

to get on with the business on Tuesday and Thursday of next week. If the hon. member will agree to postpone the debate until Tuesday next this could be done.

Hon. W. Kingsmill: The leader of the House knows perfectly well that this amendment of the State Children Act is so extremely controversial, and affects so many people who hold directly opposite views to those expressed in the Bill, that an adjournment until next Wednesday is too short. I thought myself, when I moved the adjournment until next Wednesday, that I was making it too short.

Hon. H. Stewart: Make it Thursday.

Hon. W. Kingsmill: Well, if I leave it at Wednesday it will automatically become Thursday if we do not meet on the Wednesday. But in regard to the length of the adjournment, the Colonial Secretary must know that there will be a great deal of controversy over the Bill, and that being so I do not think that I was at all immoderate in asking that the debate be adjourned for one week.

Hon. Sir E. H. Wittenoom: The hon. member apparently misses the point. Probably we shall not sit on Wednesday next, on account of the Royal Agricultural Show, and therefore the adjournment of the debate can be made "until next Thursday."

Hon. W. Kingsmill: It will automatically become next Thursday if we do not sit on the Wednesday.

Hon. J. W. Kirwan: As we are not going to meet on Wednesday next, and as Thursday is always a short day, may I suggest that we adjourn over next week in view of its being Show week? No doubt agricultural members will be glad of the opportunity to attend the Show, while other members from remote districts will not be required to come to Perth. It seems to me we shall have very little to do next week and, that being so, we could well adjourn until next Tuesday week.

The President: Then the adjournment of the debate on the State Children Bill is to remain as originally moved. The question of the adjournment of the debate on the Interpretation Bill has yet to be settled. I will put it to the Council as moved, namely, that the debate be adjourned till Wednesday, 9th October.

Question put and passed.

ADJOURNMENT—ROYAL AGRICULTURAL SHOW.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [5.54]: I move—

That the House at its rising adjourn till Tuesday, the 15th October.

I do this in accordance with the suggestion made by Mr. Kirwan. I am only anxious to meet the convenience of hon. members and no doubt it will suit hon. members to have a free week next week, and afterwards sit longer hours in order to get through the business which probably will have accumulated. I am perfectly ready to fall in with the wishes of hon. members if they have any alternative to suggest. It makes no difference to me.

Question put and passed.

House adjourned at 5.56 p.m.

Legislative Assembly,

Wednesday, 2nd October, 1918.

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

[For "Questions on Notice" and "Papers Presented" see "Votes and Proceedings."]

QUESTION—DEPARTMENTAL REPORTS.

Hon. P. COLLIER (without notice) asked the Premier: When may we expect the report of the Auditor General for last year, also the reports of such departments as the Railways, Mines and Water Supply? I ask this because it is essential that the House should be in possession of these reports, particularly that of the Auditor General, before we proceed to discuss the financial statement of the Treasurer.

The PREMIER replied: I am not in a position to reply to the hon. member. Perhaps those Ministers in charge of the particular departments concerned will be in a position to inform the House.

Hon. P. Collier: They are all late. They have generally been down before this.

The PREMIER: I shall be pleased to inquire into the matter, and see that the reports are laid on the table of the House.

BILLS (2)—FIRST READING.

- (1) Government Railways Act Amendment.
- (2) Midland Railway Lands.

Introduced by the Minister for Railways.

MOTION—KULIN AND PERENJORI HOTEL LICENSES.

To inquire by Royal Commission.

Hon. P. COLLIER (Boulder) [4.37]: I move—

That in the opinion of this House a Royal Commission should be appointed to inquire fully into—(1.) The forfeiture of Conditional Purchase and Homestead Leases formerly held by one W. J. Curtis in the Kulin District; (2.) The conversion of the said leases into a Grazing Lease and the granting of the same to A. L. Johnston; (3.) The interest, if any, ever held in the said Grazing Lease by one W. M. Butler, an agent at Wickiepin, and the whole of the circumstances and history of an application for a provisional certificate for a hotel to be erected on the said Grazing or Homestead Lease; (4.) The conduct and attitude of the Lands Department, the Titles Office, the Agricultural Bank; the Magistracy, the Police Department, and the applicants and their agents in reference to the abovementioned leases, and the application for a provisional certificate in respect thereto, and in respect also to the application for a provisional certificate at Perenjori, and upon all matters relating to or affecting the said leases and applications at Kulin and Perenjori respectively, the Commission to have

power to report and make such recommendations as it may think fit, and to do all things necessary to obtain the fullest information upon the matters herein submitted to it.

I am asking the House to agree to the appointment of a Royal Commission to inquire into the matters outlined in the motion, because I think the disclosures which have been made during the past month or two, particularly with regard to the files which have been laid on the Table of the House, demand at least that the doubt or suspicion that may be left in the public mind should be cleared up. It is in the interests of those concerned in these matters that they should be cleared up by a tribunal which this House and the public have confidence in. Certainly I think the files show that at least a *prima facie* case has been made out for inquiry. I propose to refer first of all to an application for a provisional certificate at the townsite of Perenjori. This has already been discussed on the Address-in-reply and the House is fairly well acquainted with the facts. On reference to the files I find that the matter was first brought forward by Mr. Rowley, who was Acting Surveyor General, in a minute addressed to the Under Secretary for Lands and dated the 1st October, 1917. The minute says—

The Under Secretary for Lands.—Very similar conditions prevail at Perenjori as those existing at Ballidu. (2) These town-sites are situate on the Wongan Hills-Mullewa line, and Perenjori is 89 miles north of Ballidu, or about midway between Ballidu and Mullewa. (3) I recommend that the same rent be fixed for this hotel site as was approved for the Ballidu site, namely, £30 per annum, all other conditions being the same, see page 30 of 1508/14 attached, and also the slip hereunder, page 22, being the conditions that were fixed for the Kulin townsite.

The Under Secretary for Lands submitted the minute to the Minister for Lands (the Premier), and he said—

I recommend that an upset price of £30 be fixed in this case.

The Premier approved of the recommendation on the 15th October. That approval on the part of the Premier means that he had decided that the Perenjori block, which had been reserved for an hotel site, should be disposed of on the same terms and conditions as the Kulin block, which had been dealt with at a prior date. It is essential to remember that the Kulin block at that time had been disposed of on a 15 years' lease at a ground rent of £50 a year, the right to erect the hotel being put up to auction. Mr. King, as Under Secretary for Lands, writes to the Minister for Lands on the 17th April, 1918—

The question of an hotel at Perenjori has been under consideration for some time. There have been several letters from the Farmers and Settlers' Association urging that one be established and the latest is on page 28. (2) Do you consider this sufficient evidence in respect to an hotel to enable you to recommend Cabinet to approve? (3) The block shown on the litho., page 22, is reserved for an hotel site and the State Hotels

Department have indicated on page 6 that there is no prospect of a State hotel being erected.

To that the Honorary Minister, who was Acting Minister for Lands, wrote—

It seems that a hotel is necessary, and therefore I recommend to Cabinet that block No. 9 at Perenjori be sold for that purpose at an upset price of £100.

It will be noted that this recommendation of the Honorary Minister is in conflict with the terms approved of by the Premier earlier, which were that the block should be disposed of on the same conditions as those which obtained with regard to the Kulin block. But the Honorary Minister apparently did not hold the same view as the Premier. He considered that the freehold of the block should be disposed of. That recommendation was submitted to Cabinet, and Cabinet approved of it on 26/4/18, so that Cabinet apparently did not hold the same view as the Premier with regard to the conditions. The first time that the extraordinary conditions imposed upon the lease seem to appear on the file is in a letter addressed to Mr. Beattie, secretary of the Farmers and Settlers' Association at Perenjori, and there we find the conditions under which the land is to be sold, namely, that it was to be used only for a hotel purpose, and that an application for a license be made at the next sitting of the Licensing Court, and that the premises be erected within 12 months of the date of the granting of the license. There is nothing on the file to indicate as to who is responsible for having adopted those conditions. Cabinet approval was merely that the freehold of the block should be disposed of without any conditions attached, but who first suggested those conditions, or where they originated, does not appear on the file. Evidently the Honorary Minister is responsible for them. It is rather a strange thing that there are no documents on the file to indicate that they were put forward by anybody or even that they were approved of at that time by the Minister. As we know, the block was eventually put up and sold subject to these conditions. The purchasers were Mr. Loftus Connor and Mr. Alfred Lawrence Johnston. A letter was sent from the Lands Department to both of these gentlemen informing them that they had secured the blocks, and asking whether they desired to have the blocks held as tenants in common. Mr. Loftus Connor replied stating that he did, and there is also a letter on the file from the agent of A. L. Johnston setting forth his reply. It is interesting to note that this letter was written on the official paper of the West Australian Club, Perth.

Mr. Piesse: He is a member of the club.

Hon. P. COLLIER: Who?

Mr. Piesse: S. S. Johnston.

Hon. R. H. Underwood (Honorary Minister): There are other Johnstons in that club, Ora Banda Johnston.

Hon. P. COLLIER: It must be a Johnston club.

Hon. R. H. Underwood (Honorary Minister): Johnsonian.

Hon. P. COLLIER: There is nothing irregular in a man writing from a club or anywhere else where it may suit his convenience.

Mr. Johnston: Do you question the bona fides of that letter?

Hon. P. COLLIER: In what way? I do not question the bona-fides of it. I will read the letter—

Perth, 17th Aug. To the Under Secretary for Lands, Perth.—Dear Sir, In reply to your letter of the 6th, I beg to inform you that I desire to hold Perenjori Lot No. 9 with Mr. Connor as tenants in common. I saw Mr. Connor on the subject to-day and he wishes this also, and has promised to write accordingly. Yours truly, A. L. Johnston, by his agent, S. S. Johnston.

I do not know who S. S. Johnston is.

Mr. Johnston: A returned soldier.

Hon. P. COLLIER: Oh yes. Then we come to the famous letter to the police. I do not wish to weary the House by reading it again; it has already been read, but it discloses a state of affairs which requires the closest investigation and which, in my opinion, borders on the scandalous. We know, the matter having been ventilated in this House, that one of those who called upon the Under Secretary for Lands and made a request that the police be acquainted with the conditions under which the block was purchased, was the member for Williams-Narrogin, who was accompanied by Mr. Loftus Connor. First of all we were told in a minute by the Under Secretary for Lands that the purchasers called, and after some pressing by the member for Kanowna as to the identity of these purchasers, we find that one of those who called was the purchaser and the other, so far as the file shows, was not a purchaser but was interested to some extent; and he used his influence apparently with the Under Secretary for Lands. The Under Secretary has made a report to the Minister which has also been placed on the file. In that report there is a statement that the letter was written with the view only of making the police acquainted with the terms and conditions under which the block had been sold. But the letter certainly goes much beyond that. The explanation is that it was unfortunately worded. It is unfortunate that a man holding such a high and responsible position should so word a letter as that letter was worded, if the only desire was to convey certain information to the Police Department. The Under Secretary for Lands in explanation, says that the Police Department would accept it as such knowing that he, the Under Secretary, had no authority as an officer in one department to give instructions to officers in another department. This is the statement made by Mr. King in the final paragraph of his report—

A good deal seems to have been made over the fact that the letter was so worded that it might be taken as an attempt to instruct the Commissioner of Police as to his course of action, but anyone familiar with departmental procedure would know that no head of a department would take an instruction from the head of another department, or would in case of the receipt

of a letter worded similarly to the one referred to regard the wording as other than an oversight.

If we turn to the police file we see what view the police took of the matter. We find that on the 30th August, 1918, Constable Robinson made a report to his superior officer relative to the blocks, in which he stated that Mr. Loftus Connor and M. Roberts were applying for provisional certificates for Perenjori and Dalwallinu respectively. He adds—

I have to report that the acting clerk of courts informed me that the above-named persons were making applications for a license on the 6th. I asked for a copy of the applications, but he informed me it was not for him to supply me with copies.

Then the Chief Inspector of Police, Mr. McKenna, sent this instruction to Constable Robinson—

All applications for licenses under the Licensing Act are to be opposed unless instructions to the contrary have been received, and unless otherwise instructed you will oppose both the applications referred to in this report.

That instruction from Mr. McKenna was dated 2/9/18.

Hon. T. Walker: No change of policy then.

Hon. P. COLLIER: The Chief Inspector of Police thus gave definite instructions to the constable that he was to oppose both these applications. But on the same day, the 2nd September, the letter from the Under Secretary for Lands which we know so much about, was despatched to the Commissioner of Police. Evidently it had not reached the Police Department at the time Mr. McKenna sent his instruction to Constable Robinson. There can be no equivocation about the letter, and I venture to say that the tale of the under secretary that it was unfortunately worded will not be accepted by any common sense man. The final paragraph of that letter reads—

I shall therefore be glad if you will instruct your local inspector in the circumstances that as the purchaser is only complying with the terms of approval it will be inconsistent on the part of the Government for any opposition to be put forward. The Commissioner of Police minutes this to Chief Inspector McKenna to note. Mr. McKenna takes action at once, that is to say, on the next day, the 3rd September, he sends this on to Constable Robinson—"For your information; the application in this instance is not to be opposed." We have therefore the facts established that the instruction from the Lands Department was not viewed in the light in which Mr. King said it would be viewed, and in which any head of the department would accept it. This was taken by the Commissioner of Police as a definite instruction, and it was acted upon accordingly. It is a most remarkable thing that the Commissioner of Police should so act without getting instructions from his Minister. It is not the practice for an officer

occupying a position such as Commissioner of Police or the head of any department to take instructions on an important matter of this kind from an officer in some other department.

Hon. F. E. S. Willmott (Honorary Minister): That is exactly what Mr. King says.

Hon. P. COLLIER: The Commissioner of Police then should not have acted until he received instructions from his Minister. But he did so, believing, of course, that the Under Secretary for Lands would not send such an instruction without authority at least from a Minister. The extraordinary thing about it is that the under secretary did not consider it to be of sufficient importance to even ask for the approval of his Minister. He did not even acquaint him with the fact that he had taken this action. The Minister did not know of it until some eight or ten days later, when the matter came before the public through the medium of the hearing of the applications at Moora. It is an extraordinary thing that officials, under secretaries and others, occupying high positions in the departments of this State, can be moved by the member for Williams-Narrogin.

Mr. Johnston: Read out Mr. King's report of what he was asked.

Hon. P. COLLIER: To acquaint the police with the terms and conditions of sale.

Mr. Johnston: And nothing else. Mr. King's word on that point will be taken.

Hon. P. COLLIER: The hon. member is not going to shelter himself behind Mr. King. It is not a matter of any man's word. It is a written statement made by Mr. King, and the letter itself does not fit in with the explanation offered.

Mr. Johnston: That is the unfortunate part of it.

Hon. P. COLLIER: We shall see whether it was only a matter of informing the police as to the conditions of sale. Let us turn to the hearing of the case in the police court at Moora. Mr. Abbott appeared for the applicant. After referring to the conditions existing at Perenjori, Mr. A. F. Abbott said that the application had the support of the Government, who had gone so far as to sell the land subject to the stipulation that the license be applied for after the sale. Who advised Mr. Abbott that the application had the support of the Government?

Hon. F. E. S. Willmott (Honorary Minister): It originated in Mr. Abbott's brain.

Hon. P. COLLIER: I have never known an instance of a member of the high and honourable profession going into court and making a statement of that kind unless he had justification for it.

The Premier: Will the hon. member kindly give the justification?

Hon. P. COLLIER: I do not know it. I cannot give it.

The Premier: There was none.

Hon. P. COLLIER: In my opinion Mr. Abbott was informed through some interested quarter.

Hon. F. E. S. Willmott (Honorary Minister): Do you mean that I gave instructions?

Hon. P. COLLIER: No, I am not talking about giving instructions at all. It is quite clear that Mr. Abbott would not make a statement of that kind in court unless he was so advised by somebody. We do know that the member for Williams-Narrogin (Mr. Johnston) journeyed to Moora in company with Mr. Abbott.

Mr. Johnston: Not in company.

Hon. P. COLLIER: He journeyed on the same train with Mr. Abbott. He was sufficiently interested in this license to make a journey to Moora to be present in the town when the hearing took place. He went in the same train with Mr. Abbott, and he had knowledge of the fact that that letter had been written by the secretary to the Police Department. I can leave hon. members to draw their own conclusions as to who may have conveyed to Mr. Abbott the impression that the Government were behind the application. I do not say for a moment that any member of the Government gave instructions. Mr. Canning, the chairman of the licensing court, said that the bench was sitting as a court of law to deal with the application on its merits, and that the opinion of the Government would carry no weight with him. It is a good thing we have such a man as Mr. Canning as a magistrate. Had it not been for the indignant protest offered by Mr. Canning as to the manner in which the applicant and his solicitor endeavoured to force the magistrate's hands, probably the public would never have known anything about the matter, would never have known that the police had been instructed by the Under Secretary for Lands, prompted by the member for Williams-Narrogin.

The Premier: Not instructed.

Hon. P. COLLIER: The letter is a direct instruction to the Police Department, who accepted it as such. I suppose it is that the Commissioner of Police is a stupid man, who took an instruction where no instruction was given. That is what the Premier would say.

The Premier: It was not an instruction, it was only a statement of fact.

Hon. P. COLLIER: What is the use of the Premier talking about a statement of fact? Is that letter a statement of fact?

The Premier: Yes; read it.

Hon. P. COLLIER: Is it merely a statement of fact? It would be a statement of fact to set out to the Commissioner the terms and conditions under which the block was sold, but is this paragraph only a statement of fact?

I shall therefore be glad if you will instruct your local inspector in the circumstances that as the purchaser is only complying with the terms of approval it would be inconsistent on the part of the Government for any opposition to be put forward. Is that a statement of fact? What could be more definite, more explicit?

Mr. Piesse: Or what could be more fair?

Hon. P. COLLIER: I will quote the Colonial Secretary on the question of the fairness of it.

Mr. Money: Is the instruction by the Government to oppose licenses to be found on the file?

Hon. P. COLLIER: It has been the general policy for a number of years.

Mr. Money: There is no provision in the Licensing Act for the Government to oppose.

Hon. P. COLLIER: The fact is the local constable was instructed by his superior officer.

Mr. Money: Against the Act!

Hon. P. COLLIER: That is another matter. It does not affect the issue. It is a good thing that we have men like Mr. Canning, who showed his resentment at the attempt to dictate to the bench. It was only thus the public became acquainted with the facts. The chairman of the bench is reported to have said with some warmth—

The bench did not want to hear what the conditions of sale were, as all it was concerned with was whether the applicant was the owner of the land and would have the right to conduct the business of the hotel if the provisional certificate were granted.

Also in the published report occurs this—
Surprise was expressed by the chairman, who said that he did not remember having seen a title before with such conditions attached to it.

I should think not.

Hon. F. E. S. Willmott (Honorary Minister): They are very good conditions too.

Hon. T. Walker: You told me that there had been such conditions before.

Hon. F. E. S. Willmott (Honorary Minister): I did not.

Hon. T. Walker: But you did; who is the fibber?

Hon. F. E. S. Willmott (Honorary Minister): You are.

Mr. SPEAKER: Order!

Hon. P. COLLIER: Apparently some members regard the giving of instructions to a licensing bench in this country as a matter for jocularity. What could be more serious than an attempt to give instructions to a court of justice on the initiative or at the request of a politician? What state of things have we arrived at?

Hon. F. E. S. Willmott (Honorary Minister): I agree with you there.

Hon. P. COLLIER: Apparently a member of Parliament can walk into a department and so move a highly placed officer as to result in that officer giving instructions which leads to an instruction to the courts of this land.

Mr. Johnston: To the police, not to the bench.

Hon. P. COLLIER: To the police with the object of instructing the bench. This attempt to instruct the bench had its origin in the request of the member for Williams-Narrogin to the Under Secretary for Lands. That is where it originated. It was owing to that member's action that this matter came out in court, as it has. What extraordinary influence does the member possess that he can get his wishes carried out by highly placed officers in the public service?

The Premier: Hypnotism.

Hon. P. COLLIER: I suppose it is because of the weight which attaches to an ex-Speaker of the House. Naturally, when an ex-Speaker of the Assembly walks into one of the departments, the officers tumble over each other in order to oblige him. We have seen that the magistrate was most indignant. Now let us see what the Colonial Secretary said when the matter went before him. The Commissioner of Police sent it along with the minute, "Papers herewith by which you will see that the local constable was instructed to oppose all applications. Those instructions were countermanded, however, in this instance on receipt of accompanying request from the Under Secretary of Lands"—making it quite clear that the action taken was in consequence of the instruction received from the Under Secretary for Lands. Now the member for Toodyay (Mr. Piesse) says it is quite right too, and very fair, that nothing at all is wrong. But this is what the Colonial Secretary had to say—

Noted. The letter on file, page 2, is a most improper one, and entirely misrepresents the attitude of the Government. The Government have nothing to do with deciding whether or not a license is necessary at any place, and all that the Government did in this case was to enable the applicant to approach the bench.

The Colonial Secretary says that letter should not have been sent.

Mr. Piesse: It could have been better worded.

Hon. T. Walker: It is misrepresentation by one of your own Ministers.

Hon. F. E. S. Willmott (Honorary Minister): What?

Mr. SPEAKER: Order!

Hon. P. COLLIER: The Colonial Secretary says that the statement that it would be inconsistent for the police to oppose such an application is nonsense. He continues—

I have spoken to the Premier on the matter, and he agrees that no instructions, even if quite within the bounds of propriety, should be sent to you except through me.

Mr. Smith: The applicant for a license might be a most unsuitable person.

Hon. P. COLLIER: Of course. This kind of policy means that the man with the longest purse, who outbids all others at the sale, no matter what his reputation or unsuitability to hold a license might be, is, according to these instructions, to be granted a license.

Mr. Smith: It is quite absurd.

Hon. P. COLLIER: That is the position, and that is what the member for Toodyay says is quite right and fair. I think we ought to know more about the facts which, no doubt, an inquiry will reveal to us. Now I go on to the Kulin license.

Hon. T. Walker: But was not there a license refused on that date?

Hon. P. COLLIER: Yes. That was a gallon license. After having granted the license to Connor, the bench heard an application for a gallon license in some other part of the district. This gallon license application the police strongly opposed, and it was refused. Of course the person who applied for the gal-

lon license did not have an influential friend at court. He did not take the precaution of getting the member for Williams-Narrogin to interview on his behalf some official before the case came on.

Mr. Johnston: There was a lot of local opposition, though.

Hon. P. COLLIER: Oh, yes!

Mr. Johnston: In the Perenjori case a petition was put in, in favour of granting the license.

Hon. P. COLLIER: Yes. The difference was this: there was a lot of local opposition to the gallon license application and the applicant missed, and there was a lot of influential support for the other applications so far as the hon. member is concerned, and that application succeeded.

Mr. Johnston: The leader of the Opposition is unjust.

Hon. P. COLLIER: The hon. member was so interested in the application, he followed it up so closely, not only as regards seeing the Under Secretary and getting his wish obeyed or carried out, that he pursued the matter right up to Moora, to the licensing court, in case any hitch might occur, even right up to the moment the license was obtained.

Mr. Smith: All from altruistic motives.

Hon. P. COLLIER: No doubt. It cannot even be urged that he was doing it for a constituent. We know he is very attentive to matters affecting his own constituency. But in this case he was invading the constituency of the Colonial Treasurer. Now with regard to the Kulin license. That application has a good many features with which I am not thoroughly acquainted. Only a searching investigation into the whole of the facts and circumstances will reveal some aspects of it which to-day are unknown to myself and to the general public. But we do know that a conditional purchase lease had been held in the Kulin district right adjoining the Kulin townsite by one William John Curtis, of an area of about 900 acres. It was taken up in the year 1911. The block was forfeited, I think, about the middle of 1916.

The Premier: In 1914.

Hon. P. COLLIER: I am not sure as to the date.

Hon. T. Walker: In June, 1916.

Hon. P. COLLIER: However, the date is not material. The fact is that the block was forfeited. An application was made for that block by, or on behalf of, Mr. Alfred Lawrence Johnston early in 1917. This is the same Mr. Alfred Lawrence Johnston that was concerned in the Perenjori application. I do not know why—the file does not reveal it, this being only the license file—but the fact is that Mr. A. L. Johnston secured a grazing lease; not a conditional purchase lease, but a grazing lease.

Mr. Johnston: It is the same thing. They are both conditional purchase.

The Premier: The conditions are different.

Hon. P. COLLIER: The conditions of a grazing lease are not so stringent as those of a conditional purchase lease. The rents in the case of grazing leases are usually much

lower. The fact is that Mr. A. L. Johnston secured a grazing lease over an area which was formerly held as a conditional purchase lease; secured it at, I am informed, a reduced rental. This file I have here does not deal with that matter at all. I do not know upon whose recommendation the grazing lease was granted, or who approved of it, or who suggested it, or how the matter was decided that the lease should be a grazing lease instead of a conditional purchase lease, as it was formerly held. However, that is the fact. Now I am informed also that Curtis had obtained a loan from the Agricultural Bank. As to the amount of it I am not sure. However, he did obtain a loan from that institution.

Hon. T. Walker: He had authority to borrow £300.

Hon. P. COLLIER: How much he borrowed, I do not know. I believe it was £100, or more. When the lease was granted to A. L. Johnston it was signed by the Minister for Lands—by the Premier, I think, as Minister for Lands—on the 23rd February. It was registered in the registration branch on the 26th February. It was posted to Mr. A. L. Johnston on the 26th February also; that is, on the same date on which it was registered.

Mr. Johnston: He had had the approval for several months before, though.

Hon. P. COLLIER: It does not matter what he had had for several months.

Mr. Johnston: You do not get the lease until you ask for it.

Hon. P. COLLIER: It was signed on the 23rd, registered on the 26th, and also posted on the 26th February to the applicant. The point comes in here that the lease was given to Mr. A. L. Johnston without the Agricultural Bank's mortgage being endorsed upon it. The lease had, as I have already explained, been changed from a conditional purchase to a grazing lease; but it had not endorsed upon it, as it should have had, the Agricultural Bank loan. The block was granted to Mr. A. L. Johnston free from any incumbrance.

Mr. Troy: What becomes of the advance?

Hon. P. COLLIER: I will deal with that presently. The fact is that the bank did not have the mortgage endorsed upon the lease.

Mr. Smith: Had the money been actually advanced?

Hon. P. COLLIER: Curtis had obtained a loan; and, in the ordinary way, when a person takes up a block which has been forfeited and which forms the security for a loan from the Agricultural Bank, he takes up the liability with the block. In this case the lease was registered and issued to A. L. Johnston free from incumbrance.

Mr. Johnston: What was the amount of the loan?

Hon. P. COLLIER: I do not know. I have already said that I do not know. Let the hon. member keep quiet.

Mr. SPEAKER: Order!

Mr. Johnston: You are deceiving the House, and you know it.

Mr. SPEAKER: Order! The hon. member is not in order in saying that another hon.

member is deceiving the House, and he must withdraw that statement.

Mr. Johnston: I withdraw.

Hon. P. COLLIER: The statement comes well from the hon. member. If I had deceived the House in the shameful way he has done, I would get out of the House.

Mr. Johnston: Well, get out of the House.

Hon. P. COLLIER: I would rid the House of my presence.

Mr. Johnston: Mr. Speaker, is that in order?

Hon. P. COLLIER: I will withdraw it if it is not in order. Now, why or how Mr. Johnston managed to secure that block free from the Agricultural Bank incumbrance, I do not know. It is a point which will require investigation. When the files relating to it, and all other necessary information, become available, no doubt the matter will be made clear.

Mr. Johnston: The lessee gave the mortgage the minute he was asked for it.

Hon. P. COLLIER: That was in August of this year.

Mr. Johnston: No. It is 18 months or more since he gave that mortgage.

Hon. P. COLLIER: It is worthy of notice that this lease was posted on the day it was registered. I understand that the practice in the branch dealing with the registration of leases is that when a lease is put in for registration information be sent round to the Agricultural Bank, or that that institution should be advised by telephone, before the lease is issued, so that the bank may furnish information as to whether there is any mortgage standing against the land, and if such is the case that the mortgage may be endorsed upon the lease. In these cases several days, as a rule, elapse between the time the lease is registered and the date that it is sent out by post. But, as far as I can gather, the reason why the Agricultural Bank failed to have their mortgage endorsed upon the lease on this occasion was that the lease had been sent out to A. L. Johnston before they knew anything about it. They did not have an opportunity; they were not consulted; they were not asked whether this block had any mortgage standing against it or not in their books. As soon as they discovered the fact that the lease had been granted, I understand, they wrote to Mr. A. L. Johnston for the return of the lease. I understand, further, that the request of the authorities for the return of the lease, in order that the mortgage might be endorsed upon it, was not complied with.

Mr. Johnston: It was complied with at once, and the Royal Commission will show that.

Hon. P. COLLIER: Very well. That is a matter which will be cleared up.

Mr. Johnston: The lease was returned as soon as Mr. A. L. Johnston got the request. That is the point that I asked you just now to be fair upon.

Hon. P. COLLIER: I say I do not know. I am not asserting that. I say I do not know whether it is so or not. So far as I can gather, though, that mortgage was not endorsed upon the lease until August of this year. Now, this happened in February of 1917. The Agricultural Bank mortgage was not recognised on that lease until August of the present year,

some 18 months afterwards. What was the cause of the delay?

Mr. Johnston: It was in their hands, anyway, in the bank's hands.

Hon. P. COLLIER: Unless the bank have some good explanation of the cause of the delay, it shows neglect on their part. On the face of it, it appears extraordinary neglect on the part of the bank that they should have failed to secure their mortgage on the lease for 18 months after the lease had been issued.

Mr. Johnston: They held that—

Mr. SPEAKER: Order! The hon. member cannot argue across the floor of the House.

Hon. P. COLLIER: The matter is one requiring investigation—one of those peculiar coincidences connected with the case. It is highly peculiar that the lease was allowed to issue at all without the mortgage being registered upon it. But that is an aspect which can be cleared up by inquiry, and also the question why this block was granted as a grazing lease, at a reduced rental I believe, although it adjoins the townsite, and although, I am informed, there are conditional purchase blocks in the same district much more remote from the railway station that are valued at higher prices than this one.

Mr. Johnston: This is merely poison and mallee; and there are tens of thousands of acres of vacant land adjoining it.

Hon. P. COLLIER: That may be. I do not know what the block is. At all events, I suppose it was owing to oversight or neglect on the part of Curtis himself that he did not secure the block as a grazing lease earlier. Anyhow, the block has this advantage, that it is adjacent to the railway station, in contradistinction to many conditional purchase blocks that are far removed from the railway station and are charged at higher prices. Those are matters requiring investigation. Now coming to the license itself, as I have already stated, the lease was registered on the 26th February and on the same date posted to Mr. A. L. Johnston. On the 2nd March—only four days later, there being only 28 days in February—at five minutes past 10 in the morning a caveat is lodged against this lease by one William Martin Butler, in that he has a contract for purchase of the estate in the lease—four days afterwards, or in reality three days, that was on the 2nd. On the 7th March Mr. Butler lodged his application with the licensing court at Narrogin for a provisional certificate on this lease. Mr. Butler resides in Wickepin and the matter of the caveat and the business in connection with it was carried out on his behalf by his agents in Perth. Apparently he lost no time. The caveat was lodged at 10 o'clock on the 2nd and signed by one D. White as agent for W. M. Butler, and witnessed by Mr. Joseph Charles. A peculiar feature about the caveat is that the body is filled in in the hand-writing of the member for Williams-Narrogin. I know that hand-writing well. I would know it across the street and I make that assertion quite freely, that the body of the new caveat is filled in in the hand-writing of the hon. member for Williams-Narrogin and signed by D. White as his agent and lodged four days after the lease was registered. Butler,

by his caveat claims that he had a contract for the purchase of Johnston's lease, dated blank—there is no date whatever. It was on the strength of this caveat that Butler applied for a license on the 7th March. I am not very well acquainted with the legal methods of applying for licenses but the whole business seems to me to be wholly irregular, to put a mild term on it. Butler having established no more right or title to that lease than having lodged a caveat which I or anybody could do against any property. I could lodge a caveat against the property of any Premier to-morrow if I liked. There is nothing to prevent me, but it does not give me any right to his property. Butler had no further title to the lease than having lodged the caveat but it was quite sufficient for him to make the application for a provisional certificate. The Act provides that 14 days' notice must be given for an application for a provisional certificate, and notice must be posted on the block for which it is intended to apply for a license, so that in this case Butler must have lodged his notice of his intention to apply not later than the 16th or 17th February although the lease was not signed until the 23rd or registered until the 26th February, and although he did not lodge his shadowy claim in the way of a caveat until the 2nd March. Nevertheless he had made an application for a license so far back as the 17th February.

Mr. Johnston: The approval of this was issued six months before.

Hon. P. COLLIER: Mr. Butler seems to have known and was well informed of A. L. Johnston's business—when A. L. Johnston got approval, when the lease was signed, when it was registered—Mr. Butler seemed to be well informed of the whole business. The fact is that he applied for the license on the 7th March. The licensing court expressed the opinion that a license was necessary in the district but they were loath to grant one outside the townsite and so they adjourned Butler's application. In the meantime, or shortly afterwards, the Government had taken steps to make available a block in the townsite which had been reserved for hotel purposes. They had put the block up for sale. At least the Wilson Government had decided to make the block available at a ground rental of £50 a year for 15 years. That was approved on the 27/3/17 by the Wilson Government. The block was disposed of on those terms. It was purchased for £195 by one named Koskey. He applied to the licensing court in June for a license, but before the hearing came on—I understand he did not go on with it—he withdrew the application. That was in June. He subsequently forfeited the lease and decided not to go on.

The Premier: I think he applied all right. I think there were certain conditions.

Hon. P. COLLIER: He withdrew the application on the date of hearing. The fact is he abandoned it.

The Premier: Why did he withdraw?

Hon. P. COLLIER: I do not know. However it is not material to the issue. The fact is he did, and the block reverted to the Gov-

ernment. At the same time Mr. Butler's application for a license in June was adjourned until the next quarter. On September 6th Mr. Butler first appears on the scene and he says, writing to the Minister for Lands—

Re Kulin town lots 17 and 18 which were purchased by Mr. Koskey in April last, on a 15 years' lease for the purpose of erecting an hotel. Mr. Koskey purchased these blocks before inspecting the district which he was a stranger to. After inspecting he has decided not to go on with his application for the license. On the 4th the Licensing Court adjourned my application to enable me if possible to obtain a freehold block at Kulin for the purpose of erecting an hotel at the cost of £3,000. I now respectfully request you to sell blocks 17 and 18 as freehold. As an old resident of the district and one who believes that given reasonable facilities the district will advance, an early reply will oblige.

This is on the 6th September. Mr. Butler made application to the department that the freehold of the block should be disposed of and on the 1st of the following month, 1/10/17, we have this minute from the Under Secretary for Lands—

Please see letter on page 50. Is the Kulin block to be put up to auction again on the same conditions as previously? You will notice that Mr. Butler desires to obtain the fee simple.

There is a footnote which says—

Mr. E. B. Johnston, M.L.A., with Mr. Butler, wishes to discuss the matter with you.

That is dated 1/10/17.

Hon. F. E. S. Willmott (Honorary Minister): That is where the "West Australian" fell in.

Hon. P. COLLIER: I am not talking about the "West Australian." If the "West Australian" fell in, they fell in to the extent that they believed the hon. member wished to discuss it with the Honorary Minister. Instead of that he wished to discuss it with the Minister for Lands. That is not important.

Hon. F. E. S. Willmott (Honorary Minister): It is to me.

Hon. P. COLLIER: The fact is the member for Williams-Narrogin wanted to discuss the matter with some Minister in authority who happened to be the Minister for Lands. We do not know whether he discussed it. The file does not show whether he was granted an opportunity or not. We may assume he had an opportunity of placing his views before the Minister. Now we come to the letter of the Under Secretary to the police magistrate. The Lands Department wrote to the police magistrate asking for information as to Koskey's application in order to decide whether his money ought to be refunded or not, and this letter in reply is the most extraordinary document on the file, coming as it does from a man holding the position of police magistrate. The first part of the letter I need not read. The final paragraph reads as follows:—

Mr. Nairn: Who is the letter addressed to?

Hon. P. COLLIER: To the Under Secretary for Lands. The Under Secretary for Lands wrote to him and he replied to it—

The position now is that Butler's application is the only one before the court and it seems he is not prepared to take up the block as a townsite on the only terms of which he can secure one from your department.

Those terms were 15 years at £50 a year. He goes on to say—

The court went into these terms and was of opinion that there is much in Mr. Butler's objection. If Mr. Butler cannot therefore obtain a block within the townsite from the department on what the court considers reasonable terms, the court may feel constrained in the interests of those requiring hotel accommodation there, to grant his application for the block outside the townsite.

This is the period when pressure was being brought to bear, and influence exercised on the Minister to sell the freehold of this block, to depart from the terms on which they had disposed of it earlier and to grant the freehold. First of all the file shows that Butler asks for the freehold and he endeavoured to get in conjunction with Johnston, and then the resident magistrate writes in the terms I have just read. I do not want to say anything regarding the duty of the magistrate except this: it seems to me that if the letter was written by an agent of Mr. Butler's, by somebody who had been acting as agent for him, he could not have pressed Mr. Butler's claims in better terms.

Mr. Pickering: Who was the magistrate?

Hon. P. COLLIER: Mr. Burt. He says the court went into these terms and came to the conclusion, that there is much in Mr. Butler's contention. He says—

If Mr. Butler cannot therefore obtain a block within the townsite from the Department on what the Court considers reasonable terms.

Is it in the province of the court to consider the terms under which the Government shall dispose of their townsite blocks? We find that the court is going to dictate to the Government as to their policy with regard to the disposal of these townsite blocks, As to whether they shall sell the freehold outright, or shall dispose of it as leasehold is a matter apparently, according to this tribunal, for the Licensing Court to decide. I have never read anything more impudent in my life than the statement by the resident magistrate that they have considered the terms under which the Government are going to dispose of their lease. Mark the threat!

"Unless you grant the terms which Mr. Butler desires and which we, as a Licensing Court, believe he ought to have secured, we will grant a license on a grazing area outside the townsite altogether."

Mr. Foley: Was there not something of the same kind in connection with the license for the Gwalia State hotel?

Hon. P. COLLIER: I do not know about that.

Mr. Foley: Were not the conditions similar?

Hon. P. COLLIER: I do not know. Here is a threat.

Mr. Johnston: It is a fair and judicial utterance. It is not a threat at all.

Mr. SPEAKER: Order!

Hon. P. COLLIER: This court says it is not reasonable to expect Mr. Butler to erect a hotel on a lease in the townsite, that he ought to have the freehold, and yet the court says that unless the Government give the freehold they will give a license on a grazing lease outside the town.

Mr. Johnston: That court is above suspicion.

Hon. P. COLLIER: Never mind about suspicion. I am not talking about suspicion. I say this is the most extraordinary document which has ever been penned by the chairman of a licensing bench in this country.

Mr. Johnston: It is a fair and judicial utterance.

Hon. W. C. Angwin: He is not fit to be there.

Hon. P. COLLIER: Let hon. members mark the inconsistency of the court. They say "Unless you give a freehold in the townsite we do not think Mr. Butler ought to erect a hotel on a leasehold in the town, but we will grant him a license on a grazing lease." To this grazing area he has no more right or title than is disclosed in the caveat lodged against the property of A. L. Johnston. It is the most extraordinary document I have ever read. If it had been written by a man who was acting as agent for Butler in that town it could not have pressed his claims better. The court had adjourned Butler's application for 12 months, indeed, right up to the limit. Did they ask Butler, as they should have done, it appears to me, to produce his title to the land when he first applied? Is it not one of the first things an applicant has to do when applying for a license, produce his title for the land?

Mr. Johnston: Do you not think that he probably produced it?

Hon. P. COLLIER: Did he produce the caveat which is in the handwriting of the hon. member, and which he filled in himself? Was the hon. member's caveat produced.

Hon. W. C. Angwin: In his brother's name, against his own estate.

Hon. P. COLLIER: Did he also produce the title to this land to the Licensing Court? He secured an adjournment of the application for 12 months. It must not be forgotten that during the whole of that 12 months he shut out all other competitors, without any other title, so far as I can see, to the land except that he had lodged a caveat against it. The court delayed finally dealing with the application for a period of 12 months. They said they did not think the applicant ought to be asked to erect a hotel on a lease in the townsite, and that he ought to get the freehold. They thought the Government ought to alter their policy, although it was well known that the policy of the Government was for leasehold at that time. They also said that if the Government did not alter their policy and give

the freehold they would give Butler a license on a grazing lease outside the townsite. These actions will require far more explanation than is afforded on the file.

Mr. Johnston: The court decides for itself and explains to no one.

Hon. P. COLLIER: On the 17th February Butler lodged his application for a license—

Hon. W. C. Angwin: A dummy.

Hon. P. COLLIER: Upon a block which was still held by the Crown. He did not have the lease at all.

Mr. Johnston: The approval had been given.

Hon. P. COLLIER: Fancy a man lodging an application for a license upon a block, to which the person claiming to own it had no security or title other than an approval, which could be cancelled or withdrawn at any moment!

Mr. Smith: Very trusting.

Hon. P. COLLIER: He is going to spend £3,000 on a hotel on a grazing lease outside the townsite, the lease for which had not been signed or registered.

Hon. T. Walker: There was no lease.

Hon. P. COLLIER: In my opinion the supposed contract of sale between Butler and A. L. Johnston, for which this caveat was lodged, was a bogus affair from beginning to end. I do not believe there was any contract of sale. The lodging of this caveat gave Butler some kind of a right, a flimsy one though it is, to put in his application for a license. The sequel proved that. This wonderful caveat wherein the date of sale is not given is filled in in the handwriting of the member for Williams-Narrogin.

Mr. Teesdale: You cannot blame the Government for what these people do.

Hon. P. COLLIER: I am not blaming the Government.

Mr. Smith: It is for the honour of the House.

Hon. P. COLLIER: I am dealing with the Licensing Court.

Mr. Teesdale: This caveat business is a matter outside that.

Hon. P. COLLIER: I am not charging the Government with regard to the caveat.

Mr. Teesdale: It has nothing to do with the licensing bench.

Hon. P. COLLIER: What we want to know is what title to the block Butler had when he applied for a license on the 17th March, and whether he produced such title to the court. The contract of sale, so the caveat tells us—

Hon. T. Walker: For a lease which was not issued.

Hon. P. COLLIER: Was for a lease which had not been issued at the time of the application, and was not issued for some 12 days afterwards. That is the way business is done in connection with licensing matters in this district. Then the Licensing Court says that unless the freehold is given they will grant a license for a grazing lease, notwithstanding the fact that they must have had in their mind the circumstances surrounding a similar business in Wickopin, which happened 10 or 12 years ago. Precisely the same thing took place here as took place in Wickopin on that occasion. It will be remembered that a townsite

block was surveyed on one side of the railway station, and that a Mr. Johnston secured an area out of a conditional purchase block on the other side, and created a new privately owned townsite. He applied to the licensing bench and got a license through.

Mr. Smith: He made two towns grow where one grew before.

Hon. P. COLLIER: The trouble is that no town has grown to this day on the Government townsite. The Government blocks remain valueless, and the town grew on the private townsite where the blocks are valuable.

Mr. Maley: The same thing applies to Mullewa.

Hon. P. COLLIER: Was the member for Williams-Narrogin there too? I knew that he had spread himself pretty extensively over the agricultural areas.

Hon. W. C. Angwin: He has gone to Ajana.

Hon. P. COLLIER: He evidently took that in his tour.

Mr. Foley interjected.

Hon. P. COLLIER: In addition to the news in yesterday's paper about Bulgaria and Turkey and other belligerents, it was said that the member for Williams-Narrogin had applied for a license in Sofia. If he has done so I have no doubt he will succeed. If there are any officers and pliable individuals in Sofia such as we have in our Government departments here, the hon. member will certainly get a license in that town as well. It seems to me extraordinary that any court should make a threat of this description, and dictate to the Government the terms upon which they should dispose of their land. The Honorary Minister fell over himself to comply with the request of Butler, the member for Williams-Narrogin, and the Licensing Court. These three forces arrayed against the Honorary Minister were too much for Cabinet, which decided that a freehold should be granted. The Honorary Minister writes a minute to Cabinet in which he says—

Two blocks Nos. 17 and 18 at Kulin, which were leased for an hotel site, have again reverted to the Crown, as Mr. Koskey, the only applicant, has had a license refused as being an unfit person to hold such. Under these circumstances, I recommend to Cabinet that Kulin lots 17 and 18 be thrown open for selection at an upset price of £150 for the two blocks, as an hotel site. As an alternative these blocks could be let on a perpetual lease on the usual terms. (2) My reason for making this recommendation is that the chairman of the Licensing Bench is sieged with the necessity for the erection of an hotel in the locality, and if these blocks are not made available for the purpose the Bench will proceed to grant a license for an hotel to be erected on certain land situated some considerable distance from the present townsite. This, in my opinion, is most undesirable, as it will considerably alter the value of Crown lands in the vicinity of the present townsite.

Cabinet agrees to these blocks being offered for sale at an upset price of £150. This decision is signed by the Premier. There we have evidence that the efforts of the hon. member and those with him were successful, although the

policy of the Government on the 27th March, 1917, was for leasehold.

The Premier: They could alter that policy.

Hon. P. COLLIER: Of course.

The Premier: There was very little doing in that way.

Hon. P. COLLIER: The policy of the Government as contained in the minute of the 8th January, 1918, was for freehold, so far as Mr. Butler was concerned. A complete change. Here is the position: under the leasehold principle the Government would have got for that block, if Koskey had gone on, £50 for 15 years, or £750, plus £195, or a total of £945. That block would have brought in to the Government £945 in the course of 15 years under the leasehold conditions. And although Koskey was prepared to pay £195 for the block, and, in addition, £50 a year rent, the Government sold it at an upset price of £150 freehold to Butler. A block which in April, according to what has transpired, was worth £195 for the license and 15 yearly payments of £50 rent, became worth only £150 for the freehold right out six or eight months later. And it cannot be said that Koskey did not go on because the price was too high: that was not the reason. This file discloses no evidence whatever that the block was not worth the £195, and also the £50 rent, which Koskey was prepared to pay. Yet the Government absolutely reverse their whole policy and sell the freehold of the block for £150. This was after the hon. member had called to see the Minister.

Hon. W. C. Angwin: Who recommended to the Minister that price of £150?

Hon. P. COLLIER: Some one of the officers; I do not know who it was. That is the position. It shows what influence can be exercised by some people. In this matter the influence of the member for Williams-Narrogin seems to have been extraordinary.

Mr. Johnston: The block was sold by public auction, after being advertised all over the country.

Hon. P. COLLIER: I know that. I am not saying that any influence was exercised in the sale and purchase of the block, which was sold to the highest bidder. That is not the point. But there was influence used to have the freehold of the block put up in place of the block being made available on the same conditions as formerly; and in that connection the hon. member used his influence. That is quite clear from the file.

The Premier: I do not think any influence was used at all. I am not aware of any having been used.

Hon. P. COLLIER: This file discloses no reasons for the reversal of the Government's policy.

The Premier: The Government had a reason for it. The policy was a bad one.

Hon. P. COLLIER: The Premier now asserts that a policy which was going to bring the Government £195 for the license and 15 years' rent at £50 annually was a bad one. As a fact, that was a most successful policy. What more did the Government expect?

The Premier: The policy has not been successful in other places.

Hon. P. COLLIER: Blocks have not been made available in other places.

The Premier: Yes. The policy was a failure.

Hon. F. E. S. Willmott (Honorary Minister): Do you think that Koskey would ever have paid if he had got the license?

Hon. P. COLLIER: What grounds have we for assuming that he would not pay? If he erected an hotel at the cost of £3,000, I should think he would pay.

Hon. F. E. S. Willmott (Honorary Minister): He refused to erect an hotel costing £3,000.

Hon. P. COLLIER: The fact is that the first attempt of the Government to dispose of the block on the leasehold principle was highly successful.

Hon. S. E. F. Willmott (Honorary Minister): Koskey wanted to put up a bit of a barn costing £800.

Hon. P. COLLIER: Another point to be cleared up is whether the present lessee is putting up an hotel of the value of £3,000. The court has said that it should be a £3,000 hotel; and the plans show that, too, I understand.

Mr. Money: Before the license is granted, the house must be built.

Hon. P. COLLIER: But the hon. member is assuming that things are all to be done regularly and in proper order. Here, however, we have a chairman of the licensing court giving instructions to the Government of the day as to the policy they ought to pursue in the disposal of their townsite blocks. A chairman of a licensing court presumes to instruct a Government as to what they ought to do and as to how they ought to sell their land.

Mr. Money: That would be on a par with the Government instructing the licensing bench as to their policy.

Hon. P. COLLIER: Yes, but observe how matters are reversed. When the interests or desires of the member for Williams-Narrogin will be served by the Government, or by somebody on the Government's behalf, instructing the licensing bench, it is done, as in Perenjori. If, on the other hand, that hon. member's interests will be served by the licensing bench threatening the Government, that is done also. When it is a question of the licensing bench being instructed, the hon. member's wish is complied with; when it is a question of instructing the Government, that is complied with also. The extraordinary influence of the member for Williams-Narrogin! He seems to be able to get his way every time.

Mr. Smith: He got a few railways from the previous Government.

Hon. W. C. Angwin: Quite right. He did.

Hon. P. COLLIER: The member for Williams-Narrogin seems to have possessed extraordinary influence ever since he entered the House. There is little wonder that the electors keep returning him, when their humblest and their most important desires are alike secured for them by his agency. The hon. member has been most successful. When this application was lodged on behalf of Mr. A. L. Johnston, the applicant was overseas.

Mr. Johnston: Pardon me, he was not. He lodged the application himself, and signed it himself.

Hon. P. COLLIER: It was all put through after he had left this State. He left this State in December of 1916. He was then just over 18 years, and this file commences early in 1917. All this has been transacted on his behalf by his agents during his absence. In Perenjori it has all been carried out in his absence by his agent. If all our Western Australian soldiers had their interests so well looked after and so carefully preserved during their absence as has been the case with our young friend, the Commonwealth's problem of repatriation would, as regards this State, be solved at once. Every one of our soldiers would find, on returning to Western Australia, that instead of losing by his absence a business had been built up in his name. There is a great deal in this case demanding inquiry. There is much that inquiry would bring out. For instance, why and how it was that the Agricultural Bank mortgage was not registered on the lease for a period of 18 months. By the way, I forgot to mention that immediately Mr. Butler secured the license in the townsite the caveat against the grazing lease vanished; so that to-day Mr. A. L. Johnston holds that lease entirely free. There is no caveat lodged now; Mr. Butler has no interest in the lease. The contract of sale between Mr. A. L. Johnston and Mr. Butler disappeared as soon as Mr. Butler had secured the license in the townsite. The caveat expired without any action being taken, and thus was wiped off and Mr. Johnston has the lease free except for the Agricultural Bank mortgage. Mr. Butler got the license in the townsite, and got the freehold he required. Everything that Mr. Butler and Mr. Johnston had been aiming at has been secured. Those are facts which require further investigation, and more than the file is needed to enable us to make that investigation.

Mr. MUNSIE (Hannans) [6.11]: I second the motion.

Mr. PIESSE (Toodyay) [6.12]: Like many members, I personally am anxious that this matter should be cleared up. Speaking on the question some little time since, I expressed the opinion that everything was clear and above board in the Perenjori transaction. I am still of the same opinion. But I agree with the leader of the Opposition thus far, that in the best interests of all concerned we should have a Royal Commission to inquire into this matter and the other matters set out in the motion. I propose to move an amendment widening the scope of the Royal Commission. The leader of the Opposition, I believe, is quite sincere in his desire that the widest scope of inquiry should be granted to the Commission. I desire at a later stage to move an amendment. May I speak to the motion itself before doing so, Mr. Speaker?

Mr. SPEAKER: The hon. member is in order in addressing himself to the motion.

Mr. PIESSE: Firstly, from a sense of

ment that a Royal Commission should be appointed. Just now I made reference to the letter written by the Under Secretary for Lands to the Commissioner of Police, which letter, I said, was fair play.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. PIESSE: Before tea I was about to give my view of the letter which was written by the Under Secretary for Lands to the Commissioner of Police, and particularly the second paragraph in it. I repeat that I fail to see how any construction can be put on that letter other than one of a desire on the part of the Under Secretary to do justice to the purchasers of the hotel site. The leader of the Opposition in moving the motion for the appointment of a Royal Commission quoted the Under Secretary's letter in support of his contention that the Under Secretary had exceeded his authority or had overstepped the bounds of what was right and proper. If we take the last paragraph of the letter I feel sure that the Colonial Secretary, if asked to give his personal opinion about it, would say that it was quite in order, but that it ought to have been addressed to the Minister instead of to the Commissioner of Police. There can be no construction of favouritism placed on it, inasmuch as it was only in keeping with the contract which had been entered into by the Government when the land was sold.

Hon. P. Collier: The Colonial Secretary said that to put forward such a contention was nonsense.

Mr. PIESSE: I take it that the Colonial Secretary was referring to the question of general opposition to licenses. The House should not forget the standing instructions which have been issued to the Commissioner of Police to oppose all applications for hotel licenses within townsites.

Hon. P. Collier: How was it then that the police took no action in that direction with regard to the Kulin license much earlier?

Mr. PIESSE: The police on that occasion failed to carry out the instructions given. In this case a hotel site was sold under distinct conditions that it should be used for hotel purposes, and it is clear that the Under Secretary's error was only one of judgment when he sent the letter he wrote to the Commissioner of Police instead of to the Minister. If it had gone to the Minister it would have been the latter's duty to forward it at once to the Commissioner. That was the only trouble—it did not go through the proper channel. I hold no brief for the member for Williams-Narrogin, but I must confess that I was astonished to learn this afternoon from the leader of the Opposition that it was not a question of Government action or policy that he was concerned about, but that his motion was to investigate all the circumstances in connection with the granting of this license. If this is not a question of policy, I fail to see why the House should be asked to appoint a Royal Commission

Hon. P. Collier: And you said a little while ago you were going to support the appointment of a Commission.

Mr. PIESSE: I am expressing my astonishment.

Hon. P. Collier: Why then are you supporting the appointment of the Commission? You said just now that you failed to see why the House should agree to the motion.

Mr. PIESSE: I did not say anything of the kind. I fail to see why we should be asked to appoint a Royal Commission when there is no responsibility on the part of the Administration.

Hon. P. Collier: I never said there was any responsibility on the part of the Government.

Mr. PIESSE: The leader of the Opposition is to be congratulated on the lengthy speech he made, but he knows that there was no justification for the extent to which he went. Let us look at the motives which actuated the leader of the Opposition in tabling the motion. There is no doubt about his desire to sheet home to the member for Williams-Narrogin some improper action so far as these licenses are concerned. In fact he said so in so many words.

Hon. P. Collier: The motion does not mention the hon. member.

Mr. Johnston: You never mentioned anything else.

Mr. SPEAKER: Order!

Mr. PIESSE: I ask the leader of the Opposition whether he would not have acted in a similar way in the interests of his brother, and if he had been aware that general instructions had been issued to the police to oppose all licenses, whether he would not have interceded? There is nothing shady in what the hon. member for Williams-Narrogin has done, and neither is there anything dishonourable about it. The most painful thing about the whole matter is the reference which has been made to the action of the Under Secretary. The word "hypnotism" was used by way of interjection during the debate, and I regret that very much. What was done was a matter of fairness to the purchaser.

Hon. P. Collier: The Colonial Secretary says it was highly improper.

Mr. PIESSE: The Colonial Secretary, for whom I have the utmost respect, must know that only an error of judgment was committed. I maintain that the member for Williams-Narrogin had every right to interest himself in his brother's affairs; he was quite justified in doing what he did and there was nothing dishonourable about it. So far as the action of the Under Secretary was concerned, it was quite fair, and I am sure the leader of the Opposition will support me when I say that the Under Secretary would be incapable of doing anything that was not above board. That gentleman would scorn to stoop to an act of favouritism no matter who approached him. I regret that any reflection should have been passed on the action which he took.

Mr. Teesdale: And by a Minister, too.

Mr. PIESSE: I feel sure that if the Colonial Secretary had the opportunity of re-writing that letter he would modify the tenor of it. Take the Kulin business. There is nothing new in the granting of a hotel license on a C.P. lease. We have one at Nungarin and they exist in other parts of the State. The other evening the member for Kanowna was highly indignant at the action of the Under Secretary in communicating with the police while he, in his wisdom, in the case of an application for a transfer of a license from Kulyalling to Brookton, gave instructions that the authorities should not oppose the transfer. In that instance the hon. member in his capacity as Attorney General, used his influence and rightly so—

Hon. T. Walker: Not influence.

Hon. P. Collier: Quote what he wrote.

Mr. PIESSE: This was in 1914 when he wrote, "I do not think we should oppose a change to which there is no objection, and which is a self evident improvement of existing conditions."

Hon. P. Collier: Where did you get that?

Mr. PIESSE: It is my business.

Hon. P. Collier: It is the House's business to know, and if you have access to files which we have not seen, the House should know of it.

Mr. PIESSE: The hon. member's indignation is perhaps justified. Whilst to-day he has been criticising one policy and also the action of certain members and Ministers, I am showing that an action in the past on the part of one of his colleagues was of a similar character.

Hon. P. Collier: Where did you get that?

Mr. PIESSE: I got it in my search for information in connection with these applications.

Hon. P. Collier: Where?

Mr. PIESSE: I have other information as well; but I am not here to be cross-examined by the leader of the Opposition.

Hon. P. Collier: No, but apparently the hon. member has access to files which we have not seen.

Mr. PIESSE: Where did the leader of the Opposition get his information about the caveat?

Mr. SPEAKER: Order!

Hon. P. Collier: I paid for it.

Mr. Johnston: Did you pay or did Mr. Johnson pay?

Hon. P. Collier: Which Johnson?

Mr. Johnston: W. D. Johnson.

Mr. SPEAKER: Order!

Mr. PIESSE: The Commissioner of Police acted on instructions from the then Attorney General. He instructed Inspector Drewry at Northam not to oppose a transfer.

Hon. T. Walker: What are the words, and to whom were they addressed?

Mr. PIESSE: To Inspector Drewry at Northam. If it is right for one Government to follow this line of policy and to instruct the police not to oppose applications for transfer, I fail to see that there should be any objection to this Government writing to the Commissioner of Police telling him that the op-

position had been withdrawn. If that had been the wording of the letter no objection would have been raised to-day. The leader of the Opposition at heart is not with the motion. He has admitted that there is no serious question of policy at stake. I do him this justice, that he has sufficient sense of manliness—that he was loth, when moving the motion, to go to the length which he ultimately did. Had it not been for the action taken by a section of the Press, we would have heard very little about this Royal Commission. It is regrettable that any party or section of the House should be influenced in their actions by the Press in the manner in which this matter has been. Had it not been for the references to the member for Williams-Narrogin and his action in the matter, we would have heard little about it. Because, after all, the question of hotel licenses is one of policy on the part of the Government. We are to-day feeling the ill-effects of the policy as far as hotel sites are concerned. It is almost impossible to provide the necessary public conveniences which are needed not in one case but in a dozen cases which I could mention. In the interests of those whose characters have been impugned, the Commission should be agreed to. The leader of the Opposition has made reference to Mr. Burt's action. I must admit that the letter was of an extraordinary character, but the chairman of the licensing court desired to help the district in the matter of accommodation, of which he was well aware in his capacity as chairman of the court. He wanted to see if he could assist the public in obtaining what was necessary. I move an amendment—

That after "Royal Commission" the words "consisting of a judge of the Supreme Court" be added.

I also desire to add three paragraphs.

Mr. SPEAKER: The hon. member can only move one amendment. It will be necessary for some other member to move the other amendments.

Hon. P. Collier: On a point of order, cannot the hon. member move to amend every paragraph of the motion if he wishes?

Mr. SPEAKER: Not in the House.

Hon. P. Collier: Cannot the hon. member move to amend paragraphs 1, 2, 3 and 4?

Mr. SPEAKER: No. They are separate parts of the motion dealing with separate principles. The first amendment will decide on the appointment of a Royal Commission, and if the member's amendment is carried it will set out what the Commission shall consist of. Anything further will be a fresh amendment. I will take the first amendment.

The Minister for Mines: May I suggest that the amendment can be made one by saying that after certain words, certain other words be inserted and then all the subsequent words in the motion can be struck out.

Mr. SPEAKER: Will the hon. member for Toodyay send his amendment up?

Mr. PIESSE: Can I move the addition of a new paragraph first and then move an amendment to the Royal Commission later?

Mr. SPEAKER: No. The hon. member must deal with the first paragraph of the motion first. He cannot move an amendment to the latter part of the motion and then go back.

Mr. MONEY (Bunbury) [7.54]: I second the amendment.

The PREMIER (Hon. H. B. Lefroy—Moore) [7.55]: I have not the slightest objection to the motion of the leader of the Opposition, but I prefer it with the amendment moved by the member for Toodyay. The Government have no desire to in any way conceal anything that has taken place in regard to the matter. Lengthy comments have been made in the Press in regard to the two hotel licenses; and these comments have been circulated through the length and breadth of the State, and I thank the hon. member for suggesting that a Royal Commission be appointed to inquire into the matter, because the integrity of certain officers of the service, and I may say the integrity of members of Parliament has been challenged by a lengthy statement which has been sent throughout the length and breadth of the State. The Government court the fullest inquiry. I think the proper tribunal to decide this matter is a judge of the Supreme Court. The tribunal should be entirely outside the public service. We have a resident magistrate's name brought into the matter, and I think no public officer in the service should sit to decide the question whether a resident magistrate is right or wrong. A judge of the Supreme Court is the only person to decide a matter of that sort. The Government never had any desire, nor have we made any attempt, to influence the licensing bench whatever. It is needless to enter into all the comments that the leader of the Opposition has made in regard to the two cases, because when the motion is carried, as I hope it will be, the question will be sub judice and it will be for the Commission to inquire into the matter and bring up a report on the whole question. With regard to the method, or condition, under which the blocks of land were sold at Kulin and Perenjori, the Government offered the land for sale after full consideration. It was not done without proper inquiry.

Hon. P. Collier: Of course it is a matter of policy for the Government.

The PREMIER: It is a matter of policy, a matter for Cabinet's decision, and the Government certainly after inquiry, and the fullest inquiry, knowing what had taken place as to hotels erected on leasehold sites, decided this matter. There had always been difficulties in regard to blocks of land let for hotel purposes under leasehold conditions.

Hon. P. Collier: I did not think there were many in the State.

The PREMIER: We have an example at Bullfinch and another at Carrabin.

Hon. P. Collier: The one at Bullfinch reverted to the Crown.

The PREMIER: There have always been difficulties as to these leasehold sites.

Hon. T. Walker: Especially so at Bullfinch.

Hon. P. Collier: Too much was paid for them.

The PREMIER: These blocks of land were put up for sale and the fullest publicity was given to the sale. They were there for the highest bidder. There was no intention on the part of the Government to instruct the bench what to do, and the leader of the Opposition admits that there is no evidence that the Government did anything of the sort.

Hon. T. Walker: The endorsement of the title was unusual.

The PREMIER: In regard to the instructions, the police are there for instructions. The police force does not act judicially; it acts under instructions.

Hon. P. Collier: From the proper authorities.

The PREMIER: From the proper authorities, and instructions had been given to the police some three or four years ago—

Hon. F. E. S. Willmott (Honorary Minister): In 1910.

The PREMIER: That they were to oppose all hotel licenses. At that time I believe the policy of the day was that all hotels should be erected and controlled by the State. If I remember aright, the police were instructed, and it is quite right that they should be. When the police are instructed not to oppose a license that does not mean the police are not to oppose licenses being granted in certain localities. It is the duty of the police, if they consider that a man is not a fit and proper person to have a license, to inform the bench of the character of the individual, and to oppose the application. The police are there to watch the matter in the interest, not only of the Government, but of the people.

Mr. Duff: They oppose in 99 cases out of 100.

The PREMIER: Take Perenjori, a growing place on the Wongan Hills line. Frequent representations have been made to the Government that a hotel is required there; not so much that it is necessary to grant a license, but that the accommodation is required. In many instances it would be better for the public if the necessary accommodation could be provided without a license, but unfortunately it seems that cannot be done. In the Perenjori district there is great lack of accommodation. The Colonial Treasurer himself, having to go round that district, had to take a rug with him and camp where he could, there being no accommodation. This is most inconvenient to people travelling through the district, and in the public interests representations, supported by the people of the district, by the roads board, and by the Farmers and Settlers' Association, were made to the Government, asking them to throw open a site in the township for which a license would be granted. That was done. No influence was exercised over the licensing bench.

Hon. P. Collier: Not by the Government, but an attempt was made in that letter from the Lands Department.

The PREMIER: That letter may have been somewhat injudicious; it may have been an error of judgment.

Hon. P. Collier: "Highly improper," the Colonial Secretary called it.

The PREMIER: It was really an error of judgment. The hon. member knows that the departmental officers are often very busy and that sometimes letters are written and, perhaps, not thoroughly considered before being sent out. It was solely intended to inform the police of the conditions under which the land was sold, namely, on the understanding that it should be used for hotel purposes. If the license was not granted, the individual who held the land would have to forfeit it. He had to run that risk. It was all done in the public interest, and I am desirous that the fullest information should be afforded to the House and the public regarding this matter. The Government court the fullest inquiry. Hon. members all know perfectly well that the Government are not in any way culpable in regard to the matter, that they were merely doing what they considered best in the interests of the community. I regret that so much should have been made out of this.

Hon. P. Collier: So much has been made of it, that in the interests of all it ought now to be cleared up.

The PREMIER: Undoubtedly, especially in the interests of the Government. I thank the hon. member for having moved the motion. It was very kind of him to do so. I thank him for the sympathy he extended to the Government in moving the motion. It was better that it should come from the leader of the Opposition than from this side of the House.

Hon. P. Collier: That is the view I took of it.

The PREMIER: If it had come from this side it might have been thought that the Government were endeavouring, through a member of their own party, to whitewash themselves. The leader of the Opposition, having the fullest respect for the position of a Minister of the Crown, is equally desirous with me that the whole matter should be sifted to the bottom.

Hon. P. Collier: I have made no charges against Ministers.

The PREMIER: But insinuations have been made through the Press in an endeavour, perhaps, to poison the minds of the public.

Hon. P. Collier: I thought it was time I took steps to clear up some of those insinuations.

The PREMIER: I do not think they will have the slightest influence on the public, in regard to either myself or any of the Ministers. Hon. members know that Ministers are desirous of doing what they think right. Sometimes they make mistakes, as we all do, but no one believes for a moment that the Government were in any way interested in these hotel licenses or endeavoured to influence the bench. The member for Williams-Narrogin has been brought into the debate. He is, I suppose, one of the most active members in the House in the interests of his constituents. Kulin, I understand, is in his electorate. No doubt the hon. member was interesting himself in that particular locality, knowing that the people of the district were anxious for a house of accommodation, and evidently he pushed the matter along.

Hon. P. Collier: How does that apply to Perenjori?

The PREMIER: He was then assisting a brother, who, I believe, is away in France. I understand the hon. member has quite a number of brothers at the Front, and that in this instance he was desirous of seeing that when this particular brother came back he should find something waiting for him.

Hon. T. Walker: Should have two pubs to go to.

The PREMIER: I do not think there is any need for me to labour the question. The House has all the information at my disposal, and I welcome the motion of the hon. member. But I hope the hon. member will agree to make the tribunal a judge of the Supreme Court, who is, I think, the proper person to inquire into the matter. We do not want a select committee; we want someone who is thoroughly independent, who will take up the inquiry without bias or feeling of any sort. With the proposed amendment inserted, I shall be very pleased to accept the motion.

Resolved: that motions be continued.

Mr. TEESDALE (Roebourne) [8.10]: The leader of the Opposition says he has no charges to make against Ministers. I have a charge of inconsistency to make against the Premier. The Premier, together with the Treasurer, is always advocating economy, yet to-night we heard him practically inviting the leader of the Opposition to call for this Royal Commission, and commending that hon. member for having moved the motion. These Royal Commissions are very expensive affairs, and it is about time they ceased. Not long ago the newspapers were jeering at the Government for allowing the Royal Commission on Agriculture to continue its work, and in deference to that outcry the Premier withdrew the Commission. Yet that was a most important Commission. I consider it wasting the time of members and of Supreme Court judges to go into a matter like this, which should be dealt with by the party to which the hon. member belongs. As for the officials concerned, they could be dealt with departmentally. I think the proposal represents a scandalous waste of public money. In my opinion the leader of the Opposition has not advanced any real argument why this question should be inquired into by Royal Commission. There is the letter from Mr. King, the Under Secretary. Surely that question could be dealt with by the immediate heads of the Under Secretary, who could hold an inquiry into it. In regard to the omission to endorse the mortgage on that deed, surely that is a question for the Minister for Lands to take up very sharply with the official who allowed the document to leave the office and remain in abeyance for months and months, and then to be sent back, like an advertisement for Holloway's ointment, to have the endorsement added. That is a matter for departmental inquiry. Again, I know that Mr. Burt, the magistrate, would not think of flouting the Ministry in that letter which he wrote. It is simply due to a play on words in the letter, by which it is being made to appear at the very worst. That official has been in the State for many years and is a most reliable and painstaking officer. I speak from 26

years' experience of him, and I feel confident that nothing was further from his thoughts when he wrote that letter, than to dictate to the Government.

Hon. W. C. Angwin: It is only one of three.

Mr. TEESDALE: I think this matter could be dealt with departmentally and ministerially. Certain members have been referred to, and the references have been so transparent that there is no room for doubt as to which hon. member is meant. I say, let that hon. member be left to his own constituents and his own conscience. It may be that if other hon. members had been tracked up with the same sleuth-hound pertinacity, certain reflections could be made on their characters also. If the same amount of attention and publicity, and the same amount of keenness, had been devoted to the transactions of any member of this House, he might look uncomfortable if he was arraigned before it. That matter could well be left to him. It appears to me that no matter what a member of Parliament does he is absolved from any results of the happenings. I am given to understand that no tribunal can deal with him outside the House. What good is to be gained by this Commission, which will cost hundreds of pounds in fees, printing, witnesses, etc., except either to add to the tarnish of certain members' names, or to their brilliancy? What good can be gained, if nothing can be done so far as Parliament is concerned? If any hon. member is guilty let him be sent to Coventry by his own party, and if necessary wiped off the landscape. So far as the officials, who have been responsible for this hash-up, are concerned, let them be given a really good castigation, and if the offence is a serious one let them be given a severe lesson to last for the rest of their lives.

Mr. MONEY (Bunbury) [8.16]: I have heard that if one tells a lie it often takes two more lies to cover it up. It seems to me the same principle can be applied to this licensing question. It appears to be clear that the root of the trouble is the interference with the licensing bench by means of the Government policy. I have looked carefully through the Licensing Act, and have had considerable experience of licensing courts. I find no provision in the Act giving the right to any Government to interfere in any way with the licensing court, which should be entirely free of political control.

Mr. Pickering: And is.

Mr. MONEY: This amounts to absolute interference with the rights of the subject. The applicant for a license has a perfect right, on entering the court and making his application, to have the Act complied with, and no one directly or indirectly should oppose his license except those persons named in the Licensing Act, and he knows when he makes his application that these persons have a right to oppose him. In the list of those names any resident, or the licensing inspector, or even the resident police constable, can oppose the application, but no Government or representative of a Government has a right to oppose the application. Although these particular persons mentioned in the Act have this right to oppose the appli-

eration, they can only oppose it on certain grounds, either that the house is not required in the neighbourhood, that it is too near to a church or a school, or that the applicant is not a fit person to hold the license. There is no ground in the Act for objection that it is against the policy of the Government. All this trouble has arisen entirely through the wrongful interference, either directly or indirectly, possibly of the police force, with the licensing bench. If this discussion does nothing else but put an end to that interference once and for all, it will have done good. It is well for us to know and understand that we have no right to interfere with the courts of justice, whether a licensing court or any other court in the land. The less political influence there is in the future the better it will be for Western Australia.

Hon. W. C. Angwin: There is a vote of the people in this State under the Licensing Act.

Mr. MONEY: That is only a matter of petition.

Amendment put and passed.

Mr. PICKERING (Sussex) [8.20]: Seeing that there is such a desire to clear up this position—and I am quite in accord with that—I think in view of the allegations which have been made by the member for Toodyay (Mr. Piesse) against the late Scaddan Government, the same desire should actuate members on this side of the House to clear up the reputations of the members of that Government, as they show towards clearing up the reputations of members of the present Government. With that end in view I propose to move an amendment. I am in accord with the remarks made by the member for Bunbury with regard to interference with the licensing bench. It seems to me that, if we are to persist in the tactics which have taken place, it will be advisable to have the Licensing Act amended. Section 47, Subsection 3, of that Act states—

Provided that nothing herein contained shall affect the absolute discretion of the licensing court to grant or refuse any application.

The powers of the licensing bench are, it seems to me, absolute, and there should be no undue interference with it by any official of the Government or any Minister of the Crown. If there is interference it affects the integrity of the licensing bench. It would be well if the Colonial Secretary would introduce an amendment to the Licensing Act, making it clear to what extent the court can be interfered with. In moving my amendment I am actuated solely by a desire that the imputations which are cast upon a past Administration shall be cleared up and removed.

Hon. T. Walker: What are the imputations?

Mr. PICKERING: That some influences were at work.

Hon. P. Collier: Who cast the imputations?

Mr. PICKERING: I take it the member for Toodyay did when he stated that certain influences had been brought to bear, which were alleged to have been brought to bear by this side of the House. That is the way I understand it.

Hon. T. Walker: What imputations?

Mr. PICKERING: That there had been undue influence in connection with the licensing

bench. That is the inference I drew from the hon. member's remarks. I am anxious that this inference should be obliterated from the minds of hon. members, and with that object I move an amendment—

That after the word "respectively" in line 12, paragraph 4, the following words be inserted: "the circumstances under which hotel licenses were granted on private land adjoining the Government townsites of Ballidu, Nungarin and Pithara, and the disadvantages or otherwise of such action to the State as compared with the action of the present Government in selling the sites at Kulin and Perenjori townsites by public auction; (6) the withdrawal of police opposition to an application by H. B. Dancock for the transfer of an hotel license from Kulyalling to Brookton; (7) the circumstances under which Mr. Bath waived the restriction against the sale of liquor on certain town lots at Boddington, which were sold subject to such restriction."

The PREMIER (Hon. H. B. Lefroy—Moore—on amendment [8.27]: I do not like this amendment. We have a certain motion before the House and I do not see why we should go back to ancient history. I have not heard that any other actions have been criticised beyond those outlined in this motion. I know that certain licenses were granted at these places, but they were granted years ago. No criticism has been raised regarding the granting of these licenses. If the member for Sussex will consider a moment, I think he will agree that no exception has been taken yet to what was done at that time. I have no desire to be a party to raking up something which might have taken place years ago, in order to cover up the tracks of the Government on the present occasion.

Hon. W. C. Angwin: You have a broader mind than the member for Toodyay. He is the most narrow-minded member of the House.

Hon. T. Walker: He has been put up by someone.

Hon. P. Collier: Let us have a fishing inquiry.

Mr. SPEAKER: Order!

The PREMIER: I have no desire to make the scope of this inquiry unnecessarily wide. As it is, it should not be very costly, but if we are to inquire into all that has taken place in regard to hotel licenses in Western Australia during the last 10 years, I do not know what the inquiry may not run into. After such inquiry is over we may have someone moving to go back another 20 years, possibly in order to implicate someone else. I feel confident that there is no desire on the part of the leader of the Opposition to implicate the Government in any way with regard to the granting of these licenses, except that in his opinion there have been irregularities. We want to find out if there have been such irregularities. I think the mover of this amendment, if he thinks the matter over, will view it in the same light as I do—that we should be above endeavouring to tack anything further on to the mo-

tion. I trust the hon. member will not press the amendment, from which no advantage can result, as it deals with matters which never have been criticised, which took place years ago, and which have passed into the realm of ancient history unmentioned for and unhonoured. I cannot support the amendment.

Mr. JOHNSTON (Williams-Narrogin—on amendment) [8.32]: I have to say a few words on the amendment. It appears to me that if the Commissioner who is to inquire into the subject is to have a proper knowledge of the subject, he should know exactly what has been going on in the past, and should be in a position to compare that with the recent actions of the Government in selling these hotel licenses at public auction open to the whole country. We have, not in the far distant past as the Premier would suggest, but within the last three or four years, a number of absolutely similar transactions, with the exception that in these cases outlined by the member for Sussex, and referred to by the member for Toodyay, the licenses were granted to certain persons in respect of blocks adjoining townsites, without any public competition at all. Those people were absolutely entitled to take the action they did take. The amendment does not reflect on them in any way. But the carrying of the amendment would show what, to my mind, is the arrant hypocrisy of Labour ex-Ministers, who in some cases objected to, but in other cases assisted, transactions very similar in their nature to those which the leader of the Opposition mentioned.

Hon. T. Walker: But not by such means.

Mr. JOHNSTON: The member for Kanowna the other night waxed eloquent regarding the action of the Government in giving, through the Under Secretary for Lands, instructions to the Police Department.

Hon. W. C. Angwin: Yes; at your instigation.

Mr. JOHNSTON: The member for Kanowna, when a Minister, also gave instructions to the Police Department at someone else's instigation.

Hon. W. C. Angwin: Where and when?

Mr. JOHNSTON: The member for Toodyay just referred to those cases.

Hon. T. Walker: A transfer, you mean. Quite a different thing.

Hon. F. E. S. Willmott (Honorary Minister): No. When the Police Department were given instructions to oppose—

Mr. SPEAKER: Order!

Mr. JOHNSTON: I propose to speak to the main question presently, but if the hon. gentleman opposite will not accept the amendment—

Hon. W. C. Angwin: Not accept? He does not care a hang.

Mr. JOHNSTON: The public will draw their own conclusions.

Hon. T. Walker: We want them to draw their own conclusions.

Hon. W. C. Angwin: We are not interested in any licenses.

Mr. SPEAKER: Order!

Mr. JOHNSTON: If this amendment is not accepted, the Commissioner inquiring into the matter will not be in the position which, in my opinion, he should be placed in so that he may judge the policy of the Honorary Minister in selling this land by public auction, as compared with the policy operating formerly, under which there was no public auction, but under which licenses were being granted alongside Government townsites—and quite legally, under the law of the land obtaining prior to this change of policy.

Hon. T. WALKER (Kanowna—on amendment) [8.37]: Like the Premier, I personally have no objection whatever to every possible inquiry into every transaction in which the Labour Government participated during their term of office in connection with these matters.

Hon. W. C. Angwin: None of us is interested in any license.

Hon. R. H. Underwood (Honorary Minister): That has nothing to do with the Government.

Mr. SPEAKER: Order!

Hon. T. WALKER: There has been no consideration whatsoever actuating the Labour Government in dealing with licenses, except consideration of the public and the law; and it has never been done by means of officers, however high in the department, taking action unknown to Ministers; and there has been no action on the part of the Labour Government in connection with licenses of any kind but the Minister has known what was going on and has accepted full responsibility for it. It is in this that the whole distinction lies. I quite agree with the Premier that these amendments look particularly like an endeavour to infer to the public that whatever wrong there may be in the course of the granting of the particular licenses referred to in the motion—

Hon. R. H. Underwood (Honorary Minister): The present Government have followed the good example of the previous Government.

Hon. T. WALKER: That whatever wrong there may have been—

The Minister for Works: If any.

Hon. T. WALKER: Was on a par with wrongs previously permitted by another Government. No comparison of that kind is possible between the two cases. I submit there have been wrongs.

Hon. R. H. Underwood (Honorary Minister): I submit that the Scaddan Government were wrong in—

Mr. SPEAKER: Order! The hon. member must cease interjecting.

Hon. T. WALKER: The cases were quite different, quite distinct, as I will show if the Honorary Minister will remain silent. During the career of the Labour Government, a fixed policy, based upon a vote of the entire public of this State, was inaugurated. The local option vote had declared in the large majority of voting districts—the only exception being that of Gascoyne—that there should be no new licenses granted. In accordance with that policy, dictated not by the Government but by the people of the State, in the administration of the law, a general instruction was given that there should be opposition to all applications for new licenses.

Hon. R. H. Underwood (Honorary Minister): Quite wrong.

Hon. T. WALKER: By this time it was carrying out the law, or one law—there may have been a conflict of laws. But it was the voice of the people, it was the instruction of the people; and we were determined, as far as we could, to carry out honourably that instruction given to us by the people. It was a standing direction, therefore, to the police to carry out the local option law as voiced at the polls. There were some exceptions created by the Licensing Act—exceptions, for instance, in the case of a transfer, where one does not, as everybody here knows, oppose necessarily. A transfer does not create a new license. It only shows how some people try to throw dust in the eyes of the Assembly by references to what occurred while I was Minister. Every boy knows that the transferring of a license is not the creation of a license. But reference has been made to-night to a transfer to which I saw no objections. The district had gone down, the population had changed, and without creating a new license, the licensee of the centre which was failing had to follow the population in the same district, but had not to obtain a new license. He was not going outside the district at all, not leaving the district at all; no new license was created; it was simply the transfer of a license from one hotel to another hotel.

Hon. F. E. S. Willmott (Honorary Minister): And yet your general instructions were to oppose all licenses. That is the point.

Hon. T. WALKER: It is just exactly one of those cases where the general rule need not apply. The Honorary Minister, in his common sense, will admit that.

Hon. F. E. S. Willmott (Honorary Minister): Exactly.

Hon. T. WALKER: The Honorary Minister will admit that it was just recently one of those cases where it was necessary to carry out the general instructions; and that was done, but not at the instigation of interested parties.

Hon. F. E. S. Willmott (Honorary Minister): That is not inferred.

Mr. Money: It should not be there at all.

Hon. T. WALKER: Under the Licensing Act, no; but under the Local Option poll, yes. Let me put another point to the member for Benbury. The general instruction given by the local option vote was that if any new licenses were to be granted they should be for State hotels.

Hon. F. E. S. Willmott (Honorary Minister): No.

Hon. P. Collier: Yes.

Hon. T. WALKER: It is absolutely right that the people voted in the majority for the establishment of State hotels in preference to the increase of private hotels.

Hon. P. Collier: In the Kulin district they voted for a State hotel, too.

Hon. T. WALKER: If we are to give any effect whatever to an instruction of that kind, instruction given under law, or by law, or by the operation of law, and, this being the voice of the majority of the people of Western Australia, if we were to give any effect to them at all, we were to see that the State got the first option in every instance.

Mr. Money: There is nothing in the Act authorising opposition to all license applications.

Hon. T. WALKER: Not under that section, I admit; but there is now operation of the local option law. We are to give effect to the people's vote. The hon. member will not gain-say that.

Mr. Money: You can establish the State hotels, but you cannot oppose another application.

Hon. T. WALKER: We can oppose opposition to the State in every possible instance, as one licensee will oppose the granting of a license to another applicant in the same way. We were in the position of licensees; we were hotelkeepers ourselves, and we were acting in that capacity when we opposed the opposition to us.

Mr. Money: In that capacity you can only oppose in open court.

Hon. T. WALKER: And we did oppose in open court, but we had to use our servants just as an applicant would employ the hon. member to act as his agent in the court. We used our agents and it was in that capacity that the general orders were understood to be that applications for all new licenses were to be opposed. Even then we always acted with discretion; we did not offer opposition where we found after making full investigations that outside a given area a new license was required. In every instance where the police were told that they need not carry out the general orders, they had first of all made their preliminary investigations. They had reported as to the wisdom or otherwise of a license being granted, and it was after full inquiry that action in every case was taken. In this case it was quite different. We are administering the laws as licensees and it was the duty of the State Hotels Department to look after the welfare of the citizens.

Mr. Money: Is that the reason for giving general instructions in connection with all applications?

Hon. T. WALKER: In those cases where the local option vote was against new licenses, where it had been declared that there should not be any.

Mr. Money: Where the local option vote had declared against, it was unnecessary.

Hon. T. WALKER: No fear. In no instance did we give instructions for the establishment of hotels and licenses.

Hon. R. H. Underwood (Honorary Minister): You ordered that one should be established.

Hon. T. WALKER: There is not one single instance where the Labour Government gave instructions that a private hotel should be established.

Hon. R. H. Underwood (Honorary Minister): Yes, at Boorabin.

Hon. T. WALKER: No.

Mr. Duff: Yes, at Boorabin.

Hon. T. WALKER: That is not right.

Mr. Duff: Well, it was a transfer.

Hon. T. WALKER: There is a difference between a transfer and a new license.

Hon. R. H. Underwood (Honorary Minister): A difference without a distinction.

Hon. T. WALKER: A transferred license can never be construed, even by our most malignant opponents, into the creation of a new license. What has happened in this particular case?

Hon. F. E. S. Willmott (Honorary Minister): Which case?

Hon. T. WALKER: Perenjori. There are only two that are fishy.

Hon. F. E. S. Willmott (Honorary Minister): Do you mean to insinuate that I am in it? Don't throw any of your dirty coarseness across the floor at me.

Mr. SPEAKER: Order! The hon. member must address the Chair.

Hon. T. WALKER: Does the Honorary Minister want to fight me?

Mr. SPEAKER: Not here, I hope.

Hon. T. WALKER: If he does, Sir, I will ask you to be my second, to see that I get fair play, because I cannot trust him.

Mr. SPEAKER: Order!

Hon. T. WALKER: The only cases in which there is anything fishy, and require to be investigated, the only cases with a preliminary stench about them, are the two cases Kulin and Perenjori. Let us see what the difference is between those cases and the cases which were dealt with by the Labour Government. For the first time in history we have a special endorsement on the title. It is not an instruction prohibiting a license but an instruction that the land shall be used for hotel purposes only. We have not another case like that in this State or in any other State of the Commonwealth.

Hon. F. E. S. Willmott (Honorary Minister): You have them reserved in every town-site; what are you talking about?

Hon. T. WALKER: Reserved for whom? For the State?

Hon. F. E. S. Willmott (Honorary Minister): No, for hotel sites.

Hon. T. WALKER: When townsites were laid out, they were laid out in that form, but everybody knows that you cannot sell land, or part with it in fee simple and then say for what purpose it shall be used. The only object in endorsing a title in the way that was done was to instruct the bench as to what had to be done, and that is the evil which has been perpetrated. Let the Honorary Minister produce a single title similarly endorsed by any of his predecessors in office. He cannot do it. That is an irregularity which is perfectly shocking to those who know anything about transactions or about licensing matters. The whole gravamen of the offence is in this. Putting instructions on the title is without a single precedent in the world's history. Such a title going before a magistrate must be taken as an instruction. I do not wonder for a moment that Mr. Abbott, the solicitor who went to Moora to support the license, told the court that the Government were in favour of the license, that it was a Government direction because the document itself declared it. Mr. Canning, the magistrate, very rightly objected to the Government interfering on the same ground that the member for Bunbury objects to mine.

Hon. W. C. Angwin: He had power to turn it down.

Mr. O'Loughlen: And he might have been turned down himself then.

Mr. Money: The licensing court had the document; it could only be an inference by Mr. Abbott.

Hon. T. WALKER: They could all do it; it is human nature.

Hon. F. E. S. Willmott (Honorary Minister): Was it human nature when they turned down Koskey's application?

Hon. T. WALKER: It is scarcely human nature to put one's back up against the whole Government. People wrongly think that Governments made up of people like the honourable interrupter are wise.

Hon. F. E. S. Willmott (Honorary Minister): It is a nasty insinuation.

Hon. T. WALKER: The hon. member is feeling more than I am saying. I am not declaring that he has been dishonest.

Hon. F. E. S. Willmott (Honorary Minister): You are.

Mr. SPEAKER: Order!

Hon. T. WALKER: If the cap fits the hon. member can wear it. I have not made a cap for him in that respect; I have only accused him of having acted with extreme boyish impetuosity and want of judgment, or perhaps more than want of judgment, an impulsive desire to please Bertie.

Mr. Johnston: I never heard of that title, or any title like it.

Hon. F. E. S. Willmott (Honorary Minister): It is just his dirty insinuation.

Mr. SPEAKER: Order!

Hon. T. WALKER: The hon. member never heard of the title. Has he not heard of the endorsements which were on the title of the Perenjori land?

Mr. Johnston: Since the sale.

Hon. P. Collier: Did you not know before the sale? How then did you wait on the Under Secretary for Lands?

Mr. Johnston: It was after the sale.

Hon. P. Collier: Before.

Hon. T. WALKER: The file shows it was before the sale.

Mr. Johnston: That is just as accurate as your other statements.

Mr. SPEAKER: Order! These interruptions must cease.

Hon. T. WALKER: We have heard a commendation of the hon. member for his extreme energy, ability and acuteness. Here is a man who goes up to buy property without knowing anything about the title—a man of the keen business instinct of the hon. member has never seen the title! In the words of the Premier, he is acting with a feeling of regard to his absent brother at the Front, to protect his interests. The brother at the Front knew nothing about it. He had never heard of Perenjori, he did not know where it was. This was to be a nest-egg for him when he came back. Purely in that capacity the hon. member bought this pig in a poke, without knowing what was on the title. He instructed his solicitor.

Mr. Johnston: I did nothing of the kind.

Hon. T. WALKER: Then who did?

Hon. P. Collier: Connor.

Hon. T. WALKER: In every instance when the purchasers visited the Minister or the Lands Department the member for Williams-Narrogin and Mr. Connor were together.

Mr. Johnston: Once.

Hon. T. WALKER: And surely it will not be supposed that they never spoke of the matter again until the whole thing was finished! The hon. member was merely looking after his brother's interests, the one so dear to him, and he knew nothing whatever about it. Let that be as it may, the instructions were upon the title. At whose instigation were they put there?

Hon. F. E. S. Willmott (Honorary Minister): At mine. I have told you so a thousand times.

Hon. T. WALKER: Who composed the draft? The hon. member. To whom did he give the instructions to have them so endorsed on the title?

The Minister for Works: That is what the judge will find out.

Hon. T. WALKER: The hon. member would never, on his own initiative, unaided, uncounselled, dare to interfere with the title, a title for lands which had to be registered, and, if there were anything fresh about it, had to pass under the eyes of the Commissioner of Land Titles. This was an unheard of innovation. How did he take upon himself to make this unheard of, this unprecedented innovation? How did he get it into his head, and how did he get approval of it? When a man buys land he buys it without these restrictions and endorsements, especially such endorsements as these: "You are to apply to the next licensing court." A condition on a title! "If you do not apply to the next licensing court your title drops." To put stipulations of that kind on a title! I can, of course, conceive that it was his own unassisted flash of genius. I can imagine that, but I cannot understand the apathy of the whole of the experienced lands officers who allowed an innovation like that to take place and become established as a precedent. There is something wrong somewhere in the Lands Department, and that is why the inquiry is needed. And here is the gravity of it all: once that endorsement was made, from whatever motives or from whatever causation, that became then necessarily an instruction from the Minister to all his inferior officers. They try to carry out the wish of the Minister, written with his own hand, this strange limitation to a title. We cannot blame Mr. King so much afterwards for taking that as a genuine instruction; but I can blame Mr. King, of course, for doing what he did without submitting this matter to his Minister. It shows a laxity, a want of discipline, a condition of chaos in the department. But the instruction must be regarded as some degree of justification of Mr. King. He sees there that that is what the Minister intends to do. The Minister has made up his mind that there shall be a hotel on that particular block, and that the matter shall be rushed through, that the application shall be made at the next sitting of the licensing court. So the thing spreads

to Mr. King, from him to Mr. Morris, from Mr. Morris to the Commissioner of Police, from the Commissioner of Police to Mr. Inspector McKenna, and thence to the local police officer at Moora. That is how the evil is done, and there is the gravity of it—a Minister taking upon himself illegally, wrongly, without a single precedent in law, to so direct, not that there shall be no hotel started, but that there must be in quick time a hotel built at Perenjori, so that there shall be a nest egg for the brother of the hon. member when he returns.

Mr. Money: The magistrate said he took no notice of the instruction.

Hon. T. WALKER: I know Mr. Canning and I know that he would not act in any way dishonourably; he is one of the most independent of our magistrates. But Mr. Canning is like all others. When there is no police opposition, when there is a definite desire expressed—and it is presumed that there has been adequate inquiry behind it—by the Government that there shall be a hotel there, Mr. Canning has no alternative to granting a license. But on the same day another license was applied for and was opposed by the police on the grounds that there was no police protection in the locality. There was even less police protection where the license was granted.

Hon. F. E. S. Willmott (Honorary Minister): One was for a gallon license and the other for a hotel.

Hon. T. WALKER: Never mind, it was a question of police protection. That is the comparison I wish to make. There was less police protection where the proposed hotel was situated than at the place for which the gallon license was required. The Government cannot escape blame for that. The Minister who could do that does not know the responsibility attaching to his office, and he cannot wonder if he is treated with the utmost disrespect and contempt by those under him, if they do not come to him and show him what they are doing, if they act without his supervision at all. The other case is full of difficulties in a similar way, and I suppose the same Minister dealt with that also. There is the extraordinary conversion of a conditional purchase lease into a grazing lease. We want to know why that was done when the applicant happened to be a brother of the beloved member for Williams-Narrogin. The same man, the same desire for a nest egg. And here is the extraordinary thing which no Minister of the Lands Department should allow to pass without bringing the whole of his subordinates on the carpet: there is an absentee, out of the country altogether, and only just of the age when he can hold land. His brother applies on his behalf to get this land converted. It is converted, and it is finally granted to this absentee, who apparently is unaware that any application is being made.

Mr. Johnston: He applied himself in person for the grazing lease.

Hon. T. WALKER: What age was he then?

Mr. Johnston: He was over 19.

Hon. T. WALKER: The point I am coming to is this: He left for the Front in 1916.

Mr. Johnston: No, in March, 1917. He was here when I was Speaker, I remember.

Hon. P. Collier: You will not forget those days.

Hon. T. WALKER: Very well. The brother was absent when the lease was registered.

Mr. Johnston: Probably, but his attorney, Mr. Hubert Johnston, was here.

Hon. T. WALKER: The brother was away, the application was lodged, the approval was some time afterwards, and the lease was not registered until the 26th February. I ask hon. members to particularly notice the dates. On the 23rd February the Minister for Lands—I suppose the Premier—

Hon. F. E. S. Willmott (Honorary Minister): You supposed me just now.

Hon. T. WALKER: No, the responsible Minister would have to carry the weight of it all. The Minister for Lands signs the lease only on the 23rd, and on the 26th registration takes place. Four days later there is a caveat, and the caveat is on the strength of a contract for sale. When was that contract for sale executed?

Hon. P. Collier: Upon a day that is blank.

Hon. T. WALKER: Undoubtedly. A caveat is lodged on the strength of a contract for sale. There was only power to sell after the 26th. No title existed before that date. Yet, on the strength of this caveat, Butler comes into court, declares an interest in the land, and asks for a license. A license cannot be heard or entertained until the preliminary formalities are complied with. The application has to be in the hands of the clerk of the licensing district 14 clear days before the date of hearing, there must be a notice on the premises, and there must be an ownership. At the time when the application was heard there could not be any ownership. There was no title of sale within 14 days.

Hon. P. Collier: That is so.

Hon. T. WALKER: There was no title to support the contract for sale within 14 days.

Mr. Johnston: It had an approval for six months.

Hon. T. WALKER: One cannot sell an approval.

Mr. Johnston: You can.

Hon. T. WALKER: One can only sell one's title. There is no interest in the land. It is a contract for the sale of a specific thing.

Hon. P. Collier: The sale of an approval.

Hon. T. WALKER: Either there is fraud upon the licensing court, or the application was made under false pretences, or else there is something terribly wrong in the Lands Department in their dates and figures, as shown by the file.

Hon. F. E. S. Willmott (Honorary Minister): If you do not know more about the Attorney General's department than you do about

the Lands Department there is no wonder you do not know much.

Hon. T. WALKER: I can understand that the Honorary Minister is uneasy. He has occasion to be uneasy.

Hon. F. E. S. Willmott (Honorary Minister): Another dirty insinuation.

Hon. T. WALKER: Here we have a beautiful specimen of a Minister of the Crown. His colleagues ought to feel proud of him, and I am sure they do. Half the disgraces like this are due to the want of common every day sense on matters of this kind. The Honorary Minister exhibits a want of this sense even in this Chamber. If I wished to show that I was justified in calling the attention of the public to the kind of Minister that we have, I should only have to ask them to look at the conduct of the Honorary Minister in this Assembly during the debate.

Hon. F. E. S. Willmott (Honorary Minister): Debate!

Hon. T. WALKER: At the time the application of Butler was heard at the court, when he claimed a title by virtue of his caveat under a contract of sale, there was no title of sale within the 14 days allowed by the law.

Hon. P. Collier: That is so.

Hon. T. WALKER: It was a fraud upon the court. Some influence must have been at work, but what influence I know not. It is a matter for inquiry as to what induced the bench to consider this application in these circumstances. There is every need for this inquiry. An approval can never be sufficient. One cannot sell an approval.

Mr. Johnston: Yes.

Hon. T. WALKER: One cannot build an hotel upon an approval. Before one can deal with a title, and say one is in possession, and has a right to a claim on the land, the title must be there, and the title is not there until it is registered.

Mr. Johnston: You can get the lease altered for five years.

Hon. T. WALKER: That can be done in a purely speculative way, but it gives no legal title to the land. There is no legal title in land until the title is granted, and passed through Executive Council, and registered.

The Premier: Approvals go through Executive Council long before the leases are signed.

Hon. T. WALKER: I know that, but there is no title to the land until the leases are issued.

The Premier: I think His Majesty's approval in Executive Council is quite sufficient.

Hon. T. WALKER: There was no approval of that kind in this instance at the time mentioned. The transfer is effected when the Minister signs it, and then the lease goes through. There is no signature of instrument until the Minister himself signs the transfer. Until the signature of the responsible Minister is upon the document it has no substance.

Mr. Money: What is the section of the Licensing Act which requires a Crown grant?

Hon. T. WALKER: There is no such section, but ownership must be shown. The applicant claims interest in the land upon the caveat. He asks for a provisional certificate for that land on the strength of the caveat.

Mr. Johnston: And the leases.

Hon. T. WALKER: This caveat covered the contract for sale, which could not exist and did not exist at the time the applicant is alleged to have applied for the license.

Mr. Money: You can sell your interest in land subject to application.

Hon. T. WALKER: The hon. member knows this caveat was a fake.

Mr. Money: Was the caveat lodged?

Hon. T. WALKER: I do not know when it was lodged. That is what has to be inquired into.

Hon. P. Collier: Yes, they did lodge it.

Mr. Money: It must have gone against the lease.

Hon. T. WALKER: Undoubtedly the caveat was filed, but there was no production of the contract for sale such as is required. These are the irregularities that we desire to be inquired into, and I am glad the Government have given their consent to this. It will be better for everyone concerned that the whole thing should be inquired into. At present it looks as if there had been terrible mal-administration, not only on the part of departmental officers but on the part of certain Ministers of the Crown.

The Premier: You must not pre-judge the case.

Hon. T. WALKER: We want an inquiry to clear away the mist that at present surrounds the matter. It is for that reason that I wish to support the motion.

Hon. F. E. S. Willmott (Honorary Minister): What is under discussion.

Mr. SPEAKER: The amendment.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [8.25]: There is one big principle involved in this debate. A certain charge has been made in the newspaper, which hon. members in their undoubted right have thought fit to practically bring before the House. I do not say that they were moved by the article, but there is no doubt that the article in the "Western Australian" caused hon. members to think, and some of them to move. Speaking on behalf of the Government, the Premier took the only course I think any members forming a Ministry have a right to take if they wish to retain the respect not only of this Chamber but of the people of the State. When apparently a serious charge is made, which reflects even in the slightest degree upon one or more members of the Ministry, or upon any of the members of the civil service, the Government have a right on behalf of the State, to have that charge probed to the bottom, and if there is any blame which can be attachable that blame should be attached, and if there is no blame then the charge should be cleared from the persons concerned. Holding that view the Government are willing, as stated by the Premier, to appoint a Royal Commission, and in order to place the matter beyond the possibility of question, to appoint as Commissioner a judge of the Supreme Court, as one who can be regarded as being beyond all bias either politically or personally.

Mr. SPEAKER: That is not under discussion.

The MINISTER OR WORKS: The Government were in accord, as stated by the Pre-

mier, with the amendment moved by the member for Toodyay (Mr. Piesse).

Mr. SPEAKER: That amendment is not under discussion.

The MINISTER OR WORKS: I hope the amendment moved by the member for Sussex (Mr. Pickering) will not be carried. I should like to see it withdrawn. I submit to the hon. member, and others supporting him, that there are very good reasons why he should not carry the amendment to a division. There is no doubt that the Commissioner, with the power that he has, will call for such witnesses and papers, as is indicated in the motion, which are necessary in the first instance to call for in order to get at the facts. As the inquiry proceeds, it will then be a matter for his judgment whether he should go into any other phases. There can be no restriction placed by the Government, nor do the Government desire to impose any restriction, on such an inquiry. The members of this Ministry are perfectly satisfied that their actions have been absolutely clean. Even if an error of judgment has been committed by any one member of the Ministry, so long as it has been done with clean hands, what man in this Assembly would assail that Minister? If by any chance we have done wrong, we have no wish to shield ourselves behind assertions that previous Governments may have done wrong. What would that matter in the opinion of people whose judgment is of value? That would not whitewash us. Whatever our faults in administration may have been, our characters are those of honourable men, and therefore we do not want a whitewashing. Without reflection on any previous Government, we believe that we are clean. We stand or fall by our own actions as Ministers irrespective of anything done by previous Governments. Therefore we see no value in the probing of matters not connected with the subject of this motion, and accordingly we deprecate the amendment. It may be that some departmental actions require revision. Western Australia has had a number of Governments during the past 12 years. Every member of each of those Governments has had his own views, and according to the strength of his character, and with regard for the views of the Government, his personal views have been impressed on members of the public service. It may be that the inquiry, if this amendment were carried, would disclose some matters now hidden from present day Ministers because these have never had reason to go into them. To assert that an inquiry of this kind must do good, is to cast a reflection on the departmental officers. What we want is a clear, unvarnished statement of what has really occurred. We do not want pieces picked out of files. We want someone who has been trained to an accurate weighing of evidence to take the whole of the files and the whole of the facts and the whole of the witnesses, in order to frame a judgment we can receive as clear and unbiased. Such is the only judgment which a Government with any self respect would accept. With all due respect, I think the discussion has departed somewhat from the main lines of the motion of the leader of the

Opposition. Speaking as an old parliamentarian, let me point out that a matter of this kind, which is far above the question of State administration, can be narrowed down to personal accusations, but that this course would not attain the object that forms the basis of the motion, namely, to ascertain whether there has been anything in this matter which is not quite clean, and, if so, to let us know what it is. If the matter were put forward as a motion of want of confidence, then the usual recriminations, "I am white and you are black" might be brought to bear with the full force of hon. members' artillery. There is nothing that can be shown, nor has the leader of the Opposition attempted to show anything, reflecting upon the personal honour of any member of the Cabinet.

Hon. P. Collier: I did not desire to do so.

Hon. F. E. S. Willmott (Honorary Minister): You did not, but the others did.

The MINISTER FOR WORKS: Whether there has been miscarriage or mis-direction, wilful or otherwise, can be decided only by a Royal Commission consisting of a Supreme Court judge. In view of that position, should we proceed practically to prejudge the question? As the result of a fairly long parliamentary experience, I urge that the Premier's suggestion should be accepted by all members of this party; and I do not think there is a member opposite who would reject the Premier's suggestion.

Hon. F. E. S. WILLMOTT (Honorary Minister—Nelson) [9.37]: Had the leader of the Opposition been the only member to speak from the opposite side of the House, I would not have risen at all, having previously expressed my views on this matter. But the member for Kanowna deliberately went out of his way to try and besmirch my personal honour. He went so far as to tell this Chamber that it was through me, A. L. Johnston had got a grazing lease in 1916.

Hon. P. Collier: In 1917.

Hon. F. E. S. WILLMOTT (Honorary Minister): A. L. Johnston got that grazing lease in 1916, nearly two years before I was in the Lands Department at all. As to the special conditions in respect of the Perenjori lots, I considered them good conditions, otherwise they would not have been there. In the past the practice has been for purchasers of these blocks to hawk them all round the City and the breweries.

Hon. P. Collier: But you will not continue those conditions?

Hon. F. E. S. WILLMOTT (Honorary Minister): I will continue them as long as any Government with which I am connected remains in power. Either let the prohibition be lifted off all the blocks, as it should be, because it is absolutely wrong to throw on the Minister for Lands the onus of deciding whether a district requires an hotel license, or else impose these conditions. We have a Licensing Bench for the purpose of deciding those questions; and yet there is this extraordinary provision as the result of the holder of every block being prohibited from selling intoxicants and one or two blocks being reserved in each townsite for hotel sites—not for State hotels,

as asserted by the member for Kanowna. The position is extraordinary that the Licensing Bench cannot grant a license until the applicant has shown that he is the owner of certain land. What can the Licensing Bench do? They can grant a license to the holder of any conditional purchase block. If the Minister for Lands then says, "I will not make land available for an hotel in a townsite," the bench are perfectly justified in granting a license if they consider an hotel necessary, if, say, the site of the proposed hotel is distant more than 15 miles from the nearest hotel. The embargo on the sale of intoxicants should be eliminated from leases, or else such conditions as those imposed by the Perenjori leases must be always imposed if we are to have anything like justice. How many applications have been made for an hotel license in Ajana? Applicants have been before the licensing bench four times, and the licensing bench have said that an hotel is necessary. Moreover, the residents of Ajana, writing in support of the establishment of an hotel, say, "We request the Minister to add such conditions as will compel the purchaser of the block by public auction to apply at the next sitting of the licensing bench, and to erect an hotel immediately, as the hotel is badly needed today." If another block is sold in the same way as the Perenjori block, I trust the same conditions will be imposed. If a license is needed, then the sooner the hotel is put up the better. If an hotel is not required, then it is the duty of the bench to refuse the application. But the Minister for Lands should not be required to say whether a license is or is not required in a particular district. At present the Minister for Lands usurps the functions of the licensing bench.

Hon. J. MITCHELL (Northam) [9.43]: I should not have spoken but for the remarks of the Honorary Minister (Hon. F. E. S. Willmott). Not one word of argument has been put up in favour of acceptance of the amendment. Nothing has been said against the granting of licenses in the places mentioned in the amendment. The amendment seems to say, "Let us see what was done in these past cases, in order that we may compare it with the conduct of the present Government." That is a ridiculous argument to advance in favour of the appointment of a Royal Commission. The amendment attacks the Government who controlled the affairs of Western Australia when those licenses were granted. The hotel at each one of the three places named in the amendment is on Crown land. Thus the conditions are totally different. I think the Government are wise in agreeing to the appointment of a Royal Commission to inquire into the matters raised by the leader of the Opposition. I doubt whether any licensing bench would take notice of any interference on the part of the Government. As a matter of fact I know that the bench would resent such interference to the extent that they would probably give a decision the very reverse of that which might be desired. So far as the sale of the blocks is concerned, I believe that some conditions are necessary, because, as the Honorary Minister has

pointed out, two blocks in each township are reserved as hotel sites and liquor is not permitted to be sold on any other blocks. The idea is that the Government should have the ingoing.

Hon. F. E. S. Willmott (Honorary Minister): The intention was good but the administration was disastrous.

Hon. J. MITCHELL: The administration need not be disastrous. If an hotel is wanted the Minister can ascertain from the bench, or by some other means, when the time is ripe for throwing open the blocks. It is certainly necessary to see that the blocks which are reserved for hotel purposes are used for such. Whether the conditions which the Minister sets up are the best I am not going to say, but it should be an easy matter to see that the blocks are used for hotel purposes. I hope the Government will not alter the conditions under which the blocks in new townships have been sold.

Hon. P. COLLIER (Boulder—on amendment) [9.50]: So far as I am concerned, as a member of the Scaddan Government, I am quite prepared to have an investigation of the most searching character into all or any of the licenses, or applications for transfers, granted during the period of that Administration. I welcome any inquiry, but the hon. member who moved the amendment has not attempted to make out any case, and neither has he advanced any reasons as to why the inquiry should be extended in the way he desires. Is the House to appoint a Royal Commission to make a fishing inquiry into matters without any charges being made, or without any suggestions or imputations of wrong doing? The member for Toodyay has an extraordinary outlook upon everything that comes before this House as it affects hon. members. The amendment, it is said, is identical with the motion. Let us see whether there is any foundation for that assertion. A file has been placed on the Table and it discloses circumstances which require investigation. Every member who has spoken to the motion has admitted that, as the matter rests now, an inquiry is needed. The file shows that an investigation is wanted, but with regard to the licenses mentioned in the amendment of the member for Sussex nothing has been stated, no assertion has been made that there has been anything which requires investigation. We are merely asked to broaden the scope of the inquiry to go on a sort of fishing expedition into the granting of licenses at Nungarin, Ballidu, and other places. The only object of the amendment is to attempt to smother up the whole thing. I have never heard of a member asking for an inquiry into a matter without giving specific reasons, or without stating definitely the matter he desires to have investigated. Personally I have no objection to the inquiry being extended, and I do not care whether the Commission goes on inquiring into these matters for the next 12 months, but I must say that I have never heard of a Commission being appointed on any such grounds. The Honorary Minister for the North-West is op-

posing the appointment of a Commission into another matter on the grounds that he does not believe in a fishing investigation. Here now we have a proposal to inquire into general statements without any charges being made. Speaking on behalf of the members of the Scaddan Government, however, I can say that there is no objection whatever to an inquiry into all or any of the matters referred to in the amendment.

Amendment put and negatived.

Mr. JOHNSTON (Williams - Narrogin) [9.55]: I would like to say a few words with regard to this matter. The remarks of the leader of the Opposition, to a large extent, savoured of the vindictive and were a personal attack on myself. I regret the narrow scope of the inquiry because I thought that if the wider scope had been decided on, the Commission would be in a position to judge the necessity for the alteration in the policy decided upon by this Government, the alteration to submit blocks to sale by public auction, instead of permitting people to continue applying for hotel sites in close proximity to townships. Evidence on that point should be brought before the Royal Commission. I welcome an inquiry into any public or private action of mine. Anything I have done in connection with this or other matters during my lifetime is open to the most searching public investigation. I think that, in this respect, I have had, during my short experience, more public scrutiny than the average man, but I am absolutely satisfied—I do not say this in any boasting spirit—it will be found by the Royal Commission that I have been associated with nothing other than that which was honourable, fair, and above board. I may recall the notice of the Premier to the fact that when I first saw these attacks on me some two or three weeks ago, I went straight to his office from the train to discuss the matter with him, and I told him that any inquiry the Government might desire to make, I would welcome, and that I would place all the information I could at their disposal. I was only aware at 7 o'clock last evening of the motion, notice of which had been given by the leader of the Opposition. I then again went straight to the leader of the House and asked that the inquiry should be conducted by a judge of the Supreme Court, whose verdict would be acceptable to the members of the House and to the people of the State as well. Malicious innuendoes have been made through the columns of a journal which used to occupy a position of honour and credit in this State when Sir Winthrop Hackett was alive. I am glad those innuendoes, which they dare not put into straightforward statements, will be investigated by a tribunal in whom my constituents and the people of the country can have every confidence. All the information and knowledge arising out of my association with these matters can be freely put at the disposal of the Royal Commission. It may happen that my knowledge on many of the points is much less than the leader of the Opposition and the "West Australian" newspaper have suggested. I do not propose, however, to cover all the details, but there is one phase of the matter to

which I want to draw attention, and which has escaped the notice of all the speakers, and it is that in regard to the Perenjori and Kulin applications, petitions were presented to the licensing bench in favour of the applications, and those petitions were practically unanimously signed by the people of those districts. That of course will be established or disproved by the Commission. It appears to me, however, the attitude of the Opposition on this question is typical of the ethics of the extreme wing of the Official Labour Party. In this instance the Government fixed conditions of sale which were certainly not in the interests of the buyer. Any buyer would prefer an unrestricted title to a title which compelled him to immediate action and to the immediate expenditure of a large sum of money. The point is that that title provided that the land should be used for hotel purposes and for no other purpose. There are people who think that that hotel should not be established at all. However, the Government decided on the condition to that sale of Crown land that the land could be used for hotel purposes only. The buyer goes along and in good faith agrees to pay £100 for the block. Although I believe I am right in saying that the maximum price on any other block in that town would be in the neighbourhood of £25, the Government increased the price of the one block to £100 because of the removal of the restriction in regard to the sale of alcohol. To my mind it would be a perpetration of the confidence trick on the person who bought the land advertised as a hotel site if the Government then turned round and used the Police Department to prevent the purchaser from utilising the land for the only purpose for which, under the title, he was to be allowed to use it.

Hon. P. Collier: But if the block were purchased by somebody who was not a desirable person to hold a license, what would happen?

Mr. JOHNSTON: The licensing bench have power to refuse the license, as indeed they did in the first instance at Kulin. I understand that evidence of such a nature was brought forward when that application was withdrawn.

Hon. P. Collier: But it is generally the function of the police to bring forward such evidence.

Mr. JOHNSTON: That is so. But in this case, so far as Mr. Loftus Connor, a reputable citizen of Perth, is concerned, I take it that such an objection would not stand. At any rate, the point to which I wish to draw passing attention is that, to my mind, if the Government agreed to use the police to oppose a reputable applicant to whom they had sold the land on the distinct condition that it should be used for hotel purposes, they would be perpetrating a confidence trick on the purchaser, and would be treating him in a way such as only a welching bookmaker would condone. As a member of the House I do not approve of those conditions. I think that if the land is offered for sale by the Government to a man prepared to pay a bigger price for it in order to use it as a store or anything else of the sort, he should be permitted to so use it.

Mr. SPEAKER: I do not think the hon. member is in order in pursuing that argument.

Mr. JOHNSTON: No, probably I am not. I think I have said sufficient to dissociate myself from any agreement with those conditions on the title. It appears to me there is an extreme wing of the Official Labour Party which would sell the land to a purchaser under conditions, and then take a delight in seeing him opposed and prevented from using it for the purpose for which he bought it, while he was not permitted to use it for any other purpose. I do not approve of the confiscatory methods which that extreme wing would adopt. Although the leader of the Opposition pointed out the high price which the Government might have received for the Kulin land, the facts, I am told, are that the bench permitted the applicant to withdraw the application, with a view to a more reputable man applying at the next sitting of the court. I feel sure Mr. Kosky considered that he paid an outrageous price for the lease of the land, and was not prepared to go on with the contract. I think it would have been a very good thing for the State if the Government had been able to follow the policy suggested by the late Honorary Minister, Mr. W. L. Thomas, in making Mr. Kosky go on with the contract and erect a building under conditions so advantageous to the State. Mr. Kosky was not prepared to do it, and I do not think any sane man who visited that part of my electorate would agree to erect a building on those conditions.

Hon. P. Collier: But the conditions are the same to-day, namely, that a £3,000 building be erected.

Mr. JOHNSTON: I understand it is to be a considerably more expensive building now; but in this case the man owns it, while in the other it was to revert to the Crown at the end of 15 years. I must condemn the jocular manner in which the leader of the Opposition dealt with this subject. It appeared to me that some of his remarks were suggestive of burlesquing the whole matter. When we consider that the reputations of men standing high in the public service and in the public estimation are at stake, I regret that a jocular vein of levity should have permeated the hon. member's remarks.

Hon. P. Collier: I was not jocular when referring to any of those men.

Mr. JOHNSTON: I do not wish to be unfair to the hon. member, and I am satisfied that one with the long Ministerial experience which the hon. member had in the Mines Department should be the last to throw a stone at the reputations of some of those public officers. The hon. member said he would not be surprised to see me go to Sofia to purchase a hotel site. May I, in similar vein, reminding him of past associations with me, say that if I did go to Sofia to buy land at public auction and was still a member of the hon. gentleman's party, I might possibly have a commission to buy an adjoining block in the front street for him himself.

Hon. P. Collier: You have no justification for saying that.

Mr. JOHNSTON: But I have, because it is recalled to my mind that just as I have bought land at public auction for myself I have had the privilege, in a friendly way, of buying adjacent blocks to my own for the hon. mem-

ber at the same time. It was done fairly and squarely. He bought land in Corrigin and Dudenin, and I bought some too. And the land that is the subject of this debate was similarly sold at public auction, open to the hon. member as purchaser.

Hon. P. Collier: There is no question about that.

Mr. JOHNSTON: Yet that is a point which I think has not been fairly and adequately emphasised in this debate. The land at Perenjori was sold at public auction, and I can assure hon. members, as I will assure the Commission later, that I do not think I or any member of my family ever heard of it until I saw a little notice in the "Sunday Times" drawing attention to the fact that a Perenjori lot was to be thrown open. In regard to the land at Kulin, for about three weeks or a month I was in Narrogin in a rather bad state of health and suffering a good deal mentally, and every paper I picked up at that time seemed to have an advertisement regarding the Kulin hotel sites for sale by public auction by the Government auctioneer at the Lands office, Narrogin. I think the Honorary Minister told us that it was advertised, not only in the "West Australian"—I noticed that it was mentioned in the auction columns of that newspaper as well as in the advertising columns—but also in the "Wickepin Argus," the "Great Southern Leader," and the "Narrogin Observer." The whole of the people of those great, progressive, and well-populated districts were invited, by public advertisement, to go to that auction and buy that land.

Hon. P. Collier: That is so.

Mr. JOHNSTON: I am glad the hon. member recognises it, because when listening to his speech I feared that that phase of the question had escaped his notice, that he was under the impression that through my influence it had been handed over to Mr. Butler in some surreptitious way instead of being sold at public auction under the same conditions as the hon. member and myself have availed ourselves of on previous occasions.

Hon. P. Collier: Nobody has questioned that.

Mr. JOHNSTON: I am glad to hear that that is so, because to my mind that is the essential point of view of the whole thing. The sales were properly advertised, and everyone in the State had equal opportunity for buying, whereas, under other conditions, and before the present Government inaugurated this policy, these licenses in new farming areas were not equally available at all. I wish to express regret that any measure of passing reflection should have been made against such gentlemen as Mr. H. S. King, the Surveyor General, and Mr. Burt, the Resident Magistrate for the Great Southern. Mr. King's reputation stands so high in the public light and in official quarters in this State that it is not necessary for me to say anything in his favour. He has a reputation that anyone living a whole life and devoting it to the service of his country might well envy. I can assure hon. members that if I desired to do anything improper, the last man I would go

to in this Commonwealth would be Mr. King. I refused to go to other departments with Mr. Connor in that matter, but, on the spur of the moment, when he told me that it would be advantageous to have a copy of the conditions of sale sent to the Police Department, I went up with him to Mr. King. I thought it was a mere formal matter. The conditions of sale were read at the auction and what harm could there be in the Police Department knowing what those conditions of sale were? Knowing the fierce criticism that has always been levelled on every public or private action of mine at the hands of my political opponents, I had desired to have nothing to do with that application for a license. The block was purchased by my brother and Mr. Connor at public auction, but it seemed to me to be a formal request; there was not much time and the only reason why I went with Mr. Connor was to have this published information sent round to the Police Department quickly. The full facts in regard to it will be established, and I hope to the satisfaction of the country, by the Royal Commission. I, as the person who has been mostly attacked by innuendo in the columns of a paper that is afraid to say anything out, am glad that the Royal Commission will have an opportunity of getting the truth in regard to that and other matters. I may say, too, that I have no desire to threaten that paper, but if they had put their innuendoes a little bit plainer, although my experience as to libel actions is not such as to encourage me to go before a jury again, still another writ for another large amount might be forthcoming.

Interjection.

Mr. JOHNSTON: I think as far as that is concerned, without casting any reflection on anyone, there are in some actions disadvantages in having an upright and honourable gentleman for your lawyer. Sometimes the man who throws dirt back—

Mr. SPEAKER: The hon. member cannot discuss that.

Mr. JOHNSTON: I was protesting against the attacks made on the reputation of Mr. King and Mr. Burt and other gentlemen, and I assure hon. members that is the phase of these proceedings that has hurt me most. Members can say what they like about me and I can stand up and throw it back in their teeth. I have had more criticism than most people; I have injured no one but I have helped many people and I have done a little good in the world but have not had much credit for it. It may be a little out of place to mention that, but I say the point in this criticism which has hurt me most has been the attack on Mr. King because I went into his office for two or three minutes. Vitriolic and dirty insinuations are made against Mr. Burt and the members of the Narrogin Licensing Bench but they are not men with whom I have conversed or approached in any way in this matter. Yet I am held responsible by the leader of the Opposition for the letter that Mr. Burt sent down here. I never heard of it until the papers were laid on the Table of the House. The leader of the Opposition pointed out how in one connection the Government

have gone one way and the bench have gone the other, and he said they were inspired by my influence. I fling that back at him. That statement to my mind is unworthy of the hon. gentleman and the position he occupies at the head of a great party in this House. Who are these men? Mr. Burt, resident magistrate of this Great Southern district, a warden on the goldfields for many years, a man of I suppose 20 years faithful service in this country, and of a reputation that is absolutely unsullied. It is unsullied to-day despite the sneers of the "West Australian" and the innuendoes of the leader of the Opposition. Mr. W. F. Wiese, J.P., one of the best-known men in the Great Southern district, and Mr. John Clayton, J.P., men whose characters are absolutely unassailable by the mud that is sometimes flung across this Chamber. Inspired by political spleen, they endeavour to discredit others in order to regain positions of honour and prominence in this country from which I and others were prominent in displacing them. I say the attackers are not fit to blacken the boots of the gentlemen I have named. That applies to the journalistic attackers equally with those within this Chamber. I would like to ask if there is a member in this House who thinks anything would have been heard of the application at Perenjori if A. L. Johnston had not been one of the purchasers. If Mr. L. Connor had bought that alone and Mr. A. L. Johnston or his attorney desired to keep his name out of it, would anything have been heard of it? I venture to say it would not. The reason this attack is brought forward is because E. B. Johnston assisted to put the Labour party out of power.

Hon. P. Collier: It is because those conditions were on it.

Mr. JOHNSTON: At any rate, they say "hell hath no fury like a woman scorned." I say hell hath no fury like a party scorned. I am told on reliable authority that Mr. W. D. Johnson accompanied the leader of the Opposition to the Titles office and the Lands office last Friday and spent a considerable portion of the day in searching the titles in my brother's name, and Mr. Butler's name and in my name. Now I can see the whole reason for the attack. The leader of the Opposition is in a position to correct me if this information is wrong. It has been given to me in good faith and I am repeating it in good faith.

Hon. P. Collier: You are entirely wrong. I have not been in Mr. Johnson's company for months. I was not with him at the Titles Office.

Mr. O'Loughlen: I can vouch for that.

Mr. JOHNSTON: A reputable agent in this city told me so, but I want to be fair. I want to say I accept the leader of the Opposition's statement unreservedly and I apologise to Mr. Johnson for the reflection I have made on his name in good faith.

Hon. P. Collier: I will tell the hon. member who accompanied me. It was my colleague the member for Kanowna.

Mr. JOHNSTON: I am glad to hear it, but the information was given to me that the hon. member was at the Titles office and the gentle-

man who told me has made a mistake. He has mistaken Mr. Johnson for the member for Kanowna.

Mr. O'Loughlen: They are very much alike.

Mr. JOHNSTON: I want to say I regret having brought Mr. Johnson's name into the discussion at all under those circumstances.

Mr. O'Loughlen: There are too many Johnston's in it now.

Mr. JOHNSTON: I want to say that I welcome the Commission that will get all the information they require freely from me. It appears to me that my district is selected for frivolous Royal Commissions. The last Royal Commission in my electorate was to inquire into the alleged misdemeanours of a policeman, and that policeman emerged from it with the best certificate of character that ever a policeman got in the police force in this country. On this occasion we are having a Royal Commission into the supposed actions of one who has the honour of representing the district in Parliament and as far as I am concerned I face it anticipating at least to emerge from it with no diminished reputation.

Mr. Holman interjected.

Mr. JOHNSTON: That may be so in the opinion of the hon. member and as far as that is concerned I welcome his observation because if my actions meet with his approval, they would probably be repugnant to the great body of moderate opinion in this State. When drawn from my subject I wished to say that I can see a number of my constituents drawing witness fees from the Royal Commission. The Government are determined to spend money in that direction in that part of the country. I wish to say my conscience does not reproach me from any action with regard to the matters that have been brought before the House by the leader of the Opposition and I shall give that gentleman credit by believing that if the Royal Commission shows him to have been mistaken in his innuendoes and suggestions he will be man enough to come along and say so.

Question as amended put and passed.

BILL—NAVIGATION.

Received from the Legislative Council and read a first time.

[The Deputy Speaker took the Chair.]

MOTION—HOSPITAL FOR INSANE, CLAREMONT.

To inquire by Royal Commission.

Debate resumed from the 25th September, on motion by the member for Fremantle (Mr. Jones) "That in the opinion of this House a Royal Commission should be appointed to inquire into affairs of the Hospital for the Insane, Claremont, in general, and the death of Francis Andinach in that institution on 29th June, in particular.

Mr. HICKMOTT (Pingelly) [10.30]: It is my intention to support the motion before the House. The Honorary Minister has argued that there is nothing about the institution that calls for an inquiry, but I have heard much criticism regarding the conduct of the Hospital for the Insane, more particularly with respect to the usages of patients by the warders. An inquiry into the manner in which the patients are treated by the warders, will, in my opinion, be necessary in order to clear the atmosphere, and allow the people outside who criticise the methods adopted by the warders to know just what is going on. The evidence which has been placed before me comes particularly from the patients. It may be said that such evidence is not reliable. I do not say whether these patients are sane or insane, or whether they suffer from delusions or not, but the fact remains that they have given very straightforward and coherent statements regarding everything that has happened since their first incarceration in the institution. If it is true, as they claim, that patients have been inhumanely, roughly and even brutally treated, at that institution, then an inquiry is fully justified. An inquiry is especially needed into the manner in which the property of the patients has been looked after. I do not know if I am in order in dealing with that point.

Mr. Jones: I wanted that included.

Mr. HICKMOTT: It has come to my knowledge that in many cases the belongings of these unfortunate persons have been allowed to go to rack and ruin owing to the improper care devoted to them. Some little time ago there was a case tried before the Court in connection with the release of a person from the institution. The whole of the family was taken from the farm, and the children were taken up as neglected children. After a short incarceration in the institution the wife was allowed to go, but the husband is still detained there. I cannot say whether these people were suffering from delusions or not; perhaps they were. I am told, however, by visitors that know the place well that these people were taken from the farm, but that all the machinery and belongings of these people were left unattended. These people were not destitute by any means. The Inspector General of the Insane told me that a sum of £300 was realised from the farm, without the horses, implements or machinery being touched. The implements and machinery had practically been allowed to fall into a state of ruin and have been utterly neglected. No one has been put in charge of them or of the farm.

Mr. Teesdale: What about the Master in Lunacy?

Mr. HICKMOTT: He tells me it was their fault. As these people have been taken from their farms, their property should have been looked after in a better way than that. They were methodical in their methods, and proper accounts were kept of all their expenditure on the place. They had expended a sum of £1,500 there, and it was in a fair

way to becoming a successful proposition when they were removed. It is a disgrace upon the Master in Lunacy or the persons whose duty it is to look after such properties, to allow this one to fall into this condition. Some of the horses have gone and nothing is known of them. Machinery parts are missing, and the machinery itself has been left out in all weathers because there has been no shed into which to put it. This is a matter which should be inquired into.

Hon. R. H. Underwood (Honorary Minister): It cannot be inquired into at the present stage.

Mr. HICKMOTT: Something at all events should be done to care for the belongings of these people. I hope that some notice will be taken of this matter and that it will be brought before the Royal Commission. I support the motion.

Mr. DUFF (Claremont) [10.38]: As the recently elected member for the Claremont electorate, and as the institution has been under discussion in that electorate, I feel it is incumbent on me to express my opinion on the matter. Having interviewed not only the medical officer in charge of the institution, but also some of the attendants who have been mentioned as having formed the deputation to the Colonial Secretary, I feel that members of the House have a very sacred duty to perform, namely, to care for the mentally afflicted in this State. The Andinach case and other recent occurrences have been such as to cause uneasiness in the public mind. I am not here with any biased opinions or as a hostile critic. We have the Colonial Secretary stating that the institution is overcrowded, and we heard the Honorary Minister (Hon. R. H. Underwood) say the other evening that the Government have not the funds with which to provide further accommodation there. In the face of the fact that we shall have some of our soldiers returning to this country mentally afflicted through injuries received at the Front, and suffering more particularly from shell shock, does it not appeal to members as being apathetic on the part of the Government not to provide further accommodation in that institution, which is playing so important a part in this country?

Hon. R. H. Underwood (Honorary Minister): There is to be a special place for them.

Mr. DUFF: If this institution is overcrowded it is our duty to make provision to accommodate the ever increasing number of patients who come along. It is only logical to suppose that if the institution is overcrowded it must be undermined. The Honorary Minister compares the institution with similar institutions in Victoria and says that they have one attendant to every ten patients, whilst here we have one attendant to every six patients. But are the methods used here as modern as those of Victoria?

Mr. Jones: No. No classification here.

Mr. DUFF: Then we can understand why the Victorians have only one attendant to every ten patients. Extra cost should not be considered in a matter of such grave importance. We have to house these people properly

and we have to satisfy their relatives and the public of Western Australia. If we fail in that, we are not doing our duty. In Dr. Anderson, the Inspector General of the Insane, we have, I believe, a most capable officer, and a humane officer; but if he is not provided with the accommodation and means to meet emergencies of an increasing number of patients, we cannot expect him to make a success of the institution. Again, we ought not to discount the evidence given by the attendants upon the deputation. The Honorary Minister, I think, is inclined to make us believe that the attendants are merely ordinary laymen. But we know that before they are put in charge of cases, they have to serve a probationary course and after that course I look upon them as in the nature of professionals. Of course I do not wish to set their opinion against that of the doctors. I hope none of us would ever attempt to do so. But, still, when those men give evidence we must give them credit for some knowledge. Consequently, their evidence ought to be respected. If there is nothing wrong with the institution, why should the administrative head of the department seek to baulk inquiry? If there is nothing wrong, the department should be only too pleased to have an inquiry. But the department are putting obstacles in the way. During the time I was campaigning at Claremont, I became satisfied that there were grounds for an inquiry. I have seen the files bearing on this subject; I saw them before they were laid on the Table of this House. A little occasional shake up does good in any institution, more especially such a large institution as that at Claremont. If we wish to remove distrust and suspicion existing in the public mind at present, we have no better method than to adopt the suggestion of the member for Fremantle and let the matter be thrashed out by a Royal Commission. The Colonial Secretary has stated that the institution is overcrowded. If it is overcrowded, the efficiency cannot be there. By holding an inquiry, as suggested, we shall ensure the safety of the patients and of the attendants, and also of the public. I support the motion.

Hon. P. COLLIER (Boulder) [10.45]: I fully agree with the view expressed by the Honorary Minister, that the work and responsibilities of the medical officers and others of the staff in charge of the institution at Claremont are such as should command the sympathy of every member of this House. Unquestionably, their duties are at times of a most disagreeable nature. I am with the Honorary Minister in stating that I would sooner work in a ballast pit than undertake duties of that nature myself. Whilst we must all admit that inquiries into the Hospital for the Insane have, of necessity, an unsettling effect upon many of the patients, still we must weigh the disadvantage against the advantage. With regard to the unsettling effect, I have absolute proof of it myself, for I have been receiving a letter or two daily from the institution ever since this motion was brought forward. I have here one such letter of several pages. However, notwithstanding the unsettling effect upon the inmates, and notwithstanding the worry such an inquiry must of necessity cause to the staff of the institution, I consider it is the duty of this

House to order an inquiry irrespective of its effects.

Hon. R. H. Underwood (Honorary Minister): Not irrespective of the effect on the patients?

Hon. P. COLLIER: It may be that it would be wise to undertake an inquiry which for the time would have an unsettling effect upon the patients if ultimately that inquiry was for their benefit. But there should be nothing in the nature of a fishing inquiry. I have always deprecated Royal Commissions or boards of inquiry being appointed on general charges. There should be some specific charges laid, or some definite grounds for inquiry, before inquiry is demanded. It may be that many of the things which have been mentioned as justifying an inquiry are in themselves of a more or less trivial nature, and that some of them may have taken place many years ago. It may be that those things in themselves would not justify the appointment of a Royal Commission of inquiry. But I propose to confine my remarks to that one feature outlined in the motion, which bears on the death of the unfortunate man Andinach. If there be nothing else—I am not saying that there is anything else—demanding or requiring investigation, I do say unhesitatingly that in view of certain features connected with the death of that man this House would be neglecting its duty if it did not probe further and inquire more fully.

[The Speaker resumed the Chair.]

Hon. R. H. Underwood (Honorary Minister): In what way?

Hon. P. COLLIER: I shall endeavour to show. This House has on more than one occasion, and Governments have independently of the House, appointed Royal Commissions to inquire into comparatively unimportant matters. For instance, a Royal Commission was appointed, and I notice cost more than £100, to inquire into the alleged disloyalty of a constable somewhere in the bush. A Royal Commission was appointed by this House last session to inquire into alleged unjust treatment of a railway employee. In both cases, and there are others as well, the subjects of inquiry were of infinitely smaller importance than that of the motion before the House.

Hon. R. H. Underwood (Honorary Minister): Look at the harm that this may do.

Hon. P. COLLIER: I have thought of the harm and have weighed it against the good which in my judgment will be bound to result, and that good far outweighs any harm that may follow. Where the life or the death of a citizen is concerned under circumstances which are considered unsatisfactory, the House should not pass over such a matter and say that it is not worthy of being investigated by a Royal Commission, having regard to the fact that we appoint Royal Commissions in connection with matters of lesser importance. What is the position? The unfortunate man Andinach, whose condition was first noticed at his residence at Fremantle, was ordered to be removed to the Perth hospital. He was suffering from acute mania, in other words, he was a raving lunatic. There is evi-

dence that at that time he was behaving in a violent manner. He was in the observation ward at the Perth hospital for three or four days and during the whole of that time, according to the evidence of Dr. Barker, he was suffering from acute mania. The first question that occurs to one is why Dr. Barker detained the man for the period he did in the observation ward of the hospital, a ward where people who are supposed to be mentally affected are sent. It was obvious to Dr. Barker that this man was a raving lunatic during the whole time he was there. Yet the doctor failed for three of four days to have him sent to Claremont where he could have got better treatment. That is a matter that requires explanation. Dr. Barker has stated that the wife of the man requested that the patient should not be sent to Claremont and as a result of that appeal the man was kept in Perth longer than would otherwise have been done. Is that a feasible explanation? It was apparent to Dr. Barker that the man would have to be sent to Claremont. What service was he rendering the man by keeping him in the Perth hospital for a period longer than was necessary?

Mr. Teesdale: Consideration.

Hon. P. COLLIER: Consideration for the patient would have been shown by sending him to Claremont where he would have had better treatment.

Mr. Teesdale: He has the right to decide for himself, and not take other people's word for it.

Hon. P. COLLIER: From the moment Andinach entered the observation ward it was clear to Dr. Barker that the man would have to be sent to Claremont.

Hon. R. H. Underwood (Honorary Minister): Dr. Barker is working four men short.

Hon. P. COLLIER: The doctor only visited the patient once. He refrained from going into the cell to examine him because every time the man saw him he became excited and developed a worse condition. That should have impressed on Dr. Barker the necessity for getting him away to Claremont without delay because it was obvious that at Claremont he would have received better treatment. No appeal from the wife should have prevented him from doing what was obviously the right thing.

Hon. R. H. Underwood (Honorary Minister): Are you aware that Dr. Barker has no assistants?

Hon. P. COLLIER: I am told that Dr. Barker is overworked, but that is all the more reason why he should have sent the man away earlier. From the moment the man arrived at the hospital it was clear to Dr. Barker that he could not remain there.

The Attorney General: Would that not be an argument in favour of the appointment of a Royal Commission to inquire into the Perth hospital rather than the asylum?

Hon. P. COLLIER: The inquiry would cover that aspect.

The Attorney General: Then why drag in the asylum?

Hon. P. COLLIER: The inquiry would investigate the death of Andinach and that in-

quiry would cover the whole period from the time he was taken charge of by the police until the moment he was buried. The inquiry would cover all that happened to him during that period. Whether Dr. Barker really neglected his duty or failed to take steps which he ought to have taken earlier, can only be ascertained by inquiry into the whole of the circumstances. Then the patient was subsequently passed on to the asylum at Claremont. Someone saw that he was suffering from injuries about the face, and drew the attention of an attendant to that fact. The next point is important. It is as to why the patient was allowed to remain for three days before being subjected to a thorough examination.

Hon. R. H. Underwood (Honorary Minister): Dr. Birmingham explained that.

Hon. P. COLLIER: They have all explained it. This man was admitted to the hospital suffering from injuries which, according to the verdict of the coroner's jury, resulted in his death. I refer to the broken ribs. A doctor who had merely a casual look at him could not be expected to know of that. But surely three whole days ought not to have been permitted to pass without some responsible medical officer making a thorough examination of the patient. In the circumstances disclosed there are quite sufficient grounds for an inquiry as to whether all concerned did all they might reasonably be expected to do. What Dr. Birmingham and other doctors say is flatly contradicted by Dr. Williams. The patient was allowed to remain three days without examination and, we are told, the result was that he gradually became worse and eventually died. What was the cause of his death?

Hon. R. H. Underwood (Honorary Minister): Acute mania.

Hon. P. COLLIER: Dr. Williams says he died as the direct result of the broken ribs. We do not know where the patient sustained those broken ribs. At least there ought to be inquiry which will enable us to find out how those injuries were caused. It is quite clear that this unfortunate patient received most severe treatment somewhere. Whether it was at the hands of the attendant, Eacott, at the hospital in an endeavour to restrain the patient, whether it was during those fits, we do not know; but we do know that he must have received severe treatment somewhere which resulted in the breaking of a number of ribs.

Mr. Teesdale: Can you get any more evidence than was adduced at the inquiry?

Hon. P. COLLIER: Yes. What inquiry was held? The verdict of the coronial inquiry was that he died as the result of those injuries. We want to establish at whose hands he received those injuries.

Mr. Teesdale: They tried to discover that.

Hon. P. COLLIER: What sort of inquiry has been held? The Colonial Secretary ordered an inquiry. He wrote to the Under Secretary, Mr. North. And let me say that when the Colonial Secretary set out the matters upon which he wanted reports to be submitted to him, he covered the whole ground very well indeed. This was his minute to Mr. North—

Since the verdict of the jury in this case may imply censure on certain institutions under the control of this department I have

carefully perused the inquisition papers and desire that full inquiry should be made and report submitted to me on the following points:—Perth Public Hospital. (a) Did the deceased receive adequate medical examination and treatment during the time he was in this institution?

Who was asked to supply an answer to that question? Dr. Barker, the man concerned! That inquiry in passed along to Dr. Barker for an answer. I am not saying that Dr. Barker was culpable, but if he was, is it to be expected that he would say in reply to that question, "No, I do not think the man did receive adequate medical attention during the time he was under my care?" Why this whole inquiry consists of asking all the men, from the doctors to the attendants, concerned in the case whether they themselves were or were not guilty of any neglect. What kind of reply would one expect?

Hon. R. H. Underwood (Honorary Minister): And the Colonial Secretary is judge of that reply.

Hon. P. COLLIER: Could Dr. Barker be expected to answer that question except in one way? It might be said that an inquiry would not be able to get any further on the point. I submit that there is a great difference between reading a report of the officer concerned, an ex-parte statement submitted by himself, as to what action he took in a certain direction, and having that person before a tribunal which can examine and cross-examine him, and bring out points which are not brought out by the man himself when he is writing a report. It is only before a tribunal such as a Royal Commission that Dr. Barker can give a satisfactory answer to the first question of the Colonial Secretary. Certainly the doctor's own version of what happened, especially in a case in which a man's life was lost, will not be satisfactory so far as an impartial public is concerned. The next question is—

Before he received injuries on May 20 and after he received such injuries. (b) Is the observation ward at the Perth Public Hospital, from the points of view of accommodation, equipment, and staffing, adequate for the purpose it has to serve?

That is a question which might be answered without a Royal Commission. It is a matter of simple fact. The next question is—

Did attendant Eacott according to his own evidence and the known facts of the case use unnecessary violence?

Who is asked for an answer to that question?

Mr. Teesdale: Who could answer it but Eacott?

Hon. P. COLLIER: They asked Eacott. Does the Colonial Secretary or any hon. member think that Eacott would say, "I did use unnecessary violence"?

Mr. Teesdale: How are you to find out otherwise?

Hon. P. COLLIER: He certainly would not admit it.

Hon. R. H. Underwood (Honorary Minister): Would the Royal Commission expect that?

Hon. P. COLLIER: The Royal Commission will be in a position to examine Eacott, and

get the details of the struggle that took place between him and the patient. It is admitted that struggles did take place, that he had to put a straight-jacket on him, and was obliged to handle him pretty severely in order to overpower him. These are details of what took place in the observation ward.

Hon. R. H. Underwood (Honorary Minister): Do you want to put him in?

Hon. P. COLLIER: I do not want to put anyone in, but I do want to have the facts brought out. Does the Honorary Minister want to shield Eacott?

Hon. R. H. Underwood (Honorary Minister): No.

Hon. P. COLLIER: Whether he is guilty or not guilty?

Hon. R. H. Underwood (Honorary Minister): Do you want to secure his dismissal?

Hon. P. COLLIER: I do not know whether he is guilty or not. Undoubtedly there was severe treatment of the patient. I make no allegations because I do not know. The House does not know and the country cannot know, until a tribunal which can examine Eacott and the others concerned in respect to all the events of that period has been appointed. It is only by an inquiry of this nature that we can tell what happened. It is impossible to get a satisfactory answer to a question like that by asking the man himself as to his guilt, or as to whether he used unnecessary violence.

Hon. R. H. Underwood (Honorary Minister): And you want to hound Eacott out of his job?

Hon. P. COLLIER: I do not want to hound anyone out. The next question is—

Did he act properly in attempting to put the straight-jacket on by himself, instead of calling for assistance? Did he make an adequate report to the R.M.O. regarding the injuries the deceased had sustained in the struggle?

There is no doubt that these are two important questions, and I submit that neither question has been satisfactorily answered. We have in reply to each one a report by the officer concerned. Without casting any reflection on anyone I say it cannot be expected that they would answer in any other way than to entirely exonerate themselves. The next question is—

Was his evidence at the inquest candid and satisfactory?

Who answered that question?

Hon. R. H. Underwood (Honorary Minister): The coroner.

Hon. P. COLLIER: There is no report from the coroner.

Hon. R. H. Underwood (Honorary Minister): Yes there is.

Hon. P. COLLIER: Not on Eacott's evidence.

Hon. R. H. Underwood (Honorary Minister): Yes.

Hon. P. COLLIER: I do not know whether it was satisfactory or not. Then we come to the Claremont Hospital for the Insane, and the first question is—

What is the explanation of the evidence that although deceased on his admission on

May 21st was obviously suffering from recently received injuries, he was not thoroughly medically examined until the 24th? What is the explanation? Dr. Moxon gives an explanation, and says that the patient was in such a state of exhaustion following on an attack of acute mania that he thought a rest would do him good, and he therefore gave him some little time before submitting him to a thorough overhauling. The Colonial Secretary himself tells us that the patient was obviously suffering from injuries. Dr. Moxon reports that he saw the deceased at the time he was admitted walking without assistance, and not showing any indication that he was suffering from serious injuries. He continues—

Otherwise I should have been sent for, as in my experience the staff are particularly careful to notify the medical officer immediately of any signs of illness. I first saw Andinach professionally on the morning of the 21st. He was then in a somewhat weak condition, typical of post-maniacal exhaustion. In view of the impossibility of obtaining any true insight into his medical state at that time, his mental and physical exhaustion, the absence of any indication of serious physical injury or disease, I postponed a complete mental and physical examination of the patient until a more favourable opportunity presented itself. No improvements being apparent on the 24th, I submitted him to a very thorough physical examination with a view if possible to finding some further cause for this.

That is Dr. Moxon's written explanation, but with an inquiry Dr. Moxon might be examined.

Hon. R. H. Underwood (Honorary Minister): There is no chance. He has gone.

Hon. P. COLLIER: He has only gone to Northampton and can be brought down from there. It is quite conceivable that a Royal Commission would elicit further particulars from Dr. Moxon than are contained in his written report.

Hon. R. H. Underwood (Honorary Minister): And it might not.

Hon. P. COLLIER: It is quite possible, and more than possible that it would result in further information being brought to light. Then the Colonial Secretary says—

Is it customary or proper for a doctor to give a certificate of death when such death has been caused, or contributed to, by injuries of which he does not know the origin? Was Dr. Moxon justified in giving a certificate of death in this case? Was the result of the telephonic communication between the Inspector General of the Insane and the coroner to issue a certificate of death and to allow the burial to proceed, or was it a request from the coroner for a written report on which he would base his decision as to whether or not an inquest was necessary?

And there are other questions which the Colonial Secretary submits. Having received replies to all these questions, the Colonial Secretary says he is perfectly satisfied that no blame rests upon any of those concerned,

right from the time the man was taken from Fremantle up to the time he was buried. No blame. But I submit—and I can do this without making any charge against those concerned—

The Attorney General: Who is that you are quoting?

Hon. P. COLLIER: The Colonial Secretary. The replies he received were from officers who were themselves concerned in the results from their replies—every one of them; and they are all human. It is no reflection upon any one of them to say that their replies might be coloured by unconscious bias where their positions were concerned. There is not one of us who would not be affected by bias, even if unconscious bias, in answering questions where our own conduct was involved and our positions at stake. Not one of us. Therefore it is casting no reflection upon these officers to say that here their own side of the incidents was presented in the best possible light when they answered these questions. That is only a natural inference to draw; and, that being so, I say the matter calls for further investigation. It ought not to be possible for it to be said that an unfortunate person, particularly an inmate of an institution like the asylum, who should receive the utmost sympathy and protection of every citizen, may die in the condition in which this man died, and in circumstances so unsatisfactory, without the matter being thoroughly cleared up. It is in the interests of all concerned in the asylum, and in the interests of the community generally, that the death of this person should be cleared up finally and satisfactorily. To say that any man whose death was brought about, according to the evidence of one doctor, and according to the verdict of the coroner's jury, by the severe and violent treatment which he received whilst in the custody of Government officials—let that not be forgotten—

Hon. R. H. Underwood (Honorary Minister): That is not right.

Hon. P. COLLIER: According to the evidence of Dr. Williams and the verdict of the coroner's jury, it is right.

Hon. R. H. Underwood (Honorary Minister): Dr. Williams did not give evidence.

Hon. P. COLLIER: Well, according to the evidence of a reputable medical man in this State, and according to the verdict of the coroner's jury, this man met his death as the result of violent treatment he received at the hands—

Hon. R. H. Underwood (Honorary Minister): No, no.

Hon. P. COLLIER: At the hands of some person employed by the Government.

Hon. R. H. Underwood (Honorary Minister): You are totally wrong, absolutely wrong.

Hon. P. COLLIER: Where am I wrong?

Hon. R. H. Underwood (Honorary Minister): There is nothing of that in the evidence. The Andinachs are coming for compensation. That is what they are coming at. The man died as the result of broken ribs. Whether he broke them himself, or

whether a Government official broke them, has not been found out.

Hon. P. COLLIER: Does not the Honorary Minister want that probed to the bottom?

Hon. R. H. Underwood (Honorary Minister): Yes.

Hon. P. COLLIER: The Honorary Minister now suggests that the man may have received these injuries before coming into the hands of the authorities at all?

Hon. R. H. Underwood (Honorary Minister): He may have caused them himself. Do not forget that the Andinachs are coming at the Government for compensation.

Hon. P. COLLIER: I do not care.

Hon. R. H. Underwood (Honorary Minister): I do care.

Hon. P. COLLIER: Apparently the Honorary Minister considers that the saving of monetary compensation—a few pounds or a hundred pounds—is sufficient reason for covering up or cloaking a matter where the life or death of a human being is concerned.

Hon. R. H. Underwood (Honorary Minister): I have a right to see that nobody imposes on the Government. That is my right and my duty.

Hon. P. COLLIER: The question whether anybody is trying to impose on the Government or not is one to be decided, not by the Government or their officials, but by some impartial tribunal, say in the form of the Royal Commission for which this motion asks. In effect, the Honorary Minister is saying, "I do not care how the man met his death, or where or how he received his injuries: I am going to resist any attempt at inquiry because it might result in the Government being faced with the need for making monetary compensation."

Hon. R. H. Underwood (Honorary Minister): You are quite wrong.

Hon. P. COLLIER: After all, why are the Government resisting this inquiry? What have they to hide?

Hon. R. H. Underwood (Honorary Minister): Nothing.

Hon. P. COLLIER: The Government have held inquiries over and over again on matters of tuppenny-hapenny importance in comparison with this matter. This afternoon everybody was saying, "Yes, let us have a Royal Commission as to how a liquor license was obtained." Another time it was, "Let us have a Royal Commission into alleged disloyal statements made by a police constable." Again, a Royal Commission as to whether a railway employee was entitled to payment of a few pounds cost which he had incurred in defending himself. The death of this man under unsatisfactory circumstances in a Government institution is regarded by the Government, apparently, as of no importance in comparison with the matters I have just mentioned.

The Attorney General: But this inquiry may endanger the lives of 1,200 people.

Hon. P. COLLIER: How?

The Attorney General: By upsetting the whole institution.

Hon. P. COLLIER: Good gracious!

The Attorney General: Yes. The inquiry will start such a ferment in that institution as it will be impossible to get rid of again. The other inquiries could not harm anybody.

Hon. R. H. Underwood (Honorary Minister): Besides, Driver might want to get a job on this.

Mr. Jones: Is that what you want to prevent?

Hon. P. COLLIER: The Government are in desperate straits for an argument to oppose the motion when they talk of endangering the lives of 1,200 persons, of every one of them.

The Attorney General: So the doctors say.

Hon. P. COLLIER: It is a pretty easy matter for the doctors, or for those controlling that institution, to prevent the introduction into the institution of newspapers conveying information regarding this Commission. There is a Royal Commission sitting in Victoria now.

Hon. R. H. Underwood (Honorary Minister): There have been Royal Commissions sitting on asylums for 200 years.

Hon. P. COLLIER: I think we had better have one to sit on the Honorary Minister.

Hon. R. H. Underwood (Honorary Minister): Have one to sit on yourself.

Hon. P. COLLIER: The Honorary Minister says he has investigated this matter himself. He says the Colonial Secretary gave very full consideration to it. In addition, the Honorary Minister says, he went thoroughly into it himself, reading all the files and all the papers concerned with it, and as a result he endorsed the decision of the Colonial Secretary. Whether he did or not I do not suppose he would come here and say he disagreed with the Colonial Secretary. The Honorary Minister is only acting for the Minister in another place.

Hon. R. H. Underwood (Honorary Minister): Acting pretty well, too.

Hon. P. COLLIER: He is not acting too well to-night. I am surprised at the Government resisting this inquiry. There must be some reason why they do not want this matter investigated. I cannot conceive of any circumstances arising that would justify the appointment of a Royal Commission if this matter under consideration does not warrant the appointment of such a tribunal.

Mr. Teesdale: It is such a sprawling motion; if it were confined to Andinach it would be all right.

Hon. P. COLLIER: The hon. member can amend the motion if he likes. It seems to me that the Government have some reason for adopting this attitude of opposing the appointment of a Commission.

Hon. R. H. Underwood (Honorary Minister): There is absolutely no case against Claremont.

Hon. P. COLLIER: Then there is against the Perth hospital.

Hon. R. H. Underwood (Honorary Minister): Alter your motion then.

Hon. P. COLLIER: If the Commission as it proceeds finds that there is no case against Claremont, the inquiry will be confined to that place against which there may be a case.

Hon. R. H. Underwood (Honorary Minister): Why all this trouble when there is no case?

Hon. P. COLLIER: No case when a man loses his life? It appears to me that the whole of the circumstances simply briek for an inquiry. The importance of a man's death transcends all the difficulties which have been urged by the Government. I feel sure that members will be seized with their responsibilities and will urge that a full inquiry shall be held on the lines indicated in the motion.

On motion by Mr. Pickering debate adjourned.

House adjourned at 11.35 p.m.

Legislative Assembly,

Thursday, 3rd October, 1918.

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

QUESTION—INDUSTRIES ASSISTANCE BOARD ACCOUNTS.

Mr. MALEY (without notice) asked the Attorney General: Has the Auditor General's report on the accounts of the Industries Assistance Board been completed, and if so when will it be made available?

The ATTORNEY GENERAL replied: I saw the Auditor General about three or four weeks ago and he represented to me that he would be in a position to complete the audit very shortly. I understand now that the audit is having the finishing touches applied to it and I anticipate, therefore, that the Auditor General's certificate will very soon be available.

PERSONAL EXPLANATION—Mr. JOHNSTON AND THE "WEST AUSTRALIAN."

Mr. JOHNSTON (Williams - Narrogin) [4.35]: With the permission of the House I would like to make a personal explanation in consequence of the report of my remarks which appeared in this morning's "West Australian." In these days of paper shortage we are aware that it is necessary that newspaper reports should be condensed. But the report of the remarks I made yesterday which appears in this morning's paper, is so manifestly unfair and incorrect that I would like to record the errors which have been made. As hon. members are aware, yesterday's debate centred around the purchase by Mr. Loftus Connor and Mr. Alfred Lawrence Johnston of a Perenjori block at public auction, and also the purchase by Mr. W. M.

Butler of Kulin blocks at public auction. The "West Australian" this morning reports me as having said—

The land he had bought at Perenjori and Kulin was bought at public auction and anyone could have bought it. It was advertised in several journals.

The Leader of the Opposition: No one has ever questioned that.

That report has gone all over the country and as it is not a correct report I would like to read the "Hansard" record, especially of the paragraph which precedes the interjection by the leader of the Opposition, a report which is entirely different from that of the "West Australian." This matter affects me very much, otherwise I would not worry the House about it. This was what I said as it appears in "Hansard"—

The land at Perenjori was sold at public auction, and I can assure hon. members, as I will assure the Commission later, that I do not think I, or any member of my family, ever heard of it until I say a little notice in the "Sunday Times" drawing attention to the fact that a Perenjori lot was to be thrown open. In regard to the land at Kulin, for about three weeks or a month I was in Narrogin in a rather bad state of health, and suffering a good deal mentally, and every paper I picked up at that time seemed to have an advertisement regarding the Kulin hotel sites for sale by public auction by the Government auctioneer at Narrogin. I think the Honorary Minister told us that it was advertised, not only in the "West Australian"—I notice that it was mentioned in the auction columns of that newspaper as well as in the advertising columns—but also in the Wickepin "Argus," the "Great Southern Leader," and the Narrogin "Observer." The people of those great progressive and well populated districts were invited by that advertisement to go to that auction and buy land.

Hon. P. Collier: That is so.

Mr. JOHNSTON: I am glad the hon. member recognises it, because, when listening to his speech, I feared that that phase of the question had escaped his notice, that he was under the impression that through my influence it had been handed over to Mr. Butler in some surreptitious way, instead of being sold at public auction under the same conditions as the hon. member and myself have availed ourselves of on previous occasions.

Hon. P. Collier: No one has questioned that.

I feel, Sir, that comment is needless.

BILL—CRIMINAL CODE AMENDMENT.

In Committee.

Resumed from the previous day; Mr. Stubbs in the Chair, the Attorney General in charge of the Bill.

New clause:

Mr. FOLEY: I move—

That the following be added to stand as Clause 13:—"Amendment of Section 211: Section two hundred and eleven of the