge of the property, a letter in the following terms:—

In reference to the closing down of the Anaconda copper mine, Murrin Murrin, I understand there are some £4,000 due to the various workmen for wages; also a large sum to the firewood carters. I am given to understand that your company were fully seized of the true position of affairs a few months prior to the stoppage of the mine, and that the directors were advised to close down pending inquiries as to how the mine could be profitably worked. Instead of doing so, however, it is said that the company continued operations, at the same time giving instructions that all smelted copper on the mine should be shipped away. Before considering any application for exemption by your company, I should like to hear from you in connection with these statements, as should they be correct, I will not feel disposed to grant any exemption unless provision is made for the payment of the workmen employed during the last six weeks prior to the stoppage of the mine.

I can assure the House that the most careful examination will be made into all the merits of the case. We can take some credit for having passed the provision in the Mining Bill which makes workmen's

wages a prior lien to the extent of one month. When we have such statements as I have placed before the House, and if they are true, it really looks as if a fraud has been perpetrated. If we find as a fact that there was no capital brought into the State for working this mine except by mortgage on their own property, and when we find that for two months after they were advised to close down the company continued operations at the mine, I say that if this is found to be true it is bad indeed. In reference to taking action for the fortnightly payment of wages, members know I am much in favour of that, and it is only through the amount of work we have had to deal with in Parliament that I have been prevented from bringing down an amendment of the Mines Regulation Act. By arrangement for conferences between the associations concerned in this question, I hope to see if we can have this system brought into effect; or, if not in that way, then I hope that next session we shall be able to make provision in a Mines Regulation Amendment Bill for the payment of wages fortnightly.

MR. W. ATKINS (Murray): Do you know as a fact that the workmen at Anaconda cannot get the wages due to them?

THE MINISTER FOR MINES: So far as I understand, the company have gone into liquidation.

MR. ATKINS: I hope a subscription will be got up for these men. I will go £5.

THE PREMIER (Hon. Walter James): I hope the mover of the motion will consent to withdraw it, after the Minister's statement, or that the matter will be adjourned.

MR. R. HASTIE: I am willing to withdraw the motion. My object has been attained by the statement of the Minister. I ask leave to withdraw the motion.

MR. A. E. THOMAS (Dundas): I object to the motion being withdrawn. I want to say one word. As representative of a certain section of the community and as a mining manager, I would not like the opportunity to go by without expressing my deep regret at the position of affairs placed before the House by the leader of the Labour party. Such a position has never before arisen in this

State, to my knowledge, and I hope it will never occur again. The leader of the Labour party mentioned my name in speaking, and stated that I knew very well that sometimes both the mine manager and the workmen were led on to do more and to expect more than they really should do, because they were buoyed with hope of the mine eventually proving a success. I cannot help objecting to the remarks of the member for Mount Margaret (Mr. Taylor), who tried to lead the House to believe that the position of affairs at Anaconda was only what other British capitalists would do on every opportunity. I have been a mine manager during some eight years in this country; I have had the confidence of my men and have been in the same position as that at Anaconda; but fortunately my directors backed me up, and not only were the wages paid but every creditor was paid in full before the mine was closed down. I hope the Government will do all in their power to relieve the distress at Anaconda; and I hope no one will be led to believe that any respectable body of men, directors or managers, would ever consent to a course that would bring about such a position of affairs as is said to exist at Anaconda; and I would add my regret that such circumstances should exist. I now withdraw my objection.

Motion by leave withdrawn.

CLOSE OF THE SESSION, REMARKS.

THE PREMIER (Hon. Walter James): We have a very few moments remaining, and as this is the last occasion on which we shall have the pleasure of meeting in this Chamber and in this Parliament, I desire to express, on behalf of members, our thanks to you, sir, as Speaker, to the Chairman and Deputy-Chairman, and to the Clerks and other officials of the House. We have all benefited by and appreciated the kindly courtesy and attention extended towards us, and we avail ourselves of this opportunity of tendering our thanks to you all. I desire to say a few words more, because this is, in all human probability, the last occasion on which the Assembly of this State will meet within the walls of this building. Used for the first time in 1870, this Chamber has for 33 years been the

home of Parliament. For 20 years all our representatives, whether elected or official, sat in this Chamber: for 13 years it has been the home of the Assembly. The past 33 years mark a long period of our history, and looking over the intervening years we are carried back to a time when the State was still struggling in dire poverty and in great difficulty: unknown, isolated, and almost hopeless of the future. The change we now witness is so striking that we are apt to forget the work of those who laboured in days which were so dark and apparently hopeless. And in the enjoyment of the great promise of to-day, we need to be reminded of those without whose work that enjoyment would not have been possible. We reap to-day the harvest sown by our predecessors. Within these walls those who perhaps builded better than they knew worked towards the future which we now realise. No State in the Commonwealth had more sturdy pioneers than Western Australia; and no generation of to-day in any State owes more to its predecessors than we owe to those who, through their representatives in this Chamber, brought to the affairs of the State the same brave sturdiness which characterised them in their struggle for life. I submit it is fitting, before we finally pass out of this Chamber which has witnessed so much, to express our gratitude to those who have laboured within these walls as faithful servants of the State, to pay our grateful respects to the memories of those of them who have gone to their last long rest, and to wish to those who remain many years of life to witness the fruition of their hopes and fully to enjoy the reward of their toil. Shall I not give voice to the desire which we all feel, that those who are privileged to work for this State in the future, in a new and more fitting abode may leave behind them records of worthy service, of lives of public effort, of instances of brave and unselfish devotion, like those who in years past laboured within the walls of this Chamber, in which perhaps we are meeting to-day for the last time? I am sure that all of us share my wish that we in our time and day may worthily add to an edifice which our predecessors have founded with such patient and unselfish effort.

MR. S. C. PIGOTT (West Kimberley) : I cannot well let this opportunity pass without briefly thanking all members of the House for their kindly attitude towards me in the position I hold (as leader of the Opposition). Originally I asked members to grant me their indulgence; and now I thank them for having done so. But I should like before we part to express the hope that any party bitterness which may have been experienced within this Chamber will now be forgotten for ever. I hope that we shall all meet again, as the Premier says, in a more fitting abode; and I hope also that, whatever has occurred in this Chamber, we shall all treat one another as the best of friends. I think I speak for Opposition members, if not for all, when I thank you, Mr. Speaker, for the kindly manner in which you have presided over our deliberations; and I cannot help referring—though this is perhaps something that might better be omitted—to the losses this Assembly and this State have suffered during the term of the present Parliament. I do not think that during a similar period in the history of any other Parliament have so many members been removed by the hand of death as during the last three sessions.

MR. R. HASTIE (Kalgoorlie) : I wish to endorse the sentiments which the last two speakers have so well expressed. I am sure we all feel glad with the Premier that the officers of this House have attended so well to their business, with the result that our proceedings are well conducted and that friendly feelings are

always apparent. Many of us have been in Parliament for the last three years, and have in consequence formed some friendships with men in this House whom we should not otherwise have known—friendships which must in the future have no inconsiderable results to ourselves, or to the State generally. I am sure we fully agree with the Premier's remarks as to the thanks due to those who have gone before us. In the course of the present Parliament many of our members have died; and we must remember that many others have died who were members of preceding Parliaments. With the leader of the Opposition I feel certain that when we retire to-night we shall shake hands as the best of friends, believing that each of us is actuated by a strong desire to do whatever he can for the State he represents.

SUMMONS TO MEMBERS—PROBOGATION.

BLACK ROD appeared at the Bar (7 minutes past 3 o'clock), and summoned members of the Legislative Assembly to attend His Excellency the Governor in the Legislative Council Chamber.

MR. SPEAKER and hon. members proceeded accordingly to the Council Chamber, when His Excellency was pleased to give assent to Bills of the session; and His Excellency also delivered an address proroguing Parliament. [*Vide Council proceedings, ante.*]

The session then closed.