

taxable income. Let members consider the position of a resident taxpayer with two children whose net income is £300. In Victoria he pays the following taxes:—

Special income tax	18	0
Unemployment relief tax . .	3	1 10
	<hr/>	<hr/>
	£3	19 10

In South Australia a taxpayer is assessed for income tax only and pays £6 14s. 7d. In Western Australia a person with two children returning a net income of £300 is assessed for financial emergency tax at £6 5s. 0d., compared with £3 19s. 10d. in Victoria and £6 14s. 7d. in South Australia. If the Bill becomes law, the Western Australian in the position indicated, will contribute nothing at all. Nevertheless, Victoria and South Australia are the two States held up as examples of this type of legislation. I have indicated the difference because I feel the Premier did not give the House all the information he could have. If the Bill becomes law, the man who to-day contributes £6 5s. under the heading of financial emergency tax will contribute nothing at all as against the experience I have indicated of the taxpayers in the Eastern States.

Every member has received a copy of the pamphlet dealing with Commonwealth and State income taxation for 1937-38, which was published by the Commonwealth Treasury. I shall not delay the House by reading from that document, but members can find therein particulars regarding the tax imposed upon single persons, upon a married man with a wife and upon a married man with a wife and one child, or with two children or with three children. They will also find set out the rates of income on amounts from £50 upwards. They are clearly indicated and members can make comparisons for themselves and ascertain that Western Australia to-day compares very favourably with the position obtaining in other States. The exemptions provided to-day are more generous in Western Australia than in any other State. Particularly do I refer to Queensland, Tasmania and South Australia. It is for these reasons that I oppose legislation of this type being introduced and enunciating a principle, particularly an important one as affecting the fiscal policy, for an incoming Government at a time when a general election intervenes. I cannot support

the second reading of the Bill for the reasons I have indicated. These are that relief is to be accorded people who may be well able to pay the tax.

The Premier: You have heard complaints.

Hon. C. G. LATHAM: Apart from the general complaint against all taxation, I have not heard any taxpayer who has been assessed for the payment of £6 5s. under the heading of financial emergency tax, complain of the impost.

The Premier: Have you not?

Hon. C. G. LATHAM: No, not apart from the general complaint. I regret that I have to oppose the Bill. Had it been introduced in the early part of last session, the taxpayers would have been afforded an opportunity to ascertain the effects of the scheme and they could then have decided whether they desired this class of legislation, or whether it was the type to be introduced with a general election impending.

On motion by Mr. McDonald, debate adjourned.

House adjourned at 11.12 p.m.

Legislative Council.

Wednesday, 23rd November, 1938.

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

QUESTION—MILITARY TRAINING.

Concessions to Government Employees.

Hon. E. H. ANGELO asked the Chief Secretary: 1, Has the Minister's attention been drawn to a statement made by the general manager of the Vacuum Oil Company in the "West Australian" of the 22nd

instant, that the company was prepared to offer very generous conditions to employees who desired to undergo military training? 2. If so, will the Government give consideration to extending equally generous terms to those of its employees who desire to undergo military training?

The CHIEF SECRETARY replied: 1, Yes. 2, The matter will receive consideration.

MOTION—NATIVE ADMINISTRATION ACT.

To Disallow Regulations.

Debate resumed from the previous day on the following motion by Hon. H. Seddon (North-East):—

That regulations Nos. 6, 39, 85, 101, 103, 106, 112, 114, 115, 134, 135, 136, 137, 138, 139A, 141, 142, 144, 149 and 151, made under the Native Administration Act, 1905-1936, as published in the "Government Gazette" on the 1st November, 1938, and laid on the Table of the House on the 1st November, 1938, be and are hereby disallowed.

to which Hon. J. Cornell (South) had moved an amendment as follows:—

That before the word "regulations" the word "all" be inserted with a view to striking out the numbers of the regulations.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—on amendment) [4.37]: It is true that Mr. Cornell approached me at the beginning of the last sitting of the House, and told me he proposed to move an amendment to Mr. Seddon's motion. Members will understand that amongst 156 regulations quite a number must be essential, no matter what our opinions concerning them may be. If all the regulations were disallowed as a result of a motion carried in this House, a state of chaos would be created in the department. Anyone who has had experience of the department will realise that more detailed work is necessary there than in the average department. I am in a quandary this afternoon. I would not mind personally how many regulations members desired to disallow so long as in moving for their disallowance they informed me of the reasons for their action. Mr. Cornell has merely stated that he desired to move his amendment because he understood this course would fit in with Mr. Seddon's views. This is the only reason the hon. member has given for moving the amendment. I suggest that

the reason is totally inadequate. If Mr. Seddon objects to regulations other than those he dealt with, I think that in fairness he should give notice of his intention. He should state his objections to the House, thereby giving me an opportunity to reply to any statements or arguments advanced by him. Of the 156 regulations, some have been in operation for over 20 years. Notwithstanding that fact, a member gets up and says, "Well, I desire that all the regulations shall be disallowed." He gives no reason other than that such a course will fit in with the views of another member. In the circumstances, I cannot agree to the amendment. I do not mind how many regulations may be objected to, but in fairness to me and to the department the regulations objected to should be specified so that I, as Leader of the House, shall have an opportunity to reply to statements regarding any one of those regulations. Holding that view, I oppose the amendment.

Hon. J. Nicholson: It used to be said that if a motion were successfully moved to disallow part of a regulation, the whole should be disallowed.

THE CHIEF SECRETARY: That statement has been made, and on this occasion, if the point of view adopted by Mr. Seddon is upheld by the House, we shall have to submit new regulations, which will include those to which no exception has been taken by him. If that were so, we would be in the same position as when Mr. Baxter combated certain regulations. I claim that when objection is taken to regulations, the member moving for the disallowance should specify the regulations to which he takes exception, give his reasons and provide me with an opportunity to furnish replies. That is the only fair way of dealing with matters of this kind. I shall not speak at length on the amendment. All I shall say at the moment is that, in my opinion, although members may hold entirely opposite views, not one of these regulations is not in accordance with the Act, is not absolutely necessary in the interests of the natives and the department or cannot be justified up to the hilt.

Personal Explanation.

Hon. H. SEDDON: May I make a personal explanation?

The PRESIDENT: The hon. member may speak to the amendment, which is before the House.

Hon. H. SEDDON: I prefer to speak by way of personal explanation. While I did confer with Mr. Cornell and agreed that it might be desirable for the whole of the regulations to be investigated, I confined myself to the regulations about which I spoke. Those are the ones with which I shall concern myself. The Minister will understand that I confined my criticisms to those regulations, and in my reply I shall deal with the Minister's explanations regarding those regulations alone. That is only fair to the Minister.

Debate Resumed.

HON. L. CRAIG (South-West — on amendment) [4.44]: I agree with the Minister and shall oppose the amendment. It is not quite fair to expect this House to follow anyone who merely asks for the disallowance of all the regulations. Speeches are delivered in this House in order to induce other members to follow the motives or reasons actuating the speaker. Consequently, any motion for the disallowance of regulations should be accompanied by reasons indicating why such a course should be adopted. Probably not half a dozen members of the House know the real reason for the framing of half the regulations tabled. Blindly to ask the House to disallow all of them without legitimate reasons being advanced is, to my mind, not in accordance with the usual practice adopted by this branch of the Legislature. Members generally require to be convinced of the reason for disallowing any regulation. The Minister's attitude is reasonable, and when objection is taken to any regulation, he has every right to ask that members shall be acquainted with the grounds upon which exception is taken. I oppose the amendment.

Personal Explanation.

Hon. J. CORNELL: Under Standing Order 385, a member who has spoken to a question may again be heard to explain himself in regard to some material part of his speech, which has been misquoted or misunderstood.

The PRESIDENT: I take it the hon. member desires to make a personal explanation.

Hon. J. CORNELL: Yes. I have been misunderstood. I had no axe to grind when I moved my amendment. Several members indicated they would like that course adopted so that a disallowance of all the regulations

would follow. If the amendment were put to a vote and lost, the effect might be to debar members from moving further amendments to include other regulations that they desire to have disallowed. As my intention has been misunderstood, I ask leave of the House to withdraw my amendment.

Amendment, by leave, withdrawn.

Debate Resumed.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.47]: Mr. Seddon, in moving his motion yesterday, covered much ground and spoke at considerable length in dealing with matters, some of which were not directly concerned with the particular regulations he desired to have disallowed. In the time at my disposal I have endeavoured to secure information necessary to enable me to combat some of the statements made by the hon. member. Naturally a comprehensive subject has been opened up, and many members will have vivid recollections of a previous debate on this topic, which occupied many hours before finality was reached. If I endeavoured to reply in detail to Mr. Seddon's remarks to the extent I would like, I am afraid little opportunity would be left to deal with other business at this sitting. Consequently while I propose to discuss most of the issues raised by the hon. member yesterday, my remarks, to a certain extent, must be abbreviated. I feel sure I can put an entirely different complexion on the situation, more particularly as regards certain individuals who were mentioned.

These regulations are made under Section 68 of the Act, and members will appreciate that power is given to make regulations to cover almost every possible contingency. That, of course, is the reason for the large number of regulations. Some 30 of these regulations have been in force for many years, quite a number of them since the year 1916.

Hon. G. W. Miles: The ones Mr. Seddon has moved to disallow?

The CHIEF SECRETARY: One or two of them. I am speaking of the regulations as a whole because I wish to give a picture of the position. Of the balance of the regulations, many are taken from the Child Welfare Department regulations, some from the regulations under the Queensland Aboriginal Protection Act, one or two from elsewhere governing similar matters, and a few are

quite new. All of them are necessary in order to carry out the provisions of the Native Administration Act. As I said when speaking to the amendment, if all these regulations were disallowed, the officials of the department would not know where they were, and certainly there would be nothing but chaos in certain phases of departmental activity. The department could have introduced the entirely new regulations by themselves, but in view of the fact that the original Act had been amended, and that practically a new Act had been substituted for it under the title of Native Administration Act, it was absolutely necessary that the code of regulations should be revised in order to meet the new situation that had developed as a result of the passing of this legislation.

I am in a quandary at the moment to know how best to deal with Mr. Seddon's remarks. At the outset he quoted one or two individual cases that had come under his notice and gave information supplied to him from a particular source. I think I am correct in saying that that source was the Mt. Margaret Mission and that the information was supplied through the agency of Mr. Schenk. The hon. member quoted fairly lengthy extracts from an article that appeared in a week-end newspaper some few months ago.

Hon. E. H. Angelo: Were those statements ever replied to through the Press?

The CHIEF SECRETARY: No.

Hon. E. H. Angelo: I think that is a pity.

The CHIEF SECRETARY: In that case a reply was prepared, but the newspaper had been notified before the article appeared that its facts were wrong. Still, the paper published the article. When the reply was prepared, I found myself confronted by a difficulty. To reply to such statements compels me or some other representative of the department to disclose facts, the publication of which is not always in the best interests of the parties concerned.

Hon. E. H. H. Hall: A question of save me from my friends.

The CHIEF SECRETARY: Well, I would put it in this way, that personally I do not care to disclose the unsavoury side of a person's character or activities. I am afraid that the department has been a little too reluctant to disclose matters of this kind. For some years past, however, we have remained silent in spite of the unwarranted criticism of a large number of people both

in the State and out of the State, when, to have replied to that criticism, would have disclosed matters that the department did not desire to make public in the interests of the persons concerned.

Hon. E. H. H. Hall: I think you have a right to be fair to the department.

The CHIEF SECRETARY: The departmental officers themselves have adopted that attitude and have done so in the interests of the natives, and I think that before I have concluded my remarks, I shall have succeeded in opening the eyes of members to some of the things that have occurred.

Reverting to the remarks of Mr. Seddon, I find that although I possessed a superficial knowledge of the matters of which he spoke, when I obtained the actual details of some of the cases, they proved to be so voluminous that to give them to the House in the same form as Mr. Seddon presented his so-called facts would occupy hours. I am inclined to think that the better way would be to say, "Here is the file. I will lay it on the Table so that members can see what it contains before they form a judgment merely on the statement of a member who has been supplied with information by an interested party."

Hon. E. H. H. Hall: A good idea.

The CHIEF SECRETARY: To do that, however, would necessitate my laying quite a number of files on the Table that would be very illuminating not only regarding the policy of the department but also regarding the policy of others who are associated with the question under discussion. I think that in the first place I might well give a little information as to the position of the natives insofar as the missions are concerned. All said and done, I believe that from the debate that has taken place and the propaganda that has been indulged in outside, the missions are really the crux of all the objections that have been taken to the regulations. May I say that I believe the whole of the opposition to the regulations arises from the one source. In making that statement I do not wish to be unfair, but I am satisfied from my knowledge of the position and from the correspondence in the department, not only with people in this State but also with people in the Eastern States, and their associations in the Old Country interested in the welfare of aborigines, that practically all the opposition to the regulations has come from the one source. It boils down to

this, that the policy of a certain individual or mission cuts across the policy of the department, and because of that, antagonism has arisen that has led in some instances to misunderstanding and in other instances to a refusal on the part of individuals to carry out the policy of the department. In expressing myself in that way, I do not think I am exaggerating.

I wish to congratulate the officers of the department upon the manner in which they have endeavoured to carry out their duties and also the manner in which they have stood up to the criticism levelled at them, though they had no chance of replying. Later on I may have some further reference to make to that aspect. The Act contains a provision under which missions may be declared institutions in accordance with the Act. That is a departure from the position that existed before we amended the law in 1936. Members will appreciate that any institution under the Act is given certain powers—much wider powers than it ever had before. Those powers are equivalent to the powers of the Child Welfare Department. Members having knowledge of the Child Welfare Department are aware that it has numerous regulations to enable it to carry out its work, and that its powers under the regulations are far-reaching. So the Department of Native Affairs contends that if the missions are to have the same powers as the Child Welfare Department has in these respects, if the missions are to be given more authority than they have had in the past, they should be subject to the same conditions as Government departments are, more particularly as the numerous natives dealt with by the missions referred to are in the main children. Therefore members will acknowledge that it is absolutely essential there should be regulations dealing with the question of the suitability or otherwise of the persons placed in charge of those institutions and thus in charge of native children. That is where a good deal of the antagonism has arisen. I must admit that in one or two cases which some time ago I investigated, the antagonism I speak of had arisen out of pure misunderstanding. I had conversations with various people prominent in the mission field: and after most of the points of disagreement at that time had been explained, it was admitted that the regulations were perfectly justified once they were

understood and the reasons for their gazettal had been made clear.

I have a good deal of information regarding missions that I would like to give briefly. Members are aware that the missions come under various churches and are situated in various parts of the State. The Roman Catholic church, for instance, has a mission at Beagle Bay, via Broome. The governing body is the Pious Society of Missions. It holds 10,000 acres of freehold land, and 149,000 acres of leasehold land. It also has the use of a native reserve of 700,000 acres. The male staff is of German nationality, the female staff is British. I may say that my desire is to give these particulars in order to afford a bird's-eye view of the position. Of Lombadina, about 40 miles north of Beagle Bay, the governing body is the same, the Pious Society of Missions, and it has the use of a native reserve of 197,050 acres. There again the male staff is German and the female British. At New Norcia there is an orphanage for native boys and girls, the governing body being the Benedictine Community of New Norcia. The staff is usually Spanish. The property was originally acquired for mission purposes.

Hon. E. H. H. Hall: What is the freehold there?

The CHIEF SECRETARY: I have not that information. At Drysdale Mission the governing body is the Benedictine Community of New Norcia, which holds 4,000 acres of freehold land within 150,000 acres of leasehold for mission purposes. The male staff is Spanish, and the female staff also is Spanish. The Anglican Church has a mission at Forrest River. The governing body there is the Australian Board of Missions. It holds 100,000 acres for mission purposes, and within that area is 1,000 acres of freehold. All that land is held within a reserve for natives of 3,320,000 acres. The staff is British. The Presbyterian Church has a mission at Kununnya, which is in north-west Kimberley. The governing body is the Presbyterian Board of Missions. This mission is situated on a reserve of 245,000 acres. The staff is British. Now I come to the Undenominational or United Aborigines Missions. I understand there is objection to the term "Undenominational." Notwithstanding what I heard in the Chamber yesterday, it was a common expression in my youth. I do not know that this matters really. We all know what the term means.

Perhaps "Interdenominational" might be more acceptable. This religious body has several missions. It holds Sunday Island and Wotjulum, a mainland settlement within a native reserve of 122,400 acres. The staff is British. The Mt. Margaret Mission, near Morgans, is likewise governed by the United Aborigines Mission, and holds 6,000 acres of leasehold land and 200 acres of a reserve for natives. There again the staff is British.

Hon. L. Craig: Two hundred acres only?

The CHIEF SECRETARY: Yes. It is established on one of the smallest areas of all the missions in the State. For many years it has been, and I believe still is, a burning question with people in the district whether the mission should remain where it is or be removed elsewhere. A few years ago I visited the mission, and while in the district received a combined deputation from pastoralists and the road board which made earnest endeavours to secure the removal of the mission to some site many, many miles to the eastward of the present location. Probably it will be acknowledged that when there are only 6,000 acres of leasehold and 200 acres of a native reserve and on the 6,200 acres a large number of natives is congregated and it is from time to time frequented by a still larger number of natives, complaints must be expected from pastoralists in the district. However, I do not think the position is as bad now as it was a few years ago.

Hon. E. H. H. Hall: The conduct of the mission is satisfactory?

The CHIEF SECRETARY: In point of fact, the complaints were against the conduct of the mission, in reference to natives being attracted there and interfering with the business of the pastoralists.

Western Australia also has missions which are not institutions under the Act. The Warburton Range Mission, 400 miles east of Laverton, is governed by the United Aborigines Mission, and is situated on a native reserve of 20,809,400 acres. The staff is British. I shall have something to say on that aspect later. Mr. Seddon in his speech suggested that the department for some reason or another had taken steps to see that this mission was established in a reserve. From the hon. member's remarks I took it this was something to which the mission objected. At Gnowangerup Mission the governing body is the United Aborigines

Mission, situated on 190 acres owned privately by mission authorities. At Badjaling the site of the mission is on railway property, and no property or building is possessed by the mission. Of all the missions in Western Australia the following are in part subsidised by the State:—Roman Catholic—Beagle Bay, Lombadina, New Norcia, Drysdale; Anglican—Forrest River; Presbyterian—Kununya. At the following missions the department has established rationing stations:—Undenominational, United Aborigines Mission—Mount Margaret, Gnowangerup.

The missions of the Roman Catholic, Anglican and Presbyterian churches are largely supported by the organised mission boards of those denominations. The missions of the United Aborigines Mission are conducted on "faith" lines. They have no financial backing other than free-will offerings of their supporters, though the missionaries receive a small fee from the parent body. I believe I am perfectly justified in saying that by establishing ration stations at two of these missions and using a third in a similar way, the department has enabled the operations of the missions to continue and to expand. Efforts have been made by the United Aborigines Mission to extend its activities, mainly in the Kimberleys, but also in the North-West and in southern districts. As itinerant missionaries are without the means required to support such efforts, they have at times become an embarrassment to the department, and further, in the view of the department, have in some cases become a potential danger from the native standpoint. The number of natives estimated to be in touch with all regular missions throughout the State is 2,111; and of these 170 are directly rationed by the department, while 171 are subsidised at the rate of £5 or £7 per head, according to whether the mission is able to be partly self-supporting through, say, the use of large tracts of State land, or otherwise. In addition, blankets and clothing are supplied annually in nearly all cases.

At present there are in Western Australia at least 75 persons claiming to be missionaries to natives. Of these 26 belong to the Roman Catholic faith, nine to the Anglican, five to the Presbyterian, and 35 to the United Aborigines Mission. Of the latter, I believe some ten are located at Mt. Margaret. The paid staff of the Department of

Native Affairs numbers only 55, while there are 102 honorary protectors. Yet we have 75 persons claiming to be accredited missionaries in Western Australia who are in touch with, I think, 2,111 natives.

Before a mission can be established, a permit must be obtained under the regulations. Originally, I believe, objection was raised to that regulation, but the objection has in the main died. The desirableness of obtaining a permit before a mission is established is now generally recognised. The reason is that the Government might control the location of the proposed mission. In the past, many costly mistakes have been made because a permit was not insisted upon. Most mission authorities would probably be the first to admit that. Had it been necessary to obtain a permit, the Forrest River Mission would never have been established where it is located, because the site is admittedly bad. The Drysdale Mission authorities acknowledge the inferiority of the site of that mission and have taken steps to acquire another site some distance away.

Hon. E. H. Angelo: There is water trouble at that mission.

The CHIEF SECRETARY: Yes.

Hon. E. H. Angelo: I visited the mission. The quality of the land is not good.

The CHIEF SECRETARY: In some instances, there was even a lack of natives. One mission was established at a place which, according to my advice, was miles from the nearest natives. Of course, the mission attracted the natives and before long a few went there. The results, however, to say the least, were not good. Sunday Island is an impossible site for a mission. Any person who knows our coast will realise that fact.

Hon. E. H. Angelo: It is very rocky.

The CHIEF SECRETARY: Therefore, another site was acquired, after many years. Lombadina, in the opinion of the department, should never have been selected as the site for a mission. It is only 40 miles from the parent body at Beagle Bay, and there was no necessity to establish it. The Mt. Margaret Mission, could we have seen ahead, would never have been established, as the site is wholly unsuited for a mission of the type and size that has been established there. The authorities of the mission appear to be in agreement with my statement, because they have made representations to secure some of the station

property adjoining the mission so that they may carry on their good work. On the other hand, the pastoralists in that district have agitated for the removal of the mission. They think it should be transferred to a site 150 miles or 200 miles east of Laverton. The Gnowangerup mission is established on private property and for that reason alone is unsuitable, although I understand steps have been taken to remedy that position. Badjaling, in the opinion of the department, is also totally unsuited for the purpose of a mission. That is one of the missions I have not visited, and therefore I cannot speak of it from firsthand knowledge. Port George (Knmunya) mission is another that could have been established in a more suitable place. The site originally chosen is now the Munja Native Station, under the control of the department. An officer of the department who reported on a mission site said—

I cannot understand why this place was taken on as a mission. There are no resident natives anywhere in the vicinity, and very few 25 years ago. The natives have been brought to the mission site from other places.

The department desires to be and is, I think, sympathetic to the genuine missionary; but I am afraid we cannot place in the category of genuine missionaries all those who style themselves missionaries. During the past 10 or 12 years we have had some remarkable experiences. Anyone who has a knowledge of the North knows the source of trouble that many of the so-called missionaries have been not only to the department, but to the people in those districts. Frequently, the reason is the missionaries' lack of fitness for their work and knowledge of the natives. In many cases the so-called missionaries have not the ability to teach or train natives. They may have a knowledge of the Gospel, but I think I am correct in saying that such knowledge as they have is limited.

Hon. G. B. Wood: What are they there for? What is their object?

The CHIEF SECRETARY: They say their object is to uplift the native. Their preaching of the Gospel is in some instances detrimental and leads to much trouble. I have received correspondence this year from station owners in the far North stating they were refusing certain missionaries the right to enter upon their stations. The reason is that these missionaries, some half dozen in

number, travel together. One is described as an ex-jockey. He may be a good man; I am merely telling members how he was described to me. They travel about the country with a harmonium and visit native camps on stations, preaching the gospel of equality. They are creating a situation that, in the opinion of residents of the North, is positively wrong. Therefore, the station owners refuse these missionaries entry to their stations and the right of contact with their natives. That is but one incident that has come to my knowledge this year. I can quote others and will do so before I resume my seat. Such incidents show the necessity for stringent regulations to deal with the type of person desiring to style himself a missionary and work among the natives. These men have been described to me as lacking in training in almost every walk of life. This is the type of missionary that is not prepared to conform to the department's policy. Whilst crediting them with sincerity of purpose, they do present to the native a kind of life which the native cannot possibly follow and which he certainly does not understand.

Might I say, too, with all due respect to the missions in Western Australia, that the reputation of some of them is not very high. The department's desire is that the tone of those missions should be raised very materially. Very few missionaries have had any anthropological training; of course, there are one or two notable exceptions, and those I except are doing remarkably good work. For many years the department has been very much concerned about the increase of these so-called missionaries. Their teaching is misunderstood by the natives, who come to disregard the policy or wishes of the department. These missionaries virtually claim that they own the natives body and soul. That statement is not an exaggeration. Members must bear in mind that until natives attain the age of 21 years they are the wards of the department.

In the "West Australian" of the 31st January, 1929—some ten years ago—references were made to the findings of a board set up to investigate the shooting of natives in the Northern Territory. The board found that the shooting was justified. Among the reasons given by the board for its conclusion was the following:—

Unattached missionaries wandering from place to place, with no previous knowledge of

blacks and preaching the doctrine of equality, and inexperienced settlers making free with the blacks and treating them as equals, had been responsible for the trouble.

I quote that finding to show that, even 10 years ago, so-called missionaries were considered to have been responsible for some of the untoward incidents that occurred in the Northern Territory. The Minister for Home Affairs at that time was discussing the advisableness of adopting the recommendations of that board for the control of missionaries. As I have already said, the remarks of that board apply to our own State to-day.

At the Aborigines Conference that was held in Sydney on the 26th January of this year—a day that was termed the "Day of Mourning"—an aboriginal named Tom Foster of La Perouse—I understand he is a civilised native living in a cottage with his wife and children—made the following assertion, referring to the enemies of the aborigines:—

The second enemy is the white missionary who preaches to our people. Some of these are disgraceful.

Unfortunately, having quoted that I have to say that most of the missionaries in New South Wales are attached to the United Aborigines' Mission, as is the missionary at La Perouse, where this native Foster lives. I am given to understand, although I do not know of my own knowledge, that in New South Wales there exist some very active native organisations, and they complain bitterly of the operations of some missions in that State. As a matter of fact, the department has correspondence from the association in New South Wales congratulating this Government upon the regulations to which exception is now being taken. The reason given for the congratulations is that the regulations are many years overdue and that if it had not been for the activities of some of the so-called missionaries, a lot of the natives would be much better off. One difficulty experienced in the Kimberleys particularly is the presence of unauthorised missionaries, and this condition of affairs has prevailed for something like ten years. An inspector of the Department of Native Affairs reported them as doing and saying all sorts of stupid things, and he also stated that he regarded such missionaries as futile. He was very critical indeed of the activities of those men, who, as I have said, are not authorised by any body, and certainly not

by the department, and who have caused a good deal of trouble to the department.

Several attempts have been made by missionaries to establish missions in the far north of the Kimberleys and the responsible recognised missionary reported the presence of such a one on an island off the North-West coast. The same free-lance missionary again attempted to settle a few years later on the North-West coast and the departmental officer reported that his methods were designed to entice natives away from another mission. That, if true, as I believe it to be, is another reason why missions should not be established without a permit from the department. Imagine what happens when an unauthorised missionary belonging to one church desires to establish a mission 20, 30 or 40 miles away from a well-established mission belonging to another church. One can quite understand—at any rate I can, from my experience of the department—the very keen competition that would take place between certain missionaries in order that they might secure the adherence of the natives of the locality.

Hon. G. W. Miles: And the confusion that would arise in the native mind.

The CHIEF SECRETARY: Yes; we have some good examples of that. In some of these instances we were able to frustrate the efforts of the so-called missionary. Another recognised missionary strongly objected to one person of this type being in the vicinity of his mission. I could quote a number of such instances. That is what is occurring in the North. Unfortunately, the North is far distant and in the one or two instances in which we have had evidence of the actual character of the people concerned, the department has found it almost impossible to do as it would like. Hundreds of pounds have been spent by the Police Department in following up information supplied by the Department of Native Affairs in an endeavour to prevent certain practices being indulged in by people claiming that they were missionaries. Concerning a southern mission, an inspector of police wrote—

So long as the mission is where it is, there will be continual complaints and hundreds of natives who have been induced to come to the mission from the bush will be required to be fed and clothed at great expense to the Government.

That is another aspect of the matter. We find men going out to preach the gospel to

the natives, meeting with a certain amount of success, and inducing fairly large numbers of natives of both sexes and all ages to come from near and far, and then discovering they are not in a position to feed, clothe and otherwise look after the people they have enticed to those particular places. Then follows the inevitable request that the Government should supply their needs. They want to know what the department is doing in allowing natives to live under conditions of that kind. The Chief Protector wrote as follows in 1932—

The entire unsuitability of some persons selected for mission work in this State accounts for a lot of the trouble. Since 1929 there have been five changes of management at ——— Mission, and a sixth is contemplated, and in only one case was the manager a married man having his wife resident with him.

As a result of my own decision, the policy of the department has been that Government institutions in those parts shall be under the control of a superintendent or manager who is a married man.

Hon. G. W. Miles: A very good idea, too.

The CHIEF SECRETARY: Furthermore, the idea has been that as far as possible men shall be appointed to these positions whose wives are trained nurses. That applies almost without exception to Government institutions at present. An officer of the department, writing in January of this year, said—

I came here with a sympathetic attitude to these missionaries, but I am fast losing it. They seem to show a surprising indifference to the physical condition of the people. As a matter of fact a departmental nurse stationed at these missions would act as well in the interests of the natives as anyone.

In June of this year the same officer wrote—

I do not think any one of them has the ability and knowledge to control and train any body of people at all.

Then an inspector of the department wrote in 1929—

I contend no missionary should be allowed to begin native work amongst our aborigines without first having studied their language or particular dialect and customs. This is very vital in cases such as these where the whites come into personal active daily touch with these people and must control them by moral suasion. These uplifters would not dare approach anything of a money value without qualifications. Missionaries fail mostly because of this. I am convinced that this should be a hard and fast regulation.

There is much more on the same lines. I have hardly reached the point with which I set out to deal in respect of Mr. Seddon's complaints. I hope I am not boring the House.

Hon. G. W. Miles: No, go on.

The CHIEF SECRETARY: I feel that the subject is of such importance that the department's point of view and its experiences should be expressed in this House so that there can be no misunderstanding as to where we stand or as to the reason for some of the regulations which are being objected to. Since the passing of the Native Administration Act, additional responsibilities have been cast upon the department that it did not have to shoulder under the previous Act, and the department is very desirous of making certain that the responsibilities are not evaded. Many of the regulations have accordingly been drafted with a view to ensuring that the native and not the department shall derive benefit from the Act. Judging from the criticism that has been levelled against the department from time to time, that viewpoint is sometimes overlooked. I hear all sorts of arguments from the employer's side and on behalf of missions and missionaries, but I do not hear anything like as much from the point of view of the natives themselves.

I desire to quote some remarks made by Dr. A. P. Elkin, Professor of Anthropology at the University of Sydney and recognised as an authority by all interested in the native question. In a report on a certain mission at which he spent some time, he said that the lines of policy were open to criticism. He was very mild in his comments. He referred to the methods of the missionary in charge in refusing work and therefore food and tobacco to parents who would not hand over their children when requested by him to do so. He was not happy about the use of compulsion in missionary work. He pointed out that once a child was in the mission, he or she would not be allowed out again, and later on the child would be married contrary to tribal law and to promises made by the parents, and finally the child would become a complete outsider to all tribal culture.

Those words remind me of a remark made by Mr. Seddon yesterday when he referred to a case with which I will deal more fully later. Members will recall that Mr. Seddon said that Mummurrie was a married man and that he had left his wife at Karonie and was

very anxious to return to her because he thought she was in some sort of danger arising from the fact that they had been married by the mission contrary to the tribal laws. He was afraid that some harm would come to her as a result of the activities of other natives. This brings me to another point I wish to make with regard to the necessity for permits for missionaries. One of the biggest troubles the department has had to face for years past has been the fact that certain missionaries have desired the marriage of certain natives, irrespective of their tribal laws or of the result of such a marriage from the tribal point of view. On more than one occasion the Commissioner has had to take measures to try to prevent a marriage of that kind.

Hon. H. Seddon: Are you advocating that tribal law should prevail?

The CHIEF SECRETARY: I am saying that tribal law must necessarily be taken into consideration.

Hon. H. Seddon: Are you advocating that tribal law should prevail?

The CHIEF SECRETARY: I say we must have regard for tribal law when dealing with natives of that kind. A large number of natives has been detribalised and the same points do not crop up, but is it not sufficient proof that the marriage, perhaps, should not have taken place if the statement is correct that Mummurrie was anxious to get back to his wife at Karonie because he feared other natives might do her harm on account of his having married her contrary to the tribal laws?

Hon. H. Seddon: Not necessarily.

The CHIEF SECRETARY: I wish to make that point in passing because it has an important bearing on the question of the Commissioner of Native Affairs being authorised under the regulations to object to a marriage. Members should clearly understand that while the Act gives the Commissioner power to object to the marriage of natives in certain instances, it does not give power to prohibit such marriages. The Act provides that where the Commissioner does object, the parties shall have the right of appeal to the magistrate. That, I consider, is only fair and right. I could quote numerous cases better than the one I have just mentioned in justification of the retention of this particular regulation. Dr. Elkin considered that an exact knowledge of native law and customs was necessary so

that a wise policy could be adopted. He said that no member of the white staff had a knowledge of more than a few odd words of the language and that none had a knowledge of the customs. The policy was open to condemnation by those who studied primitive peoples and suggested that the mission had failed in its purpose. The latter appeared to be true to fact. There was too much repression and a little terrorising. The report contained a good deal more to the same effect. A resident magistrate, in writing to the Chief Protector, said—

I wonder when you are going to put your foot on — Mission. (He then referred to the waste of money.) A lunatic in a night-mare would have made a better job of the buildings. My opinion is that the missionaries should put in a priest and a schoolteacher at these missions. The rest of the place should be under business control . . . Manage the business side of it yourself.

A scathing report on the medical conditions, food and other conditions by a visiting medical officer, supported by a number of the staff, urged that the services of a trained nurse should be provided at this and other missions. The doctor concluded thus—

This place is in a critical state at present. It most urgently needs a superintendent of experience, wisdom, humanity and robust health and strength.

The Commissioner of Police wrote of a mission as follows:—

It appears that the sooner this alleged mission is closed and your department refuses any further grants, either directly or indirectly, by way of rations, the better it will be for all concerned, as I am of the opinion that the natives of the district are not receiving the treatment which one would expect from persons who allege themselves to be professed Christians, but are being exploited for other purposes.

Hon. G. W. Miles: Which district is that?

Hon. E. H. H. Hall: What would the other purposes be? The statement is very indefinite, and that point is most important.

The CHIEF SECRETARY: I will give some facts on that matter. I am showing what I consider justifies the department in the attitude adopted in more than one of these cases, and I am trying, without quoting names of missions, to show the variety of opinions that have been expressed by people in responsible positions regarding one or other of these institutions. I do not wish to be forced into naming those particular institutions on an occasion like this.

Still, I may say that I have the particulars which members are at liberty to see. I do not wish to quote more names than are necessary because the matter is a very difficult one.

If my remarks are extending over a rather long time, I hope members will bear with me because the department has remained silent too long. We have tolerated unwarranted and unfair criticism from quite a number of people—criticism by word of mouth, at public meetings, in articles in their journals and in the Press, and through the societies in the Old Country, and I have come to the conclusion that the only thing for me to do, in view of the fact that I had control of the department for so many years—the Honorary Minister is now in charge of it—is to give members an indication of the many difficulties that have to be faced by the department, and particularly by the Commissioner who from time to time is called upon to make decisions. I suppose most members realise how difficult and how responsible is his position. He has at times to make decisions affecting the lives of various people. He has had to bear the brunt of all the criticism that has been levelled at the department, and I venture to assert that in 99 per cent. of the cases where there has been criticism, were the actual facts known and understood, not one man in a thousand would deny that the Commissioner had done the right thing. That is the main consideration—to do the right thing.

A prominent missionary stationed in Western Australia, when passing through Perth in April last, told the Commissioner that he was in complete agreement with the regulations for licensing missions and missionaries. The same missionary has stated—

He humbly maintained that every missionary ought to be an anthropologist. The missionary ought to be acquainted with the records of the latest development of science amongst these people . . . His mission had proved that Christianity could be grafted on to tribal law. Modern science was to be the handmaid and not the mistress where the treatment of the blacks was concerned.

The Rev. John Flynn, of the Australian Inland Mission and Flying Doctor Service, interviewed me in my office last July upon another matter and we had a discussion on native affairs. While he does not claim to be a missionary to the natives, he has certainly had a lot of experience of them and I think we can take a little notice of his

opinion. He made the following statement publicly in Perth—

Until you have studied the aborigines for at least three years, you are not worthy to teach them anything.

In discussing the regulations with the Commissioner, Mr. Flynn said they did not go far enough, and he urged that while we were about it, we should decline to license any mission that did not include a trained nurse on the staff. That is a matter which the Commissioner has been urging for years. Another officer in the North wrote under date 11th July, 1938, as follows:—

Re Section 68 and relevant Regulations 134-139 (licenses): To me these regulations must fill a long-wanted need, the need of more detailed control. From personal knowledge of the work of missionaries in Queensland, the Northern Territory, and here in this State, I have come to the conclusion that the wrong type of missionary is in charge of the work in many instances. They are not sufficiently educated to the position and in many cases have no ability to control a body of people. Regulation 135 must be invaluable in controlling this problem.

An ex-superintendent of a mission in the North has written quite recently in full agreement with these regulations, and similar views have been voiced by other responsible persons of experience in such matters.

Regarding the legal position, some people contend that certain actions of the department or Commissioner have not been legal. Let us understand what the legal position is. Under the old Aborigines Act an institution meant subsidised institution. Under the new Act "institution" means one which has been so proclaimed by the Governor. The new regulations supply the means of governing the management of institutions and wards at institutions, and powers are given to managers and superintendents that they have not hitherto had. Now, having placed missionaries and their helpers on the same footing as our own officers in kindred positions and of those under the Child Welfare Department, we must exercise the right of ensuring that they are suitable to hold such positions, and be able to recall them in the event of that course being necessary. There has always been power to make regulations governing the issue of permits to missions and mission workers, but in the absence of other stipulations as now provided by the new regulations, we have refrained from

taking this action until the present legislation enabled us to do so.

The state of the law is and has always been since legislation has governed the matter that no person may enter a native reserve without permission. Quite a number of people are not aware of that fact. Still, that is the legal position. The words "for any purpose whatsoever" are used in the relevant section, and of course exempt the superintendent of the reserve or an officer of the department. Another section requires a person to be provided with a written authority before he may enter upon a place where natives are assembled. Again, one cannot have a native in one's house, ship, boat, camp, or any other place without authority. Had these provisions been carried out to the letter, insofar as missionaries were concerned, every missionary and missionary worker would have required written authority before he could enter upon his duties. In insisting upon this written authority in the shape of a permit, we are doing no more than the law has always required, but it is now especially essential in view of the altered conditions under the new Act.

Institutions under the Child Welfare Act must be approved by the Governor-in-Council, and persons to manage them may not do so without the approval of the Governor. Nor can they continue in that capacity without his authority. Licenses or permits in some form or other are required in respect to all similar social work. I may mention that hospitals, lying-in homes, mental institutions and lodging houses must be licensed. Teachers must have a permit to enable them to teach in schools; clergy must have a license to permit them to perform marriages; gaol chaplains are appointed by the Governor-in-Council; nurses and midwives must be registered, and even undertakers must be licensed in order to enter a cemetery. In most of the instances I have quoted the persons concerned are required to qualify for their positions before they can be registered.

Under the Native Administration Act, all children under 21 years of age are wards of the department. Missions that are institutions under the Act take in many wards, who, I think, really constitute the majority of the inmates. These institutions run hospitals, schools, dormitories, kitchens and dining rooms; in fact, embrace practically all

the functions of the kindred institutions to which I have referred. This presupposes the employment of persons who are qualified to act, say, as teachers or nurses, and in other ways quite apart from the spiritual aspect. In most of these institutions it is claimed that the native children are entitled to be placed on an equality with white children. If that is so, the duty of the Government is to ensure that the care of the native child shall not be markedly inferior to that given to the white child. It is certainly essential that the department should be assured that wards will not suffer through the ignorance of those in charge of them, and the department could not with confidence send the wards to these institutions unless it felt that those responsible were competent to care for the children.

We are constantly being pressed to include amongst our workers persons with a knowledge of anthropology, and resolutions to that effect have been forwarded to us by various bodies. We know the necessity for this. The example of New Guinea is frequently held up to us, and yet, when we try to emulate that administration by insisting that workers shall have some knowledge of natives before they go into the field, and be otherwise suitable, we are criticised by the very people who should be first to advocate the system. Our natives are perhaps the most complex people on earth, and upon them, to quote a well known authority, "the impact of ignorance and inefficiency may and does work untold harm." The question we have to ask ourselves is, are we to continue allowing this to occur without an attempt to exercise any restraining influence? We have not at any time interfered with the spiritual nature of missionary undertakings; neither do we desire to do so. We claim, however, that the natives are first and last a charge upon the State, whoever may subsequently be delegated more directly to handle them, and our duty is to ensure that the job is efficiently undertaken by those best qualified to do it.

We first began discussing these regulations in relation to the necessity for the managers of missions, and others closely related to them in permanent positions, being married men accompanied by their wives, apart, of course, from representatives of celibate orders, who would naturally be accepted. Later happenings convinced us of the necessity for this, as well as the advis-

ability of considering other factors. During the past ten years, events have occurred at missions, and in relation to missions and mission work generally, that reflect little credit upon the institutions or societies involved.

The introduction of these regulations represents no new thought or sudden decision on the part of the department, since they were suggested more than 10 years ago, and the necessity for them has frequently been stated since. The matter first came before the Government in November, 1928, and again in 1932, 1935 and 1936, when the Act was amended and the existing Native Administration Act came into operation. The Legislature expressly approved the principle in 1936, when it amended Section 60 (now Section 68) giving power to make regulations by adding paragraph (c) as follows—

For the establishment of mission stations and the issue of permits to mission workers.

I now wish to deal with some of those matters which have happened in the past and to which I said I would make reference, matters that might amount to charges against certain missions. I would instance—

The exploitation of natives, sexual intercourse between staffs and inmates, homosexuality, impropriety, flogging, shooting, complete confinement and curtailment of freedom, forced marriages, expulsion for minor misdemeanours, the employment of irresponsible and unsuitable missionaries and workers, and the misuse of Government supplies.

Another thing that might be alleged against missions is—

That sickness, disease and accident have not received the attention they deserve.

Few of the missions have properly equipped clinics or hospitals, and it has not been the rule to employ trained hospital nurses. Full advantage has, however, been taken by missions of native and Government hospitals for their charges at no cost to such missions. Some missions adopt the practice of ejecting inmates who make difficulties for them. Female inmates who fall are sometimes induced to enter into marriages of convenience. So-called marriages that are illegal take place, illegal inasmuch as they are not registered, and in consequence do not bring legal security to the issue thereof. This matter is being taken up by the Registrar-General.

Mission natives convicted of misdemeanours are refused re-admission. The mis-

sionaries say, "Let the Government keep them." I will quote one or two instances by way of illustration. Whilst engaged in making bread, a native woman burned the bread. As a punishment she was refused rations, and with her husband and child, was expelled from the mission. A man, his wife and daughter were expelled from a mission because he broke the mission rules by leaving the place temporarily. This is indicative of the practice. I have, however, a list of more serious charges that could be made. At one mission, a boy was thrashed until he fell to the ground, and was then kicked by the missionary in charge, who had boots on. On the following day the same boy was officially chastised before the assembly.

Hon. E. H. H. Hall: Is there any evidence to support such a terrible charge?

The CHIEF SECRETARY: Yes, I have the evidence here. Another boy of 14 was similarly thrashed. For a breach of marital relations, a man was flogged with a doubled stock-whip, and chained by the neck with donkey chains to a post in the settlement. The wife of this native ran away, but was brought back and publicly thrashed in front of her husband and the assembled inmates. At the same mission, men have been chained by the neck to a post, and women have been chained for minor offences. Parties have brought liquor to the mission and consumed it, the missionary joining in. Minor punishments are frequently imposed. For snoring, a boy has had water poured over him by the missionary in charge.

Hon. L. B. Bolton: That is very hard to believe.

The CHIEF SECRETARY: I have still more to tell the House.

Hon. W. J. Mann: Has the department had a knowledge of these things all along? It is remarkable that the Government has not taken action. Has it not neglected its duty?

The CHIEF SECRETARY: In some instances the Government has had no knowledge of these happenings until some time after they have occurred, and the persons involved have disappeared. I know of people who have left the State, and the church has kept the matter dark until they did leave. The matron of a mission reported repeated undue familiarity between visiting white men, friends of the superintendent, and girl inmates, one of whom stated she had been

seduced. An official inquiry was held, and the man charged with indecent assault, but unfortunately the charge could not be sustained.

Serious irregularities were alleged by a mission worker against other mission workers. These were supported by copies of affidavits made before a protector of aborigines not connected with the mission. The charges included—

(1) Extensive homo-sexuality between a member of the staff and several native boys.

(2) Immorality between a male member of the staff and a native woman, witnessed by two of the boys.

(3) Immorality with a native girl by the same member of the staff.

(4) Liquor supplied to a native woman by a member of the staff.

(5) Drinking and fighting between members of the staff, and also drunkenness.

(6) Immorality between members of the staff.

The department knew nothing of these things until the persons concerned had left the State. Had not the church deliberately kept the matters dark, and had the occurrences been known to the department, several prosecutions might have been instituted. Reports were made by the police, on the statements of natives, that a superintendent of a mission was misconducting himself with a female inmate. A departmental investigation was arranged, and adjudged him guilty. He was removed by the church. No charge against this superintendent could have been laid under the old Act. Many minor charges of intimidating natives with firearms and supplying them with firearms have been admitted. A superintendent stripped the clothing from a half-caste girl of 17, cut off her hair, and sent her "bush" in that condition to live with bush natives, as a punishment for having previously run away with a male native who wished her to mate with him. A native was shot by a member of a mission staff. The native died. The Crown prosecuted for manslaughter, but the jury discharged the accused. The principal witness, another white man on the mission, committed suicide before the trial. The accused continued in the employ of the mission after the trial, though undoubtedly he shot the native, whether negligently or otherwise. The matter arose through the staff attempting to chain another native for an offence. When he escaped, others took advantage of the situation, and ran away, and it was one of them that was shot. A sequel

was the murder of a native woman by four native men, who gave as their reason revenge for the shooting of the man by the missionary. This, at all events, was the outcome of the shooting episode. The four natives were sentenced to death, but the sentences were commuted to life imprisonment. One of the men died in gaol, but the others have since been released.

An elderly bush native was legally married at a mission. His brother died, leaving a wife, whom, according to native law, he wanted and was entitled to acquire. Having become a Christian convert, however, he was not allowed to take the woman. In trying to combine tribal instincts with religious teachings, and having been taught that he must have only one wife, he induced other natives to kill his legal wife. This man is now a prisoner in Broome. The direct cause of the happening was interference by the missionaries with the tribal laws of the natives, and their lack of understanding. A three-quarters black girl gave birth to a son at a mission, a white man working there being the father. About the time the child was born the man disappeared, and has not since been heard of. Shortly after that a marriage was arranged between the girl and a half-caste.

Sitting suspended from 6.15 to 7.30 p.m.

The CHIEF SECRETARY: Before tea I was quoting instances that had come under the notice of the department during the last ten years, and I wish to deal with one or two more in order to complete the picture. In the far North, a coloured man and a white man in association posed as missionaries. The coloured man was a person of evil repute. Among other things, these two men were alleged to be buying children before birth from the mothers. The allegations were investigated by the department. Here again I must mention that many of these instances have been brought to the notice of the department at a stage when it was really too late to deal with them satisfactorily. What did the investigations of the department disclose? We found that the men had parted company and the individual who remained was the coloured man. He was a person to whom no society could ever grant authority. He was reputed to be committing several breaches of the Native Administration Act, and the position generally was most unsatisfactory.

Hon. J. Nicholson: Was he an aboriginal?

The CHIEF SECRETARY: He was a coloured man who claimed to be a missionary, but he was not an aboriginal. Several objections had been lodged by neighbouring recognised missions regarding the alleged missionary settlement that had been carried on by the two individuals to whom I have referred. In another instance a native complained that he could not recover his two young daughters. Investigations showed that an alleged school was conducted by an American negro of bad repute and a sexual pervert, against whom there were several convictions. That man also claimed to be a missionary. The trouble was rectified by the department removing the children and ordering the negro off the reservation. There are other instances of a like nature, but I shall not refer to specific cases that lack corroboration. Those I have quoted come most readily to mind, and were brought to light as a result of a most cursory search of the departmental records. They have occurred within the last 10 years. I am assured by the Commissioner of Native Affairs that, given time and opportunity, he could provide numerous other instances of a similar description.

Hon. E. H. H. Hall: All of which could be corroborated?

The CHIEF SECRETARY: Yes. As far as I know. There are thousands of files at the department. Prior to the amendment of the Act, the department had no power to deal with many cases of the type I have mentioned. Members generally have been of the opinion that we did have the requisite power but under various legal decisions, we had not. That position continued until the Act was amended. To-day we have the necessary power and wherever possible we are, and intend to continue, using that power.

I mentioned earlier the incorrect use of Government rations. A little while ago a mission that was also used by the department as a rationing station was found by the Commissioner of Native Affairs to be feeding all its inmates on Government rations, although some of the natives were earning money both inside and outside the mission. No allowance was made on that account. Some of the mission men were earning £1 per week and some £2 per week and keep; yet their families were being maintained at the expense of the Govern-

sionaries say, "Let the Government keep them." I will quote one or two instances by way of illustration. Whilst engaged in making bread, a native woman burned the bread. As a punishment she was refused rations, and with her husband and child, was expelled from the mission. A man, his wife and daughter were expelled from a mission because he broke the mission rules by leaving the place temporarily. This is indicative of the practice. I have, however, a list of more serious charges that could be made. At one mission, a boy was thrashed until he fell to the ground, and was then kicked by the missionary in charge, who had boots on. On the following day the same boy was officially chastised before the assembly.

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The CHIEF SECRETARY: He was a coloured man who claimed to be a missionary, but he was not an aboriginal. Several objections had been lodged by neighbouring recognised missions regarding the alleged missionary settlement that had been carried on by the two individuals to whom I have referred. In another instance a native complained that he could not recover his two young daughters. Investigations showed that an alleged school was conducted by an American negro of bad repute and a sexual pervert, against whom there were several convictions. That man also claimed to be a missionary. The trouble was rectified by the department removing the children and ordering the negro off the reservation. There are other instances of a like nature, but I shall not refer to specific cases that lack corroboration. Those I have quoted come most readily to mind, and were brought to light as a result of a most cursory search of the departmental records. They have occurred within the last 10 years. I am assured by the Commissioner of Native Affairs that, given time and opportunity, he could provide numerous other instances of a similar description.

Hon. E. H. H. Hall: All of which could be corroborated?

The CHIEF SECRETARY: Yes. As far as I know. There are thousands of files at the department. Prior to the amendment of the Act, the department had no power to deal with many cases of the type I have mentioned. Members generally have been of the opinion that we did have the requisite power but under various legal decisions, we had not. That position continued until the Act was amended. To-day we have the necessary power and wherever possible we are, and intend to continue, using that power.

I mentioned earlier the incorrect use of Government rations. A little while ago a mission that was also used by the department as a rationing station was found by the Commissioner of Native Affairs to be feeding all its inmates on Government rations, although some of the natives were earning money both inside and outside the mission. No allowance was made on that account. Some of the mission men were earning £1 per week and some £2 per week and keep; yet their families were being maintained at the expense of the Govern-

ment. The Commissioner asked the missionary in charge, why, since he was aware that the department would not ration working natives, the missionary was doing so. The reply the Commissioner received was that the missionary had expected the supplies to be cut out at any time during the last year or two.

Members will note that the missionary did not direct the attention of the department to the fact that he was drawing rations for the dependants of the mission natives, who were working and earning from £1 to £2 per week and keep. At that time the mission was receiving something like £1,000 worth of rations and relief from the department. Although the Government was supporting the mission to that extent, reference was never made to the fact by the missionary in charge. Even his own governing council was not aware of the position until informed by the Commissioner. I am correct in saying that the department has definitely been exploited by that mission. The same mission constantly acquired more children or persuaded natives to send them in to be kept at the expense of the Government, without making due representations to the department. The relations between this particular mission and the department have, in recent years, been strained to such an extent that a suitable site for a departmental rationing depot somewhere else in the district is being sought. The employment of natives from this mission has been unsatisfactory from the departmental point of view, the missionary in charge apparently not being prepared to conform to the requirements of the department.

With regard to what I have previously described as the exploitation of natives, in some instances missions have traded with natives and the operations have been open to question. Upon investigation recently, the department discovered that one mission had been paid just under £700 for dog scalps in a little over two years. Since then the average payment has increased to £400 per year. Inquiries elicited the fact that the natives who supplied the dog scalps received in return a handful of flour and morsels of tea and sugar, or at most goods to an aggregate value of 4s. or 5s. For that class of reward, about 2,000 scalps of dogs and pups were paid for. Those scalps were taken in absolutely unsettled country. In

another instance the police paid a cheque for £450 to one mission alone. The department also receives scalps from natives at one or two centres, and instructions have been issued that the suppliers must receive the full value for the goods, less a deduction usually amounting to about 10 per cent. to cover various costs. Members will readily appreciate the difference between the departmental method of payment for dog scalps and the attitude adopted by certain missions and missionaries.

The Rev. J. R. B. Love, of the Kunmunya Mission, is well known to every member of this Chamber, if not personally, at least by repute. He was sent to South Australia to report upon a proposal to found the new Ernabella mission, and recommended that at the mission station the full net value of the scalps should be paid to the natives. Yet we find that in this State missions have been making unwarranted profits in that direction. That is due to the fact that the natives from whom they have procured their supplies of scalps were too ignorant to realise they had not received a fair deal. A certain mission has been obtaining native weapons and curios for sale, and the buying prices have been much less than those at which sales have been effected. The superintendent has withheld clothes and utensils if the natives could not purchase them by submitting native weapons and curios to the extent desired. As a result the department has prohibited the sale of native curios. In that instance the natives were not prepared to provide the weapons and curios as required, so apparently the mission withheld the clothing and utensils that should have been exchanged.

The department has never publicly criticised the missions. On the contrary I am afraid it has sought to hide their imperfections rather than bring them to light. The policy in the past has been to allow the churches to work out such matters for themselves. In view of what I have stated to-day, I ask: Just how have the churches done that? If the missions are to work in co-operation with the department and if they are to receive increased financial support from the Government, it is imperative, in my view, to exercise more control over their activities. In particular we must ensure that the personnel of these stations is beyond reproach. Further, we must regard the findings of the Canberra Conference as indicative of what our future policy should be, and ensure that

the natives of this State are afforded the benefits to be derived from the decisions of that conference. Even so years must elapse before the effects of that policy are apparent. Time is passing and we must take the necessary action before it is too late. I have said enough to show the House how serious is the position with which the department has to deal from time to time.

In effect Mr. Seddon took the department to task for not co-operating with the Mt. Margaret Mission. He was giving, I think, the viewpoint of the mission authorities of that particular institution. My reply is that the responsibility of the natives is a State responsibility and the department, the head of which is the Commissioner, is required to carry out the Government policy for the administration of native affairs in this State. Consequently, missions or persons who desire to work among the natives should be prepared to co-operate with the department and not endeavour to cut right across that policy, as is being done frequently at present, because that sort of thing can only lead to trouble sooner or later. When it is suggested that these regulations have been drafted with a view to assisting the department, irrespective of the effect they might have upon the natives, I say definitely that in my opinion the Department of Native Affairs has at all times had the best interests of the natives at heart. I think I have said enough to indicate the absolute necessity for some of the regulations that have been described as drastic and dictatorial.

Earlier in my remarks I referred to the fact that certain native organisations were quite in accord with the regulations. I overlooked at the time that I had copies of some communications, some received as a result of the amendments made to the Act and others the result of inquiries made by the department from other authorities that have to deal with natives. The native association I referred to was the Aborigines' Progressive Association, which has its head office in the T. & G. Buildings, Sydney. The president wrote to the Premier on the 21st October of this year as follows—

On behalf of the Aborigines' Progressive Association which is representative of aborigines only throughout Australia, I tender our congratulations on the wisdom your Government has shown in proposing legislation to restrain the activities of missionaries in the State of Western Australia. J. T. Patten, president.

I understand that the organisation is representative of a large number of natives and is quite different from some of the organisations representative of only a few natives but of quite a large number of white sympathisers.

Not long ago a conference was called at Canberra, which was attended by the administrators of native affairs throughout Australia. Their object was to devise a policy that could be regarded as a national policy, one at which all departments would aim to give effect, although in some cases the ideal was the objective and the conference recognised that the objective could not be reached in a limited period. Our department has endeavoured to put that policy into operation and some of these regulations are based on that idea. Quite a number of communications have followed the holding of that conference, and there have been quite a lot of misrepresentations of certain utterances by our Commissioner of Native Affairs at some of the discussions at the conference. The people who have been most active in disseminating this very misleading comment—to speak of it in a very mild way—are organisations associated with mission and church work. One would have thought that those bodies at any rate would have been particularly careful to ensure that they could not be criticised from the standpoint of wresting the Commissioner's remarks from their context and piecing them with other remarks to make a very misleading and, in some instances, untruthful story, and to use that misleading and untruthful story for the purpose of propaganda outside the State and overseas. I could say quite a lot on that matter if I had the time, but certainly some reference should be made to it here.

The National Missionary Council, Aboriginal Advisory Committee, at a meeting held on the 4th March, 1938, carried certain motions having reference to resolutions of the Canberra Aboriginal Welfare Conference. No. 19 of the resolutions read—

As the Governments claim the right of oversight and supervision and the right to make regulations for the control of missionary activities by Government, it is manifest that they recognise that the care of the aborigines lies within their province. This makes the demand for increased subsidies all the more real.

The administration may be dictatorial, but most of the missions will be prepared to accept the claim, provided that it is recognised that if the Government calls the tune, it should also pay the piper.

I quote this to show that the various mission authorities do recognise the right of any Government to control the activities of natives and missionaries, although they, in some instances, contend that if the Government controls those activities, it should be prepared to find more financial support than has been provided in the past. We in this State have gone as far as is possible with the limited financial resources at our disposal.

May I call attention to another point. During the last fortnight there has been rather severe criticism of the Department of Native Affairs on the score of the increase in the vote allotted to the department. That criticism has been most unfair and could arise only because the critics did not understand what they were talking about. I am only too pleased to say that as a result of the activities of the department and the representations made on behalf of the department to the Treasury, we have secured an increased vote that will enable the department to do a little more than has been done in the past. I realise there is much more that will have to be done sooner or later at Government expense, and the sooner it is possible for Governments to provide additional sums of money, the better it will be for all concerned, and perhaps the less cause there will be for complaint in the various circles to which I have referred.

I have a letter from the Secretary of Native Affairs, South Africa, to our Commissioner. It is really a reply to an inquiry sent by our own department—

18th August, 1938. The native locations and reserves in the Union of South Africa are the property of the South African Native Trust constituted under the Native Trust and Land Act of 1936, and in terms of Section 18 Sub-section (4) of this Act, the trustee may, in accordance with regulations to be framed, authorise the occupation by any person, board of trustees, educational authority or religious body for church, school or mission purposes, of such areas of land as he may deem necessary.

In accordance with the Government's policy, permissions of this nature are only granted to such church bodies as have been accorded Government recognition.

This indicates that in South Africa there is in operation a more drastic regulation than the one we propose. From Canada I have a communication from the Depart-

ment of Mines and Reserves, Indian Affairs Branch, as follows:—

Missionary effort amongst the Indian population of Canada: The Indians of Canada are attached to the Anglican, Roman Catholic, Presbyterian and United Churches of Canada. The last census indicates that approximately 50 per cent of the 112,510 Indians are members or adherents of the Roman Catholic Church. There is little, if any, restriction on missionary effort, although the consent of the band and of the department must be secured before a church or missionary house can be erected on an Indian reserve.

The quarterly bulletin of the Aborigines Friends' Association of South Australia, dated the 7th September, 1938, deals with the question of licenses for mission workers, as follows:—

(2) This association recognises that where financial and other assistance is given to missions among aborigines, the Government is acting within its rights in requiring that those sent out by missions, or those who act independently, should possess the fitness and training necessary for their task.

There are additional recommendations dealing with licenses, but the point is that they recognise the Government's right to ensure that persons desirous of working amongst natives should be of good character and capable of doing the work properly. I have a communication from the Chief Secretary of Nairobi, Kenya, dated the 1st September, 1938, as follows:—

Persons desiring to undertake missionary work who are not members of approved societies have their cases considered on their merits on arrival in the colony in accordance with the provisions of the local immigration regulations.

The grant of land to missions in native reserves is dependent upon the approval of the Native Lands Trust Board, which takes into consideration the wishes of the local inhabitants and recommendations of local land boards with native representation. No school can be established in a native reserve without the consent of the Director of Education, who must first be satisfied as to the standard of education to be provided.

This again shows that elsewhere the fact is recognised that there must be control. In the magazine of the Australian Board of Missions entitled "A.B.M. Review," dated the 1st September, 1938, appeared the following:—

Government and Missions: The responsibility of the Government for the welfare of the aborigines was duly recognised, as well as its duty to exercise some measure of supervision over all mission work carried on amongst them.

The principle was accepted that the superintendents should be appointed with the concurrence of the Government, but in the case of missions conducted by recognised denominations there should be no need for members of the staff appointed to serve under the superintendent to have a license from the Government.

It was felt that some of the powers given to the responsible Ministers were too wide, and should only be exercised in consultation with the missionary body of the denomination concerned.

While there is limited agreement with the idea that permits should be obtained by workers in this field, and a suggestion that some of the powers vested in the responsible Minister should not be exercised except in consultation with the missionary body of the denomination concerned, we in this State have just reached a stage when these regulations are being given effect to. In order to meet the wishes of representatives of these various mission associations, we have provided that where there exists a difference of opinion as to the capacity, shall I say, of a certain person to do the work of a missionary, or to work on a mission, there should be a right of appeal. Under the regulations we have constituted an appeal board, representative, as far as I know, of all associations interested in missionary effort amongst the natives. Naturally one cannot give representation to every small section, but I found it necessary, in order to reach finality in the matter, at least to do something. The missionary authorities themselves could not agree how the appeal board should be constituted.

I could tell a nice story of arguments which have occurred as a result of disagreement in their own ranks with reference to the constitution of the appeal board. However, I as the responsible Minister, finding that the regulations were being inordinately delayed on this account, had to arrive at a decision. My decision is embodied in that particular regulation. I suggest to members that whoever might be appointed under that agreement to act on the board would surely be men of high enough repute for any person who desired to work in the mission field but was objected to by the department, to present his case to in the full belief that he would get a fair deal. After all said and done, that is all that is required. Not many cases will be referred to that appeal board. I do not care about prophesying, but I doubt whether there will be one such case in a

year, because usually applicants for leave to work in the mission field have good credentials, and in some cases are well known to the department, and no objection whatever is taken to their assuming such positions. But we must cover the exception; and exceptions, we find, have been responsible for some of the cases which I quoted earlier in my remarks. I may make mention now of a recent case.

It occurred in connection with a northern mission. There was a desire to appoint a certain lady to the mission. The department knew the lady's reputation. Years ago she had been an employee of our own department for some time. She had also been an employee of the Education Department, and had been engaged by a mission for some considerable time. After leaving her last position on a mission, she went East and obtained a position there, I believe, with another Education Department for a brief period. Then she came back here, and it was desired to reappoint her to the position she had occupied years ago. The first the department knew of this was through objections received from a former superintendent of the mission, and before long we had protests from three ex-superintendents of that mission. They claimed that this lady was a most unsuitable person to occupy a position on a mission station. Is it not necessary that the department should have some power to deal with a matter of that sort? In point of fact, the three ex-superintendents have signed an affidavit confirming the protest that was lodged on the grounds of cruelty, harsh discipline, and mental unbalance, and also on the ground that the person concerned was temperamentally unsuited to have control of children. Those are serious complaints to make against one with whom these clergymen had been associated for years. Is the department to take no notice of such a matter? Is it to have no power where the missionary authority does not know the facts at the time? Is not the department to have some control as to whether a person should fill such a position? We must bear in mind that many of these missions are vast distances away from civilisation. The only supervision exercised is that of the mission itself. Surely some of the cases I have quoted to-day are a sufficient indication of what is possible in those

circumstances. Now I get down to the subject matter of the motion.

Member: Up to the present you have merely given us a few introductory remarks.

The CHIEF SECRETARY: Yes, but I warned the House that this was a very big subject. It happens, moreover, to be one of which I have a fair knowledge. At various times I have had to take certain action which I know has not met with the approval of the parties concerned. I wish to assure the House that the decisions leading to that action were not arrived at lightly. In some cases a decision was not reached without considerable delay, for which we were blamed. However, it is essential that inquiries should be made in the case of outback centres, and these necessarily take some time. Again, we are not always satisfied with the results of our inquiries. I do not mind admitting that the administration of the Department of Native Affairs is one of the most worrying duties I have ever had to perform. Under the Act the Commissioner has many and varied powers, but we know that the Act lays the responsibility for some highly important matters on the Minister. We have been operating under grave disabilities for some years, and that fact has been a source of worry not only to me but to every officer of the department. Fortunately things are a little better now, and we feel ourselves able to do a little more than we have done in the past. But these regulations are absolutely necessary. Unless we have them we cannot carry out the administration of the Act as intended. Failure to enforce the regulations would certainly interfere with the policy—the long-range policy, if I may so term it—on which the department has embarked.

Reference was made by Mr. Seddon to quadroons, and he said that all natives and quadroons come within the purview of the amended Act. In that statement Mr. Seddon is not correct. The position is that under the Act every quadroom over 21 years of age does not come within the control of the department. For example, there are many coloured women—married to whites—whose children are quadroons; and these cannot be dealt with under the Native Administration Act unless they revert to native conditions. That is the decisive factor in many of the decisions arrived at by the department—under what conditions is the person living? Once we know that, our

work is rendered a little easier than otherwise it would be. There are still a few adult quadroons living as natives, and of course some means must be provided for dealing with them, in the sense that they must be cared for, being in most cases elderly people. Hence we have need of the regulations which are receiving consideration. In time, naturally, none of these persons will be left, and then there will be no necessity for those regulations.

Members will recognise that persons who have lived as natives all their lifetime, whether quadroons or of any other caste, would find it very difficult indeed to disassociate themselves from their lifelong habits. In fact, one or two of these quadroons have already asked the department to declare them natives, and action has been taken in that direction. Where one is dealing with such a problem, it is obviously most difficult to arrive at a regulation which would cover all indiscriminately. There are certain anomalies which must be dealt with. We deal with them according to the circumstances as we know them. I may add that this particular regulation has nothing to do with exemption, because a quadroom over 21 years of age is not under the Act unless he has been definitely declared a native, as I have just stated. Of course the quadroom cannot have it both ways; he is either one or the other, from the point of view of the Department of Native Affairs. I may also state that the idea of evolution from the full-blood to the white is preserved right through the Act under which we operate, and with which the department is doing its best to comply. Further, those who desire to reverse the position are only preparing difficulties for future Governments as well as natives. The problem is highly difficult, and we do our best to meet the situation as we know it.

For the moment I am a little handicapped in that I have had notes prepared on the basis of what Mr. Seddon said but have not had either time or opportunity to prepare the particular extracts from the hon. member's speech, as I would have liked to do. Members will agree that Mr. Seddon touched on numerous points. That is why I am handicapped at the moment. The House will understand that I am trying to make the facts as clear as possible, and I trust members will recognise the particular cases I shall refer to in replying to Mr. Seddon. The

hon. member made some reference to a native woman who lost her reason as the result of her children being taken away from her. That particular case is not known to the department. In future instances where the hon. member has particulars, it would be highly desirable that he consult the department with regard to them before giving them publicity in this Chamber. I say that advisedly, because I know from past experience that matter of this kind has been picked out from the Parliamentary debates and used as propaganda outside the State. I am not exaggerating when I say that during the last 12 months I have had to reply—or if not I, the Premier—to a large number of communications, not one or two, from responsible organisations throughout the world that have asked questions based on propaganda of this kind. Extracts have been taken and quoted, divorced from the context, in official magazines, newspapers, lectures and public addresses.

Hon. C. F. Baxter: Particularly in Great Britain.

The CHIEF SECRETARY: Yes, even the London "Times" has quoted such extracts. Publicity of the kind I have mentioned has been given by a certain association in Great Britain, one of the most important in the Empire, and one interested in the conditions of natives not only in Western Australia, but throughout the world. These communications, as a rule, come through official channels, some through the Lieut.-Governor, some through the Premier and others through the department. I take strong exception to tactics of that kind. For that reason I say we have sat quiet too long, and for that reason I am forced to make some of the statements I have made to-day.

Hon. E. H. H. Hall: Those statements are long overdue, in fairness to the people of the State.

The CHIEF SECRETARY: The number of mentally-afflicted natives is not large. Every effort has been made to confirm the incident mentioned by Mr. Seddon. He made a bald statement that requires amplification. The name of the person should be given, if the case is to be investigated. From the department's knowledge, no native woman has lost her reason because of the facts quoted by Mr. Seddon. Mr. Seddon referred to a half-caste woman who was visited at a mission by her son. I interjected that what he said was gross exaggeration. It is more than that; it is entirely in-

correct in its implications. The facts are that the woman and her children, for reasons that need not be mentioned now, were removed to the Moore River Settlement 11 years ago. Some two years later the mother was married at the Moore River Settlement to a half-caste. She left the settlement with him, taking only one child because it was too young to leave behind. The boy referred to remained at the settlement until 1935, when he went to work. From the time the boy's mother left the settlement in 1929, there was no association between the boy and his mother, although he may have seen her once during that time. In April of this year, at the request of the mother and the son, supported by Mr. Schenk, Jack Quinn—that is the boy's name—was allowed to visit the mission for a month. He was not returned at the end of that time. Representations were made to try to keep him at the mission, but the Commissioner would not agree because the boy, being a quadroon, was entitled to be brought up as a white. Argument ensued, but the Commissioner insisted and the boy was eventually returned and placed in employment near Perth, where he seems to be quite happy and lives and conducts himself in every way as a white. At the Mt. Margaret mission he was associating with those who would inevitably have dragged him down once more to native conditions. Of course, he might yet return to those conditions when he has attained the age of 21 years.

However, the department has much faith in the lad and is of opinion that he will know how to behave himself when he is free to act as he likes. The story is very long. I might give members all the facts; but, as the mother and son had not associated since 1929, I do not think it necessary. This is an excellent example of how the department is carrying out the policy laid down by the Act. The claim was made by the mission that the boy was well educated, the assumption being that the mission had educated him. That, of course, is quite untrue. The boy was educated at the Moore River Settlement and is an excellent example of the product of that settlement. I understand he is a good worker.

This case was quoted by Mr. Seddon as an instance where a native was unable to obtain an account of moneys held by the department in trust for him. The fact is that a separate account was opened for the boy and for hundreds of others. Some

members appear to be under a misapprehension about these trust accounts and think the department might possibly utilise the money for some other purpose. The practice is to open a separate bank account, into which a proportion of the earnings of these native boys is paid. When they attain the age of 21 years, either the bank book is handed to them or they are given a cheque for the amount standing to their credit. They can then open another account in any other bank they may select. In some cases, after the boys have attained 21 years of age, so satisfied are they with this arrangement that they ask the department to continue it. I am assured by the department that at no time has any of its charges had any difficulty whatever in obtaining information as to the state of his bank account. The department does not furnish statements of account periodically to these native boys. It would probably be useless to do so. Those who have handled accounts of this kind know that 24 hours after an account has been received by a native he has either lost it or forgotten all about it.

Hon. E. H. Angelo: A statement of account might give the native an idea of spending the money.

The CHIEF SECRETARY: Yes. As a rule a native is concerned only with how much he has and what he can do with it. Female natives under the age of 21 are also wards of the department. The department adopts the same practice with them. A bank account is opened. A female officer is employed by the department and her duty is to purchase the requirements of the native girls. Purchases are made from reputable firms in the city, concessions are obtained and in many ways the natives derive various advantages. But when these females attain the age of 21 years, the department does not hand them their bank books. The account is carried on until such time as the girls might marry, when of course a different set of circumstances is created. I think I can say without any hesitation whatever that in 99 per cent. of these cases no complaint whatever has been made; in one per cent., complaints are made probably through some misapprehension or misunderstanding. I have gone into the matter very closely and am well satisfied with the way in which the department is carrying out this particular work.

May I add that these accounts are subject to audit by the Auditor General. He makes sure that the department is kept up to scratch if the right proportion of a native's wages is not paid into the trust account.

Hon. W. J. Mann: Do the natives get interest?

The CHIEF SECRETARY: Certainly.

Hon. W. J. Mann: At savings bank rates?

The CHIEF SECRETARY: Yes. I fail to understand why this criticism should be levelled at us. As I have said on many occasions, if a member receives information leading him to believe that any person—whether he be white or not—is not getting a fair deal from the department, or that the department is acting in an arbitrary manner, is it not reasonable for that member first to make inquiries of the Minister or of the department? He could say, "This is the information I have; is it in accordance with facts?" The officers of the department are particularly keen in looking after the business of the natives.

On the education of native children, Mr. Seddon also had something to say. True, the State has been remiss in this respect. Nevertheless, the State has done more to educate native children than have the missions, notwithstanding Mr. Seddon's inference to the contrary. The State schools are open for the education of native children; but as many members are aware, in some districts white parents object to native children attending State schools.

Hon. L. Craig: That is because the native children mostly come from camps.

The CHIEF SECRETARY: It does not matter what the reason is. The hon. member is probably correct; that is at the bottom of the trouble in some cases.

Hon. E. H. Angelo: I know of one case where that is not so.

The CHIEF SECRETARY: I think what Mr. Craig says is correct. The objection arises primarily from the fact that the parents of the native children live in the bush and, as a consequence, an objection is raised from the point of view of want of cleanliness, and also for reasons I need not refer to now. The position must be faced sooner or later. To rectify it will involve the expenditure of a large sum of money.

Hon. H. Tuekey: They should have facilities.

The CHIEF SECRETARY: Yes. Members will probably recall that on more than one occasion in this Chamber I have explored the problem with which we are faced in the south-western and Great Southern districts. That problem must be tackled in the very near future. It is becoming more difficult of solution each year. Soon there will be hundreds, probably thousands, instead of tens of half-castes in those districts. There is room for difference of opinion as to the method by which the problem should be solved. We must, however, provide for the care and control of those children, give them a different outlook on life and a chance of taking their place in the white community, instead of relegating them, as we are now doing, to the life of a native amongst natives.

Reverting to the number of missions—there are 13, including one convent school—the number of children being educated by them is not very great, and the number of natives in touch with all the missions is very small indeed, being only about 2,000. Reference was made by Mr. Seddon to girls in service. I was very pleased he made that reference, because it gives me an opportunity to say something on behalf of the department that I feel should be said. Like some other people, Mr. Seddon brands our half-caste domestics as generally immoral.

Hon. H. Seddon: Oh, no!

The CHIEF SECRETARY: The hon. member did not say it in so many words, but that was the inference.

Hon. H. Seddon: No.

The CHIEF SECRETARY: Those that make such assertions—

Hon. H. Seddon: On a point of order, Mr. President, I desire that statement to be withdrawn.

The PRESIDENT: I am sure the Chief Secretary will accede to the wish of the hon. member.

The CHIEF SECRETARY: I have no desire to misrepresent the hon. member. Members will recall, however, that he suggested inquiries should be made into the way these girls were living, and the conditions forced upon them by the inactivity of the department in attending to their social welfare. What is the inference when these half-caste girls are being considered, and in view of the fact that this subject has been ven-

tilated frequently in a certain direction? However, I accept the hon. member's word that he did not wish to imply that the girls were immoral.

Those making such assertions should realise that these girls have not received the same moral training and home life as have white girls, and such a judgment should not be passed. The facts ought to be examined. The illegitimate or ex-nuptial births for the whole of Australia average 4.42 per cent. of the total number of births. Of the girls sent out to service by the department, 5 per cent. have borne illegitimate children. The percentage, therefore, is much the same, the balance being slightly in favour of the whites. In view of the numerous cases that have come to our notice through the Press, through debates in this House, and through the efforts of missionaries, that is a very creditable record, and one that indicates that the girls sent out to service by the department have had a moral training that has been of value to them; and that in the positions they have occupied their best interests have been conserved by their employers. Much credit is due to the people employing these girls, for whose services there is a big demand.

Hon. C. F. Baxter: One that cannot be met.

The CHIEF SECRETARY: That is so; and it arises from the experience of a number of very reputable ladies in the community, mostly outside the metropolitan area, who have been extremely satisfied with the girls sent out by the department. Something was said about the isolation of these girls. A question was asked as to what the department is doing in relation to their social activities. I do not know what Mr. Seddon expects the department to do, but I know from the information supplied to me by the female officers of the department dealing with these girls that many of them are better off than ordinary white girls occupying similar positions. The hon. member probably knows that these girls will not willingly stay in lonely positions. The department ensures that there is as little isolation as possible. The girls are at liberty to leave their positions if they are dissatisfied, knowing well that the department will place them elsewhere, as opportunity arises.

The employment of the girls is a very satisfactory feature of the department's work. The employers regard themselves as

the temporary guardians of the girls, and members would be surprised to know what is done by some of the employers in looking after the girls. They are taken to dances, concerts, picture shows and other entertainments, and are introduced to others of their kind who may be in the district where they are stationed, and are suitable acquaintances. They are taken to the seaside for holidays and given paid holidays under the department's care in Perth. If I am to believe the female officers of the department, they are probably the happiest group of employed girls in Perth. I know a few of them personally, and my knowledge bears out what the department advises. They dress well, under the guidance of the ladies of the department, including the matron of the East Perth Girls' Home. Their reputation as workers stands very high, and the department cannot meet the demand for their services. Of course there will always be exceptions to the rule, and my remarks, particularly with regard to percentages and so on apply to the girls trained by the department itself, and not to those who have been taken from native camps and sent to service without education or training. Correspondence by the girls with the department is voluminous, and there is no doubt that the girls place every reliance on the department. I have seen a good deal of that correspondence, and members would be pleasantly surprised to read some of it. The girls are members of church associations and societies, and much is done for them in that direction.

Some of these girls have distinguished themselves in various ways. One has taken a prize for breadmaking in all the country shows for which she has entered. Another is a prominent hockey player for her district. Still another is in her third year nursing under the Medical Department. From time to time the department has had very great hopes for certain individuals who have been under its care. The girl I have mentioned is in her third year, and we are looking forward to the time when she will take a position with the department. I believe she will be proud to do so. In that way we shall be able to cater for some of her more unfortunate sisters who are under the control of the department. We have had a number of disappointments, of course. One or two girls who have been trained at the school, and who we thought would be of great value,

have, through circumstances over which the department had no control, fallen by the wayside, and all our efforts have gone for nothing. Still, we have not given up hope. Wherever we have a case of that kind, we do our best.

This reminds me of the Prosser case referred to by the hon. member. Mr. Seddon quoted from the "Sunday Times." He did not make any allegations against the department, but he suggested that the article in the "Sunday Times" constituted a valid reason for the disallowance of some of these regulations. He spoke first of all of the permit required for natives to visit Perth. The position is that all natives entering Perth are required to be in possession of a permit enabling them to remain in the metropolitan area for the time stipulated on the pass. There is a very good reason for that. For a long time Perth has been a prohibited area for natives not in lawful employment. Owing to the misconduct of whites who supplied natives with liquor, the necessity for enforcing the permit system became apparent. The desire was to prevent additional natives coming into the metropolitan area from the country and creating adverse conditions similar to those to be found in the capitals of the Eastern States. In keeping with that rule, the Prossers were advised to seek a pass from the department. That was the first request made. Members will understand that the police have a duty to perform, and when they see strange half-castes or natives in the city, are entitled to ask questions. The first question asked is whether the natives have seen the officers of the department and whether they have a pass entitling them to be in the metropolitan area. The pass is only a piece of cardboard, very much like a season ticket, which entitles the holder to remain in Perth for a stated time. This enables the police, or others interested, to know that the holders of the pass are permitted to be in the city.

Hon. E. H. Angelo: The Prossers were sufficiently coloured to be noticed?

The CHIEF SECRETARY: Yes. The hon. member can see the photographs for himself.

Hon. E. H. Angelo: We understood that they were almost white.

Hon. H. Seddon: That was the statement in the Press.

The CHIEF SECRETARY: The matter has been taken up by representatives of the

mission authorities, and I have a feeling they are rather inclined to doubt the statement of the department regarding some phases of this case. However, I propose to give the details. I do not like having to disclose essential facts of this kind. When the Prossers arrived in town, they were asked if they had a permit. They did not have one and refused to apply to the department. They then went to the "Sunday Times" and told their story, but I have some doubt whether the story related by Mr. Seddon is actually in the words of the parties concerned, although Gladys Prosser has had a good education, and can write a very good letter, as members will realise in a moment. They refused to take out a pass and were told that they must leave the city in consequence. They had no occupation in the city, and neither had they the means to enable them to make a long stay. Before publishing the article, the "Sunday Times" rang the Commissioner and asked certain questions. One was whether Gladys Prosser was a quadroon. The paper was told she was not, and that she was in fact a half-caste and was known to the department as Gladys Gilligan. She is a good talker and the tale she spun was worthy of a de Rougemont, but she omitted to give the facts concerning herself.

One does not like to refer to these matters, but it seems to be necessary in this instance. Gladys Prosser was born at the Moola Bulla native station in East Kimberley. Her father was alleged to be a white man and her mother a full-blood native. In 1922 she was brought south and placed in the Moore River Native Settlement, where she remained—being educated, trained, and confirmed in the Anglican faith—until 1931, when the department was so impressed with her capabilities that it decided to educate her at the East Perth State School. She is one of the girls we picked out and we were disappointed in her. She was brought to Perth and placed at the Native Girls' Home, East Perth, which is next door to the school. She was brought to Perth in 1931, but less than two years later, while pursuing her studies, she decamped from the home and was found with other natives at Guildford. She had also been consorting with a white man, which resulted in her being returned to Moore River and becoming the mother of a child in 1933. The white man concerned, a married man, denied the assertion, and the girl herself first de-

nied and then affirmed it as suited her. The man's home was broken up in consequence and the Commissioner assures me that, in his opinion, the child was not fathered by a British person at all.

After spending some time at the settlement Gladys went to work again. She was placed in numerous positions, but could not hold down the jobs. She came to Perth for a holiday in 1936, and owing to her association with white men and her misconduct in that regard, she was returned to the settlement. Then she got into touch with Arthur Prosser, who visited the settlement, and subsequently married him, being taken from the settlement to Gingin for that purpose. She left with her husband for Bunbury, her child remaining at the settlement. The child, who is now about five years of age, has been trained at the kindergarten, and only a little while ago, after visiting the Prossers, the Commissioner agreed to hand the youngster back to his mother.

Hon. E. H. H. Hall: Is Prosser a white man?

The CHIEF SECRETARY: No. All along this girl, who up to a certain stage did well, has been a sore trial to the department. She was prepossessing in appearance, well-spoken, plausible, emotional and temperamental, giving all concerned very much worry and trouble. Her husband, Arthur Prosser, resided with his people at Bunbury, but he is not entitled to the name of Prosser, being the offspring of Arthur Sambo, a three-quarter black, and Eva Frances Watling, a half-caste. These were Busselton people. Arthur's mother married a man named Prosser. Until Arthur Prosser married Gladys Gilligan, the department had very little to do with him, but it did what was possible to help him and was quite interested in and satisfied with the marriage, being pleased that Gladys had, in the circumstances, found a husband. That Gladys recognises the error of her ways is illustrated in two letters that the Commissioner has recently received from her. The first is dated the 22nd October, 1938, and reads—

Please accept my apologies for being hasty with my words when you paid me your visit on Sunday. The trouble was, Sir, that I was so terribly sick the last few weeks, and continually worrying about my boy simply got me down, so I am rather inclined to be very chicken-hearted when people speak of my boy. I know you'll help me, sir, to solve my present problem.

On the 14th November, 1938, she again wrote—

Very many thanks for your kind letter of the 11th inst. regarding Grady. I appreciate your goodness in giving me the privilege of having my boy with me.

Sir, I'll never be able to thank you for all you have done for me. It makes me very sad at times to think how very ungrateful I have been, but with God's grace and help I will endeavour to make Grady turn out to be what you expected of me. I have been a very foolish girl, I know. I have paid my price, and the rest of my road of life with our Lord's help will I keep clean.

Thanking you once again and may the Heavenly Father bless you.

One can read a good deal of sentiment into those letters. I do not want to go through the file; I do not want to say more about the case than is necessary, but I have said sufficient to indicate that the department is not to be blamed for any of the vicissitudes Gladys has suffered. In the first place a statement was made about her being a quadroon. Our records, I think, show the facts. We have had a knowledge of these people for many years, and it is of no use their trying, as some are doing, to get around the Act by making assertions that are contrary to fact. In more than one case the magistrate has refused to accept the records of the department, although they have extended back to the native's childhood. The magistrate said the records were not evidence and, as a result of that decision, and of the action of legal men at different times, the Act has been defeated.

A statement was made by Mr. Seddon that the department had adopted irritating tactics against a quadroon woman and quoted the magistrate's remarks. This is the case of a girl named Dolly Watson who, until then, had been a protegee of the department practically all her life. The fact that the case went against the department does not necessarily mean that the department was wrong in the action it took. The case was based on the evidence before the court and the court would not accept the records of the department as evidence. I may say that under a recent decision the records of the department can be accepted as secondary evidence. Otherwise there might have been a repetition of the case to which I am now referring. However, Dolly Watson was found in circumstances that were alleged to be compromising. It was decided that the girl should remain in her

position no longer and the keeper of the house was prosecuted. The claim was made in court that this girl was not a native in law, with a view to weakening the case, and her name was struck off the complaint, though the man concerned pleaded guilty and was fined. The girl was represented by counsel; the department was not. The girl, in the witness box, denied that she knew anything of her parents, and made other mis-statements, whereas the department is in possession of certain knowledge that she knew these facts. To put it plainly, her evidence was perjury and so the department lost the case.

Various facts concerning this girl did not come to light. The court did not know of the previous history of the girl in relation to the department and what it had done for her, including the care of her illegitimate child. The whole point, of course, is that this woman is not a quadroon, but is a half-caste, and therefore is the care of the department, which was only doing its duty in removing her from undesirable surroundings. Now, because of this judgment, the department is not able to safeguard this native.

In the course of his remarks Mr. Seddon made a comparison between the Commissioner of Native Affairs and Mr. Schenk which was not in favour of the Commissioner. I think that is a correct interpretation of the hon. member's remarks.

Hon. H. Seddon: I was referring to Mr. Schenk's activities.

The CHIEF SECRETARY: Comparisons are odious; no comparison is possible in this case. Some of Mr. Schenk's actions are far from being beyond reproach and certainly he is lacking in gratitude. The department is well aware of the steps he has taken to counteract its work and defeat its objects. I believe nobody can deny that the Commissioner is sympathetic. At any rate, those who have been in close association with him and the department will give him credit for understanding the natives and what is good for them. He has certainly devoted the last 20 years of his life to studying the natives, and in my opinion can be regarded as being at least one man in the State who has accurate knowledge of the natives and their requirements. The responsibility for the natives in this State is that of the Commissioner, not of Mr. Schenk.

Much was said and quoted about the admission of children to Mr. Schenk's institution. The fact that Mr. Schenk already has so many children in that institution is surely evidence that he has been assisted by the department, which has maintained them or most of them. Mr. Schenk, however, wants to take in every child in the country regardless of whether the child has parents, and naturally the Commissioner is not prepared to allow him to do so, because that is not the practice followed throughout the State. If this were allowed, the department or the Government behind the department and Parliament itself would have to find the means. The Commissioner has gone so far as he is able to go in that direction, but there are certain children he has refused Mr. Schenk, having very definite reasons which cannot be entered upon except at very great length. Evidently it did not occur to Mr. Seddon that there might be a reason for leaving a child in the bush until the alleged father had been brought to book. The department has not necessarily to acquaint the superintendent of the mission of all the reasons why certain action is taken which, on the face of it, may appear strange, but which nevertheless is necessary in some instances.

There are plenty of people in the State who would say that the Commissioner was right in refusing to grant anyone permission to start a mission in totally unsettled country where the natives had never been influenced by the march of civilisation; that, in fact, they were better left alone for the time being. However, that was not the case when Mr. Schenk suggested the commencement of the Warburton mission. It is difficult to know what the point of Mr. Seddon's assertions really is. There was a suggestion that the Commissioner insisted upon a bond being entered into, and so on. The story is a long one, but it may be said that Mr. Schenk had a lot of correspondence on this subject with the Commissioner in the years 1932 and 1933, and that the Commissioner pointed out that the men who were to go into the reserve concerned—the large reserve contiguous to the South Australian and Northern Territory borders—would require, while prosecuting their searches for a suitable site, to be under a bond as were others in connection with the same reserve at that time. The reason was given to Mr.

Schenk in a letter dated the 7th June, 1933, from which I quote the following:—

You will at once appreciate the point that since we have insisted upon these conditions being complied with in the case of every known party proceeding either from South Australia or Western Australia into this area, we cannot very well make an exception in your case. These conditions do not grant permission to remain within the area indefinitely, the period covered being generally from three to six months. We will make it six months in this case.

This information was repeated in a letter dated the 10th July, 1933—

I take it you have advised the police at Laverton that this party will not be traversing any native reserve, as it might be said we were drawing an invidious distinction if the idea is bruited abroad that the intention of this party is to get in touch with the natives within the areas referred to.

The reason for this was that we wished to treat everyone alike.

Hon. H. Seddon: Was the same policy adopted in the case of the Hasletts?

The CHIEF SECRETARY: Yes, it is adopted with regard to everybody going into that territory. Later, as Mr. Schenk knows, the Commissioner without demur gave the men the necessary facilities on the site chosen. He created a reserve and enlarged it so that it might be included in the big reserve, and fell in with the wishes of the missionaries in every respect. There is a difference between establishing a mission and teaching the natives. The department has objected to missions being established in certain centres, and I have agreed with the decision when the reasons have been given to me. It is not true to say that religious teaching has been objected to, for permission has been given to clergy to undertake this work in several instances. When a mission starts operations with the consent of the Government, the department is concerned that it shall be able to carry on the work it has begun. With regard to the mission attached to the "United Aborigines Mission," of which Mr. Schenk is a prominent member, I would say his is the only mission that has carried out its work in anything like a reasonably efficient manner. This is not to say that other missions are not trying to do the same, but we must agree that a little work well done is better than a lot of work badly done, as I am afraid is the position in many instances.

Some reference was made to what happened at Kellerberrin. I am advised that

there were several light-coloured native children in the town. The Commissioner desired that they should be educated, and he instructed that some of them should be prepared and sent to school. This was done. Because of the objections raised by local parents, the children were excluded. These people then developed a conscience and set to work to arrange for a separate school on the native reserve. Permission was given by the department for the school to be established, but it did not agree to the establishment of a mission on the reserve, though it intimated there would be no objection to ministers of religion visiting the school and imparting religious instruction, as is done elsewhere. The matter ended there, but it has since become known that a school has been built on private property nearby, although the department only heard of it to-day. That is all I can tell Mr. Seddon about this matter. A reference was also made to the Love mission. From memory, I think it had to do with the starting of another mission.

Hon. H. Seddon: Did I refer to that?

The CHIEF SECRETARY: I do not understand the reference and no officer in the department understands it. Mr. Seddon mentioned dog scalps. Ever since the discovery that the proceeds from these scalps were being paid to natives by the missions the Commissioner has endeavoured to ensure that they obtained a fair return.

Hon. H. Seddon: The statements made were very definite, namely that all the proceeds went to the natives.

The CHIEF SECRETARY: I have given the departmental side of that question. There may be a lot of truth in what was reported to the hon. member, but there is a great deal of difference between the proceeds from dog scalps being used for the assistance of all the natives, and being paid to the natives responsible for getting the scalps.

Hon. E. H. Angelo: Do individual natives get the money?

The CHIEF SECRETARY: The missions have been paying between 4s. and 5s. per scalp, and only after representations were made by the department was that altered. Possibly the missionaries used the proceeds for mission enterprises. I would not doubt that. If a scalp is worth two guineas, and the native receives only 4s. or 5s., the missions must be exploiting them. I cannot describe their action in any other way. The

Commissioner advises me he has only just succeeded in inducing the missions to alter the scale.

Reference was also made to the native Munmurric. Members can see the file that has been laid on the Table. Had Munmurric been a white man, he would probably have gone to gaol. Instead of that the department treated him sympathetically, and secured temporary employment for him with the police. The native was satisfied until he was disturbed by a messenger, who was apparently sent by a missionary to interview him. He told the magistrate he was perfectly satisfied.

Hon. H. Seddon: The Leonora magistrate; that is correct.

The CHIEF SECRETARY: I remember the case coming before me in the office, and have a pretty fair knowledge of the circumstances. The department has acted strictly within its rights. The native undoubtedly misbehaved himself in more ways than one. Apparently he married contrary to the tribal law. Although he appears to be of good character—quite a number of people think so—there is no denying the facts on the files. The native was not doing what he should have done and was a source of very serious trouble. He went to Kalgoorlie with a railway ticket with which he was provided, but instead of proceeding to his place of employment, he became drunk and created trouble. According to Mr. Seddon, he made statements that are not strictly correct. In more than one instance the hon. member was careful to say that the statements he was making had been given to him by natives. Mr. Schenk also refers to that fact, but in some instances he prefers to believe the natives rather than the department. If the department believed the evidence of the natives without having regard for anything else, the evidence would rather upset Mr. Schenk. We do not use it in that way. We endeavour to verify all statements and are careful about using the evidence provided by natives.

Hon. H. Tuckey: What caused this native to jump out of the carriage window?

The CHIEF SECRETARY: Because he was arrested. He was associating with another native named Sinclair, who was causing a good deal of trouble. A serious position arises when one or two men of that type get together. At Karonie we have a rationing station and an officer in charge.

and discipline there must be maintained. Members have only to read the file to see what took place.

Hon. H. Tuckey: Was he arrested at Karonie?

The CHIEF SECRETARY: He was arrested at Kalgoorlie when he should have been in Karonie. Mr. Seddon said the reason for his desire to escape was that he wished to return to his wife and thought some harm might happen to her because he had married contrary to tribal law. It is easy to build up a case that will excite the sympathy of people who do not know the facts. I understand that Munmurrie is a good type of man, is capable of doing good work, and bears quite a satisfactory reputation with a number of employers. With one or two employers, however, his reputation is not so good. Nevertheless it was considered necessary, in the interests of the natives in the district, to transfer him elsewhere. As is borne out by the statements of the resident magistrate in Kalgoorlie, we succeeded in finding the man temporary employment with the police as a tracker. Mr. Seddon branded that action as savouring of press-gang methods of bygone days.

Hon. H. Seddon: Will you explain the conditions under which trackers are employed?

The CHIEF SECRETARY: A tracker is employed by the Police Department, and is looked after by the policeman to whom he is attached. He receives food, clothing and a few shillings a week. But for this employment, Munmurrie might have been in gaol. Had a white man been concerned, he would not have been employed as a tracker but would have been sent to prison. Had Munmurrie gone to prison, he might still have been employed as a tracker. Many trackers have been natives with records.

Reference has been made to a native boy and a bicycle. Inquiries show that the bank balance of the lad was in order. He was recently provided with a bicycle, for which he had asked. The department has been criticised for not supplying bicycles to natives. In recent times quite a number of machines have been supplied. Everything depends on whether a native has a sufficient balance in hand to enable him to acquire a bicycle.

Hon. J. Nicholson: For what purpose was this boy supplied with a bicycle?

The CHIEF SECRETARY: So that he might ride from his place of employment to certain social meetings he likes to attend.

Hon. J. Nicholson: A very fortunate lad.

Hon. E. H. Angelo: It was his own money.

The CHIEF SECRETARY: Mr. Seddon made strong reference to the Ashwin case. I do not wish to refer extensively to the case because all that has been done so far has been strictly in accordance with the law. The affairs of the estate have taken a long time to arrange and received much attention before the passing of the Native Administration Act. In those days the Curator of Intestate Estates handled the case, but later the Commissioner of Native Affairs took charge. Members will recollect that the Act provides for that being the responsibility of the Commissioner instead of the Curator. The matter was finalised within the last week or two and the distribution to the beneficiaries will be effected in due course. Some of the beneficiaries are minors under the care of the department, while others are being located with a view to being given their legacies. In some instances, almost the full amount has already been paid over while in other cases the parties concerned are being notified of amounts available. Mrs. Trilby Cooper's case was the one referred to by Mr. Seddon.

Hon. H. Seddon: That is so.

The CHIEF SECRETARY: In that instance there is a contra amount that exceeds by far the legacy, but whatever the position may be, the Commissioner is acting in accordance with the powers conferred by the Act. Members may rest assured that the parties concerned will be treated fairly. The Commissioner in dealing with such matters has necessarily had to consult the Crown Law Department on various phases and I have sufficient faith in that officer, from my long experience of him, to realise that any action he may take will be in the interests of the natives. Some of the parties are at the Mt. Margaret Mission and the Commissioner intends to ensure that the beneficiaries themselves, and no one else, will receive the benefits due to them. The Commissioner is responsible for distributing considerable sums of money from time to time and I do not mind what member of this House may care to inquire, I shall be surprised if he can take exception to the actions of the Commissioner in that respect. No attempt has been made to withhold

money, although the Act gives the Commissioner power to do so. One member said the Commissioner could do what he liked with the funds. Such an allegation is ridiculous. The Commissioner can do only what the law provides. He takes the place of the Curator of Intestate Estates in dealing with native matters, and members who have any knowledge of that office will recognise that if the Commissioner carries out his duties in the same way, there will be little cause for complaint.

Regulation 101 is also included in Mr. Seddon's motion. I have wondered whether he was not in error in quoting that regulation because it refers to appeals by whites, not by natives. I do not know whether he recognised that fact. Surely a month is sufficient to enable a white man to prepare his case, if he has one. He may reside a long way from where the magistrate is located and he is entitled to have at least a month's notice. From what Mr. Seddon said, and in view of criticism elsewhere, I am much inclined to the opinion that wrong constructions have been placed on many of these regulations. I do not like to say this has been done deliberately, but the arguments advanced show that critics have no proper understanding of the real meaning of the regulations. Take Regulation 103, which was quoted by Mr. Seddon. It provides that no legal practitioner shall be engaged by either side, and was framed deliberately. Before the regulation was prescribed, the Commissioner of Native Affairs consulted one or two members of Parliament interested in the native question in order to get their points of view. Largely on account of the cost, it was considered inadvisable that legal men should be allowed to appear in matters of this description. The Commissioner does not mind. If a legal practitioner should be permitted in the interests of the native, then the Commissioner must also be allowed the services of counsel. Seeing that Regulation 103 does not deal with matters of law but merely affects the suitability of persons, the department considers there is no necessity to incur costs that may not be met by the persons concerned. Members will agree that where legal questions are not involved but merely matters of fact, it is desirable to keep the legal fraternity out of the discussions.

Hon. J. Nicholson: But lawyers might be of benefit to the natives.

The CHIEF SECRETARY: I admit that, in some instances.

Hon. E. H. Angelo: And the time taken to settle matters would be much shorter.

The CHIEF SECRETARY: I find it hard to understand Mr. Seddon's real objection to Regulation 112. The point is that if the Commissioner does not object to the marriage of two natives and does not indicate his objection within a month after receiving the forms containing the necessary particulars, the parties can carry on. Surely that should be considered satisfactory.

Hon. H. Seddon: My objection there was that the parties' communications may not be acknowledged, and the marriage held up indefinitely.

The CHIEF SECRETARY: It is that is the only objection, the hon. member certainly misjudges the Commissioner, or his deputy, as to the attitude to be adopted in such instances. As I pointed out earlier, knowledge of the parties contracting marriage is necessary. The regulation simply provides that they shall make application to the Commissioner, who shall then notify the natives whether he raises any objection to the ceremony proceeding. If the parties receive no notification within one month, they can proceed with the marriage. The Commissioner assures me that almost invariably—there may be odd exceptions—such applications are replied to immediately. If no exception is taken to the prospective marriage, notification accordingly is promptly despatched. He also advises me that in some instances he has raised the strongest objections for various reasons. As the Act provides that the parties shall have the right of appeal to a magistrate, the contention that the Commissioner has power to prohibit marriages is not correct. If such matters go before a magistrate the decision is entirely in his hands. If the Commissioner cannot justify his attitude, the magistrate will determine the matter, and whether his decision be affirmative or negative, all concerned must be satisfied.

Neither can I understand Mr. Seddon's objection to Regulations 114 and 115. Those regulations were framed to give the contracting parties access to the magistrate who is to deal with their appeal. I do not know whether Mr. Seddon has anything else to say regarding those regulations.

Hon. H. Seddon: My objection was to the difference in the times allowed under those

regulations and under Regulation 6, respectively.

The CHIEF SECRETARY: Then I need not deal further with that. As to Regulations 141 and 142, I think I am fair to the hon. member when I say his contention, in effect, was that all natives should be exempted from the application of the Native Administration Act until such time as the Commissioner for Native Affairs had applied to a competent authority to declare that the parties concerned were natives within the meaning of the Act.

Hon. H. Seddon: That was my contention.

The CHIEF SECRETARY: Mr. Seddon is one of the very few persons throughout the Commonwealth who would support a contention of that kind. We know that quite a number of natives are well educated and live very good lives. They are excellent citizens in the districts where they live. Would it not be easy for such people to apply for exemption from the Act? One condition always stipulated is that the person making application for exemption shall not live the life of a native or associate with natives.

Hon. H. Tuckey: That is very important.

The CHIEF SECRETARY: That is the test. Members will agree that to issue a certificate of exemption to a native who lived with, or associated with, natives would be wrong, because the issuing of a certificate is supposed to be the guarantee that such a person is living as a white man and is entitled to all the privileges of white citizens. The object is to ensure that the exempted persons live as nearly in conformity with the customs of the white man as is possible. We do not expect them to conform entirely to the mode of life of the average white man. We know of half-castes who would be entitled to exemption, but for one reason or another they decline to apply for exemption. They are the natives in whom the State is extremely interested; they say they are not natives. They live almost the same as do white men, but they appear to regard it as *infra dig* to apply for exemption. I believe the policy of granting exemptions is the only one that can be successfully carried out. If a person desires exemption and inquiries elicit that he is living with a woman who is not his wife, obviously that individual is not living up to the standard expected of white men. In one or two

rather glaring instances applications for exemption have not been granted on that account. If parties are married and they are entitled to exemption, certificates are issued where the circumstances are such as the Act contemplates, but members will agree that it would be quite absurd to issue such certificates to persons who continue to live as natives.

Again, the question of intoxicating liquor has an important bearing on the granting of these exemptions. We have found that nine times out of ten almost the sole reason for requesting an exemption is that a native may enter a hotel for one purpose or another. I have known of one or two applications by natives—half-castes—perhaps travelling with sporting bodies, that were not allowed in hotels as were other members of the team. Frequently the only disability that natives feel they suffer is that they are not entitled to enter a hotel and obtain intoxicating liquor. Those members who have any knowledge of this subject are aware of the danger if intoxicating liquor is supplied to a native. Members are probably aware of the great trouble that has been experienced from time to time in dealing with matters of the kind in connection with native camps. Many instances can be quoted of exemption having been granted and of natives entering hotels and purchasing intoxicating liquor and, with the generosity for which the native is noted, distributing it amongst his friends and associates in the camp. When that occurs members can understand what follows.

Regulation 144 was the subject of comment by Mr. Seddon. It may be that one of the parties who has been granted a certificate of exemption has become a backslider, to use a missionary term. An exempted man may be separated from his wife and she would no longer be afforded the privilege of exemption unless she herself was granted a certificate. Surely we should be able to adjust a matter of that kind between the two parties. An exemption is usually granted to a man and his wife, and children under the age of 14. If a man has become a backslider and we deprive him of his exemption, the wife and other members of the family would need to apply for exemption. Regulation 149 is another that the hon. member included in his motion, but I cannot quite understand the

nature of his objection. That also deals with certificates of exemption and particularly the matter of appeal to a magistrate. Regulation 151 was presumably included by the hon. member because, in another instance, no legal practitioner may be employed by a native. The same reasons apply in this instance. We do not wish to put a native to the expense of engaging counsel in a case that would not involve any question of law.

Hon. J. Nicholson: One or other of the societies may be willing to assist him.

The CHIEF SECRETARY: The native may have assistance if the person helping him is not a legal practitioner. If the native were permitted to employ a legal practitioner, the department would have to do likewise.

Hon. J. Nicholson: The department has the Crown Law officers.

The CHIEF SECRETARY: But perhaps a legal practitioner would have to be sent hundreds of miles to appear in a case, and anybody can appreciate the expense attaching to that. Seeing that the question involved would be one not of law, but purely of fact, surely representation by a legal practitioner is unnecessary. The question would be one of the character of the individual. Therefore we say there is no need for counsel to appear. If the House insisted upon a native having a right to employ counsel, we would raise no objection, but the department would be forced into the position of also employing counsel.

The hon. member, when objecting to Regulation 6, mentioned the time which, he stated, would give the native only five days' notice of the hearing. The hon. member, when corrected, admitted that his interpretation was wrong. The regulation says, "not less than five days." This regulation relates to the declaring of a quadroom to be classed as a native, and states—

(a) The application shall be lodged with the magistrate to whom it is desired to apply for the order, and the magistrate shall thereupon fix a date for the hearing of the application which shall not be less than five days after the day when notice is served on the native as hereinafter prescribed.

(b) If for any reason a notice has not been served so as to allow the necessary time stipulated in the preceding paragraph the Commissioner shall obtain a fresh date of hearing and effect service conformably with the preceding paragraph.

(c) Service shall be effected by delivering the notice personally to the person concerned.

Nothing could be fairer. There are not likely to be many cases, but when a case does arise the decision will rest with the magistrate.

Hon. H. Seddon: Why five days in one case and a month in the other?

The CHIEF SECRETARY: It is in the interests of the natives that that should be so. The other case has reference to a white man being given time to prepare his case. A native might be many miles from a magistrate, and it might not be possible to get the notices out as quickly as would be desired. We have drafted these regulations with a view to assisting the natives and I think a very good case has been presented in justification of that statement.

Regulation No. 39 deals with the censoring of letters. The hon. member was very definite in his objection to this regulation, but if he could only see some of the letters that have passed between inmates of the settlements he would have no hesitation in saying that the regulation was necessary. Other departments are given power of a similar kind. For instance, the Child Welfare Department, the Lunacy Department and other departments have a similar regulation. While power is given to censor every letter, that is not the actual practice. Generally the officials know who may be trusted, and only when suspicion arises are the letters likely to be intercepted. At the same time, I assure members that there is a particularly good reason for the regulation.

Hon. E. H. H. Hall: Will you briefly indicate the reason that prompted the framing of that regulation?

The CHIEF SECRETARY: I have already said that it is to enable us to deal with letters that would be very undesirable for anyone to receive.

Hon. E. H. H. Hall: Written by children?

The CHIEF SECRETARY: Dealing with wards of the department and covering all sorts of subjects. I do not wish to say anything more on that aspect. In more than one instance such letters were aimed at defeating the efforts of the department.

Regulation 85 relating to the department holding a proportion of the native's earnings in trust for him was strongly condemned by the hon. member. I have already made some remarks on this point. This almost invariably applies to

natives who are under 21 years of age or who are females. It applies as a rule when the department sends these people out to employment. I understand we have applied it to one or two adult natives, and there have been very good reasons for adopting that course. In one or two cases the regulation has been applied to prevent the exploitation of natives, the department having been aware that the previous employees did not receive their full wages. There has been considerable trouble on this score. I understand the regulation has also been applied where natives have refused to recognise their family responsibilities and a proportion of the wages paid under this arrangement has been utilised for the maintenance of dependants. Such cases, however, are very few. Nevertheless, this power is desired.

Hon. E. H. Angelo: The regulation will not be generally applied?

The CHIEF SECRETARY: No, it will apply to a mere handful outside the wards of the department. When the male wards attain the age of 21, they receive their bank books, if they so desire, or are paid a cheque and their account is closed and they are free to open an account themselves.

Hon. E. H. Angelo: Can employers in the North pay natives their wages without making deductions unless instructed to do so?

The CHIEF SECRETARY: Of course they can.

Hon. E. H. Angelo: I was objecting to the regulation on that ground.

The CHIEF SECRETARY: There is no restriction in that way. The regulation applies to a native who is sent from the department to an employer.

Hon. E. H. Angelo: It does not apply generally?

The CHIEF SECRETARY: An agreement might be made to pay a native £1 per week plus keep, and in that event 75 per cent. of the earnings would be paid to the department and 25 per cent. to the native. We provide that where the 25 per cent. is paid in that way it shall be noted in a pocket money book. In many instances the department has had to step in to ensure that the natives received their just dues. But for the department, they would not have got their dues. Many employers would not be permitted to engage a native from the department unless they were willing to enter into an agreement of this kind. Let me remind

members that we have the experience of Queensland before us. I have a copy of the Queensland regulation. Members say we are going to extremes, but in Queensland a native may not be employed unless this method is adopted.

Hon. J. Nicholson: Any native at all?

The CHIEF SECRETARY: That is so.

Hon. J. Nicholson: Whether of full age or a minor?

The CHIEF SECRETARY: Yes, and the native must be paid in accordance with the award. The Queensland regulations provide that a percentage of the earnings shall be paid to the department.

Hon. J. Nicholson: You might read it.

The CHIEF SECRETARY: There is also provision covering the food to be supplied by the employer and the other conditions to be observed by him—

Wages and conditions.—All employees to be engaged shall be engaged under agreement and/or permit.

We have reversed that. We say that they shall be employed under permit or agreement. That is the reason why we are so insistent that the permit system shall continue. We want to know where these natives are being employed, so that we may have some check on whether they are receiving the wages and conditions to which they are entitled. The Queensland agreement or permit must be in accordance with the provisions of the Act, as directed by the local protector. The agreement is to be in the form prescribed in the schedule to the regulations, and wages must be paid in accordance with the terms of the agreement; otherwise such wages shall be deemed not to have been paid. There are also provisions as to payment of pocket money to the native employee, and as to the prices which he may be charged. There is a whole host of these regulations. One prescribes in detail the food to be supplied to him, and provides for the cooking of it.

Hon. J. Nicholson: The menus are quite attractive.

The CHIEF SECRETARY: In regard to sleeping accommodation, all sorts of conditions are laid down, even the air space to be provided. Someone has objected to mosquito nets being stipulated here in Western Australia. In Queensland they are to be found in every house.

Hon. J. Nicholson: In Queensland there used to be mosquitoes that carried us out of bed.

The CHIEF SECRETARY: Those who know the North realise the need for a regulation of that kind. It resulted from the epidemic of tertian malaria. Were these things not supplied, it is quite possible that anybody and everybody might be infected. Regulation 106 I have already dealt with. Yesterday I complained that Mr. Seddon had proved himself misinformed on this question. I know very well that if I had set out to reply to him as I wanted to do, there would have been no other business taken to-night.

Hon. J. Cornell: We shall not have much other business now.

The CHIEF SECRETARY: I have endeavoured, to the best of my ability, to give the House an outline of the position as I know it after several years' administration of the department. I can only repeat what I have said many times: the regulations are absolutely essential.

Hon. W. J. Mann: All of them?

The CHIEF SECRETARY: Every one of them. There is not one that can be described as not being essential. If these regulations are to be disallowed, we shall have to make other regulations, and the great majority of them would be framed on somewhat similar lines to those now under discussion. I am not for a moment asserting that there is not room for any improvement, but I do not think the way to obtain improvement is to disallow all the existing regulations, or numbers of them.

I desire to make perfectly clear that on this occasion I have been forced, much against my will, to make some statements which have no doubt surprised members, which will surprise people outside, and which will greatly astonish many people associated with missionary effort in this State. I wish it to be quite clear that my remarks do not apply to all missions or all existing missionaries. The instances I have quoted have occurred in the last ten years and can be verified from departmental documentary evidence, and other instances could doubtless be furnished if time and trouble were taken to dig them out of our records. I appreciate, and the department appreciates, the very great help some missionaries have been to the natives of Western Australia. We have at all times desired the closest co-operation with everyone associated with this question. Unfortunately, co-operation has not always been granted. The reason is that our friends

have not seen eye to eye with the department. They have thought their ideas, and not the department's, were the ideas that should be put into operation. Of course that kind of thing cannot continue.

If the Government has a native policy, that is the policy to be put into operation. Our policy under the new act is determined to a great extent by the decisions arrived at by the Canberra conference of last year. We are endeavouring to put those decisions into operation to the best of our ability. We know there will be opposition in some quarters. We know we shall not be able to bring the decisions to full fruition for many years to come, but they certainly represent the objective we are very keen to attain and some authority must decide. The sooner we get co-operation from missionaries and missions and the other good people who are prepared to devote some of their time, energy and money to the interests of the natives, the sooner we shall reach that stage. I know there are probably some points on which we shall have to agree to differ. The Government, as the Government, must necessarily retain control of a department such as this. I believe I have to-night given sufficient reasons to show that it is absolutely impossible for the Government to allow the control of the department to be taken out of its hands, as some people desire, and for the reasons I have advanced, I oppose the motion moved by Mr. Seddon.

HON. E. H. ANGELO (North) [9.54]: I have listened to-day to one of the most illuminating and most instructive addresses that I have heard during my 21 years in Parliament. My only regret is that such a full description and explanation of the department's activities was not given to Parliament some years ago. Had it been so, a great deal of the current misconception and misunderstanding as to the ability and activity of the Commissioner of Native Affairs could not exist. The Chief Secretary in fairness to himself and to the Commissioner, and for the good name of Western Australia, should have his speech printed in pamphlet form and see that every religious body interested in missionary work, every association that has criticised the work of our department, and every Australian newspaper is supplied with a copy.

Hon. W. J. Mann: There are shocking things in the report.

Hon. E. H. ANGELO: There is no need for any newspaper to reprint shocking details. Moreover, the Minister has been careful not to mention a single name to-day.

Hon. W. J. Mann: He mentioned matters of disgrace.

Hon. E. H. ANGELO: But has he not made a complete defence of the good name of our department? It is the good name of our department that I hope to see acknowledged throughout the world. Articles have appeared in the Press of the Old World, even in the London "Times," condemning our people and our Government for the treatment accorded to the natives. To that I do not think there can be a better answer than the Chief Secretary's speech. There is no need for newspapers to publish unsavoury details that were necessarily included in the speech. I should also like to have a considerable number of copies sent to our Agent-General, so that when he hears or sees criticism of our department, he will be able to forward a copy of the speech as practically the history of what our department has done and is doing.

I have had numerous complaints from people in the North regarding some of the regulations, and I personally shall be glad to have copies of the Minister's speech to send to those people. I had intended to support the motion, but after the Minister's full explanation—especially of the regulation authorising deduction of portions of the wages of natives, which I understood to be general—I am disinclined to do so. The Minister's explanation of that particular regulation convinced me that it is a proper regulation. I am sure a copy of the Minister's speech would convince correspondents in the North from whom I have had complaints that the department is doing all it possibly can.

Hon. W. J. Mann: Well, I am surprised at you!

Hon. E. H. ANGELO: I do know that what the Minister has said is true; we have his word for it. Never before have we had a narrative explaining the position as we have heard it explained to-day. I again congratulate the Minister on having given such a full and complete review. I applaud him for the cautious way in which he accomplished the task. He has kept back every name. At the same time he has told us, "There are the proofs if you will only take the trouble to read them."

It will be our own fault and loss if we do not read them. I for one am prepared to take the Minister's word for everything he has said.

Hon. J. Nicholson: But you will read those things?

Hon. E. H. ANGELO: Yes. They will take some time to read. I rose only to recommend that that speech should not be deprived of its full effect by merely being delivered to a few men here. This explanation should be broadcast not only throughout the length and breadth of Western Australia, but also the Commonwealth, as a reply to the criticism of the administration of our Department of Native Affairs. The Minister's explanation is also a reply to people elsewhere who have criticised the department. I again suggest to the Minister that he send a copy of his speech to the Prime Minister. He should also point out that this State, with one-sixteenth of the people of Australia, is being asked to perform the almost impossible task of caring for two-thirds of the natives of Australia. That is not fair. The care of those natives is, in my opinion, a Commonwealth rather than a State responsibility.

Members: Hear, hear!

Hon. E. H. ANGELO: The Federal Government should accept its full share of the responsibility. The cost of caring for our natives should be borne by the taxpayers of Australia, not by a small section of the taxpayers. Not only do we as a State bear this heavy expense; we, as taxpayers of the Commonwealth, also contribute towards the expense of caring for the natives of the Northern Territory. An extremely good case could be made out for the granting of considerable financial assistance by the Federal Government to carry on this very important work, and so keep good the name of Australia. I cannot support the motion for the disallowance of the regulations.

On motion by Hon. E. H. Hall, debate adjourned.

House adjourned at 10.3 p.m.