

again, but we should fortify it with such arguments as may be provided by means of inquiry by a Select Committee and send on that information with the Bill.

The Chief Secretary: This is an entirely different Bill.

Hon. Sir HAL COLEBATCH: It is quite different, but the principle is the same. It is desirable that we have evidence to satisfy ourselves that the particular amendment proposed in the Bill is the one best calculated to enable the authorities to enforce the law. I do not think that even Mr. Williams can dispute me when I say it is the duty of Parliament to make it possible for the authorities to ensure that the law is carried out and that offenders against the law are punished. There might even be argument in favour of amending the law in order to make S.P. bookmaking legal. We have heard no argument of that kind. However, we have to face the position that some of the laws on our statute-book are being flouted. It is all very well for some people to argue that the poor man should be allowed facilities to have his bet, but I venture to say that the poor man needs protection against those who so successfully prey upon the simple-minded.

It is all very well to say that men want their bets and their drinks and things of that sort. I would be the last to suggest that they should be denied such pleasures, but I feel sure that very often on Sunday and Monday they are regretful at the way their money has gone and their holiday has been spent. I do not believe that we can entirely suppress gambling. I do not know that it would be desirable to do so. No vice can be entirely suppressed, but I think it is the will of our law to make it as difficult as possible for individuals to prey on the vices of the community. Those arguments should be sufficient to justify investigation of the matter so that this Bill may be amended, if amendment is necessary, in order to carry out its purpose and so that it may go to another place backed by the evidence received and the report made by the Select Committee.

On motion by the Chief Secretary, debate adjourned.

*House adjourned at 4.13 p.m.*

## Legislative Assembly,

Wednesday, 7th October, 1942.

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The SPEAKER took the Chair at 2.15 p.m., and read prayers.

### MOTION—URGENCY.

#### *Grasshopper Menace.*

Mr. SPEAKER: I have received the following letter from the member for Avon:—

In view of the parlous condition to which farmers are being reduced in the eastern wheat-belt, owing to the ravages of grasshoppers, I intend, with your permission, to move the adjournment of the House at today's sitting. The matter is one of extreme urgency, as hundreds of farm crops are now being destroyed and many hundreds more menaced. Unless remedial measures are undertaken by the Government immediately, farmers' crops and sheep feed will be irretrievably lost. (Signed) I. G. Boyle.

It will be necessary for seven members to rise in their places to support the hon. member's proposal.

Seven members having risen in their places,

MR. BOYLE (Avon) [2.18]: I move—

That the House do now adjourn.

In submitting that motion to the House, I am concerned with two facts. The first is the destruction by grasshoppers that is now going on in defined areas of the eastern wheatbelt, and the second is the ever-increasing western encroachment by the pest, which will before long reach the central agricultural districts. In view of what is happening, the rabbits, by comparison with the grasshoppers, will constitute comparative nonentities. In the Encyclopaedia Britannica, eleventh edition, Volume 12, page 377, there is information that provides me

with a text on which to base my references to the extent of the destructive capacity of the grasshopper pest. The Encyclopaedia says—

The grasshoppers are all vegetable feeders. Their destructive powers are continuous from the moment of emergence until death.

To witness what the pest is doing, as some of us did within the last week, is the only way really to appreciate its destructive propensities. In fact, it is hard to believe what is being done unless the actual destruction accomplished by the grasshoppers is seen in the eastern confines of the outer wheat-belt. On the recent trip members of the Country Party made to the affected areas, before any farmer would state his case or mention his other worries his first question was: "What is the good if grasshoppers are going to get the lot?" The pest has engendered amongst farmers a feeling of utter hopelessness regarding their future in view of what the grasshopper in perhaps the three months of its brief existence can accomplish. The standing crops in the districts to which I allude would be really excellent yielders but for the fact that they are systematically succumbing to the ravages of the grasshoppers. From Beneubbin to Mukinbudin on the north-eastern fringe of the wheatbelt, a distance of 25 miles, the disastrous effects on the crops were markedly apparent. I witnessed the arrival of a goods train at Mukinbudin and ascertained that it had taken nine hours to do the trip from Beneubbin, on account of the grasshoppers on the rails delaying progress.

Those of us who know the eastern wheat districts realise that the grasshopper is really indigenous to that part of the State, where its presence has been apparent to my knowledge for many years. My first contact with the district was about 23 years ago. Members must realise that the grasshoppers I refer to are not the ordinary species that we see in the metropolitan area. The type seems to be peculiar to the wheat districts. They have not the long legs that we see on grasshoppers here and for their saltatory efforts—I find that the Encyclopaedia Britannica's reference in that respect alludes to the pest's jumping powers—they depend more on their wings in flight than the use of their legs in jumping. The pest has a radius of 15 miles from its breeding spot and within that area is able to carry out its destructive work. The disastrous

effects of the pest, as I mentioned to the House before, must really be seen to be believed.

We have efficient officers in the Agricultural Department who have devoted their efforts from time to time to grappling with the grasshopper pest, but an unsystematic and unsustained campaign is really useless. It is successful up to a point in any given year but, if the pest does not appear to be engaged in particularly destructive work, the departmental officials seem to slacken their efforts regarding the grasshoppers. Perhaps their work is really governed by the amount of money available and I urge the Government to set the measure of ultimate destruction against the present cost of dealing with the pest—which can be dealt with. In my opinion that can only be achieved by a complete breaking up of areas in the affected districts. The position has been aggravated by the abandonment of farms. The grasshopper is a discriminating pest; he goes for the best of everything. He is a vegetable feeder, and therefore only the most luscious crops and other forms of green feed are those he seeks out. In one place we saw where the grasshopper had even invaded a garden in a township; but, unfortunately for himself, he struck the larkspur, and with fatal results. We saw grasshoppers in heaps around the larkspurs upon which they had alighted, and which in turn killed them. Unfortunately the grasshopper is a pest that needs continuous watching. The period of life would not be more than three or four months, from about July to November; but it is the eggs in the ground that are the trouble. I have studied them on the spot. It appears that the grasshoppers select hard ground, forest country for preference, and that they sink into that ground to a depth of two or three inches, and that from eight to 14 eggs are laid in each nest. A wonderful provision of nature, however, is that the grasshoppers seal those nests against any possibility of water entering them. Thus they remain for eight or nine months, until the time comes for the grasshoppers to emerge from the eggs; and then they emerge by millions, and, as the Encyclopaedia Britannica says, "from the period of their emergence to the period of their death they wreak destruction."

The Government can even now make efforts to deal with the pest. I have searched through the reports of the Agricultural

Bank and of institutions vitally concerned in this matter, for I daresay 90 per cent. of the securities affected are held by the bank in trust for the State. There are, I will not say hundreds of thousands of pounds, but a total running into the millions, of State money involved. But not only is it a question merely of the millions involved in the particular areas that I have in mind; I am as confident as I stand here that, if the pest is not dealt with, the grasshoppers will come into the central areas of the State, and we may see the whole of the Government moneys invested in those areas seriously menaced. Another feature is that the grasshoppers destroy not only the standing crops but also the feed. The districts concerned are, in my opinion rightly, being turned by the Government largely into stock-carrying properties. Unless there is feed for the stock in those marginal areas, there will be no stock on them. Farmers today are seriously concerned about the matter. I remember the time when the rabbits came into the eastern districts and when the No. 1 and 2 rabbit-proof fences were erected. We were then told, "Oh, the rabbits will never get to the West or the South-West." There are more rabbits today west of the rabbit-proof fences than there are to the east of the fences. Moreover, the rabbit is a living entity. It is possible to deal with him at all times. But when the grasshopper pest disappears into, let me say, the earth, it is highly difficult to deal with. The grasshopper has to be dealt with before it emerges into its destructive stage. Examining the Agricultural Bank report for 1942, I was greatly disappointed to see that the Commissioners dealt with the grasshopper pest in about six lines. Paragraph 41 of that report reads—

Rabbits and foxes are reported to be plentiful in the Bunbury Agricultural Bank district, and are reported to be increasing in the Manjimup district, the position in the matter of pests being normal in other areas. Red-legged mite is reported to be bad in certain areas of the Manjimup Agricultural Bank district.

If the Agricultural Bank considered the position regarding the grasshopper pest to be normal in other districts, the institution must have come to regard the pest as part of the normal condition of affairs. I can hardly imagine the Agricultural Bank officials doing so. I have noticed, likewise with regret, that the reports of Agricultural Bank branch managers have been eliminated from the 1942 report. Going back to the 1941

report, I find it stated on page 1 that the branch managers reported from their districts on the subject. On page 9 of the 1941 report I find the Bruce Rock manager stating—

Rabbits are slightly on the increase. Foxes are numerous and doing a good deal of damage in certain parts of the district. Locusts are now well under control in this district. Emus are still a serious menace in the eastern portion of the district.

I presume the Bruce Rock manager when speaking of locusts means grasshoppers. As a matter of fact I believe the grasshopper is not a locust. The Minister for Agriculture, who delivered an excellent speech on the grasshopper pest in this Chamber some years ago, may be able to make the matter clear. I acknowledge that the Agricultural Bank reports are only up to the 30th June, when the grasshoppers would not be in the stage of emergence. However, there are other years to go by. My own observation has shown me that grasshoppers have become not a smaller but a worse menace. On page 12 of the 1941 report the manager for the Kununnoppin district, which is now merged in the Merredin district, is shown as stating—

Conditions were most suitable to the propagation of the grasshopper. Breeding grounds were charted in large areas of vacant country, and action is being taken by the Department of Agriculture through the Agricultural Bank to ensure that the areas worst affected and adjacent to occupied farms are broken up by ploughing.

All I can say is that the action taken has been utterly ineffectual. It has, in fact, proved a complete failure as regards keeping out the grasshoppers, though it is admitted that in the Mukinbudin district conditions were most suitable to the propagation of the pest. That being the case, I regret that so little effort was made to eradicate it. As regards the Merredin district, the branch manager reports—

Chief of these (pests) are blowflies, foxes, emus, and grasshoppers. Blowflies are increasing. Foxes have been bad this year. Emus are prevalent in different places. Grasshoppers last year were plentiful, the season favouring the hatching. This pest seems to have reached its peak, and although bad in the outer districts, a serious spread elsewhere has not been noticed. Rabbits are not serious at the present time.

Those reports from branch managers were in before the 30th June; and, as I mentioned before, it is about July the grasshoppers make their presence felt. But it

appears that all these things are dismissed by Agricultural Bank officials as merely incidental, as a seasonal effect which can be controlled. The effect I foresee is that before long the Government will be seriously concerned as to inroads being made into valuable portions of the wheathelt. Most of the wheathelt is today carrying millions of sheep, and the number will be greater as the years go on; and the sheep will not be able to exist if the grasshopper pest takes their means of subsistence. Another fact that hardly reflects credit on those concerned is that when the Government decided to break up those areas by ploughing, it leased the ploughed-up ground and charged, if my memory serves me,  $1\frac{1}{2}$  bushels per acre. The Government endeavoured to turn the destruction of a pest into a commercial concern. However, we cannot have it both ways. If the breeding of the pest is to be made impossible by breaking up the country, what the Government gets off that country should not be the first consideration. I know one man who took over 6,000 acres of this ploughed-up land sown with wheat, and made a disastrous loss. One cannot get farmers to take on destruction of the grasshopper pest as a business speculation. It must be tackled by the Government as a protective measure. We must have a ploughed-up belt drawn right through those areas, and that can only be done by Governmental power and finance.

This State is facing a very serious position. In any movement made to enhance the values of products in this State we have to consider the position of the pig. We found that 75 to 80 per cent. of the farmers in the Mukinbudin area were carrying pigs on their properties, and from Mukinbudin station last year £10,000 worth of pigs was railed. The grasshoppers should not be permitted to take away the means of feeding those animals. I would sooner have a pig than a grasshopper. He would be much more succulent! The difficulty is to keep the Government up to one continuous, unending and unrelenting effort against this pest. Spasmodic efforts are worse than useless. Perhaps there is a year when the incidence of the pest is less than in other years, but the only way the fight will be won is for us to be consistently and relentlessly in pursuit of the grasshopper. The menace is so evident to people in the districts affected that

they are mystified that continued efforts are not being made. I would like the Minister in his reply to state the Government's intentions in this regard. I can assure him that he will receive the co-operation of members for the districts concerned.

**MR. WATTS (Katanning):** I remember that six years ago this matter was dealt with in a manner similar to that in which it is being approached today. At that time a number of interesting assurances and a large amount of interesting information were given by the Minister for Agriculture. One point the Minister made was that he looked forward to two or three inches of rain falling to help in the disposal of the grasshopper pest which was then assuming considerable proportions. He had assured the House in the course of his remarks that the grasshopper pest was essentially a product of dry areas. It was therefore with rather considerable surprise, in view of the season through which we have just passed, that I heard comparatively recently that the grasshoppers were in evidence in large numbers and, more recently, that their depredations were likely to be a serious menace to the districts concerned, not only from the point of view of wheatgrowing—which might possibly be looked upon with more equanimity in those marginal areas—but also from the point of view of pastures, which is likely to spoil or render abortive all the efforts which have been and are to be made by the Government—I hope on a successful basis—to restore this country or a large part of it from the point of view of stock-carrying as against crop growing. Also in the course of his remarks at that time—the 15th September, 1936—the Minister for Agriculture said—

There is no other pest which has had such a devastating effect upon human beings and there are cases on record where people have starved owing to the depredations of this pest. I quote that as evidence to members of this House that the fears expressed by the member for Avon are not held by him alone. They are obviously fears that must be shared by everyone who knows anything about the depredations of this pest, and they were put to this House six years ago by the Minister for Agriculture who has control of the department which is concerned, or should be concerned, so far as is practicable, in its destruction. I want members to realise that the member for Avon

has not brought this matter forward simply because there is some element that might do a little damage to the community, part of which he represents but because it is a fact, as the Minister at that time said, that the pest is likely to create devastation which is almost unbelievable. At the end of his observations at that time the hon. gentleman said—

I have shown how we anticipated this invasion and endeavoured to cope with it in every particular. I ask members opposite to do as they submit they wish to do, namely, to be helpful. Let them not, by destructive criticism and by laying emphasis on the darker side, cause to be obliterated what might prove to be helpful and tangible facts. I hope that the two or three inches of rain, which would be necessary even now to assist in combating the pest, might speedily fall.

The hon. gentleman on that occasion said that his department had anticipated the invasion and had taken steps to deal with it. Maybe it has been equally anticipated on this occasion, but there is as yet no evidence that any anticipation has taken place or that a district-wide effort has been made to cope with the grasshopper pest this season.

The Minister for Agriculture: That is as far as you know.

Mr. WATTS: I said there was no evidence as yet; and that must mean as far as this House is concerned. As no publicity has been given to the effort which presumably, from his interjection, the Minister for Agriculture would wish us to know has been made, I think we are entitled to come before this House with this motion so that we may get from the Government the clearest exposition of what it has done, what it is doing and what it intends to do. I rose to support my colleague not because I anticipated that there will be any grasshoppers in the Katanning district this year, but because I want everyone here to understand that the member for Avon was fully justified, as far as I can see, in ventilating this matter in this way. It is a matter of urgency. The Minister has admitted that and will, I have no doubt, admit it again. It should be given the fullest publicity and the remedies being put into operation should be made known throughout the State.

Referring to the Katanning district, I remember that I took the opportunity to submit certain examples of grasshoppers which might or might not have had some relation-

ship to the dangerous fellows we find in the eastern districts at the present time. I was assured they were not of the same type and that we need have no concern about them, but as they are common in dry areas we may yet have to meet with them in parts of the eastern districts of the Great Southern. I assure the House I do not want that to happen. Consequently I have a personal interest in knowing what steps are being taken to eradicate or at least to minimise this pest.

MR. SEWARD (Pingelly): The revelations made by the member for Avon this afternoon as the result of a tour made by the members of the Country Party a few weeks ago have been of a most serious nature. I had been lulled into feeling that the grasshopper was becoming extinct in those districts but to my amazement I find that far from their becoming extinct the position is as bad as, if not worse than, it was previously. What struck me most forcibly was that a few days ago I read in "The West Australian" a statement made by the chairman of the Agricultural Bank Commissioners to the R.S.L. Congress that his institution was the best managed in the State and that when anybody, including the Commonwealth authorities, required to know anything about Western Australian agricultural matters the Agricultural Bank was consulted. As the member for Avon has pointed out, the Agricultural Bank is, to a large extent, though not exclusively, engaged in operations in the very district where this plague has become such a serious menace. I should have thought that in consideration of the conditions which we have been told today exist—and I have no reason to believe that they do not exist—the Agricultural Bank would have broadcast this information amongst the settlers and taken the most strenuous steps to combat the plague. I do not say it has done nothing, but I do not think it can claim great credit in view of the facts brought forward this afternoon by the member for Avon. I think the Agricultural Bank might have kept quiet on the adulatory parts of the chairman's remarks, and probably warned the settlers against a possible increase of this pest.

This matter is far removed from my district, as it is from that of the member for Katanning, but I am seriously concerned because, when moving about my electorate in the last few weeks, I have been pleased to

see a big increase in clovers this year. It is remarkable to see, in districts where not much clover has been grown in the last few years, the amount grown this year; and, with the late rains, it will grow more extensively. So I view with great apprehension the arrival of a plague of grasshoppers amongst these pastures.

The Premier: Is that east or west of the Great Southern?

Mr. SEWARD: It can be seen when travelling down the Great Southern line, mostly on the western side, but in places on the eastern side. That has been brought about by the restriction on wheatgrowing. To all who have studied the wheatgrowing question, it is obvious that we must get something beside wheatgrowing, and the result is that farmers are attempting to promote the growth of these pastures in districts with a heavier rainfall. I do not overlook the fact that this year the late rains are favourable to promoting the growth of pastures, and we will get better results than in a dry year. But progress is being made in that direction and it would be a calamity if, when the grasshoppers have finished the green feed in the areas where they are operating at the present time, they should then attack the clover fields, still in a green stage and forming a luscious feed for them.

Unfortunately, this trouble catches us at a time of war when manpower is difficult to get to tackle the problem, but I do hope the Minister will take cognisance of the situation, and also make some endeavour to see that manpower, whether it be the farmers themselves or others who come along to help, is made available. In view of the facts elicited today, I am entitled to say that we can regard poisoning as not very satisfactory. I understand it has been tried extensively, but it has been proved ineffective. We have to find other means to deal with the pest. I support the member for Avon, and congratulate him and the others who went out with him and discovered this matter, and brought it to the light of public knowledge.

#### THE MINISTER FOR AGRICULTURE:

I can quite understand the concern of members opposite over the severity of the grasshopper pest, and the widespread nature of its incidence. But the last remark of the member for Pingelly would seem to suggest

that the members who accompanied the member for Avon in a recent tour discovered something that was not known. In that connection I intend to reply fully to the statements made by the member for Avon, some of which are not quite in accordance with fact. Members opposite who have spoken have referred to a speech delivered in this Chamber on this subject in 1936. When, a little while ago, I learned of the intention to move this motion, I referred to that speech, which was made on the 15th September, 1936, when a somewhat similar motion was moved by the member for Mt. Marshall. At that time a complete review, not merely of the incidence of the pest within the State but the extreme importance of it economically in many countries of the world, was made in this House. It was shown how serious had been its ravages in South Africa, and the measures taken to cope with it, and also the extreme measures taken in such countries as Russia, because of the dire necessity to cope with a very serious situation. When the position was being fully reviewed at that time the House was told that in South Africa, where tremendous sums had been spent in coping with the pest, these sums had been collected by way of a special tax on all rural lands; and to a large extent the same circumstances and conditions applied in Russia.

There is no foundation at all for the contention of members who have spoken that the efforts of the Government have been spasmodic and not continuous. I want at once to disabuse their minds, the minds of other members and the minds of the general public who may read that statement. That assertion has no foundation in fact. Since the motion was last moved in this Chamber on the subject of grasshoppers nearly £37,000 have been spent by the Government in baiting and other methods to cope with the pest. As distinct from the point endeavoured to be made by the member for Avon, that we are facing a considerable encroachment of this pest towards the coast, I am advised by the entomologists that there has been no encroachment westward since 1937, which is the year in which was recorded the furthest westward incidence of the grasshopper, in plague form, in this State.

Mr. Seward: Where was that point?

The MINISTER FOR AGRICULTURE: It was in the vicinity of Moora; to the

North, and a little westward of Kellerberrin. Each year, wherever it has been reported in plague form, either by the Agricultural Department or Agricultural Bank officials, it has been mapped and investigated at least twice a year, even after the eggs have been laid, to ascertain where the depositories have been, so that every effort could be made, not merely to bait the grasshoppers when they emerged from the eggs, but to break up those lands where the menace was potential. The remedies that have been used in this State are not isolated. They are the best known to entomologists, in a world-wide sense. Cases have been referred to in South Africa where green screens have been put up and beating parties have chased grasshoppers into ditches. World-wide authorities, including the C.S.I.R. English expert who came here and investigated the problem in this State some years ago, agree that the practices adopted in the field of poison-baiting are the best known to science. There has not been a case where an application for bait, free to the farmer, or to the road board, and supplemented by free supplies of petrol to farmers who could not afford transport, allowance for mixing the bait and even cost of labour entailed in spreading the bait, has not been granted. I challenge members opposite to produce one case where a road board or a farmer has suggested that it or he is likely to be invaded by grasshoppers in a district in which an outbreak is anticipated, where every possible step has not been taken to meet the situation within the circumstances of manpower available.

Mr. Boyle: It has proved very ineffective.

**THE MINISTER FOR AGRICULTURE:** Thousands of acres of crop in the last ten years have been saved to farmers because of the effective measures taken. It will be remembered by those who follow closely activities of this nature that in 1938 the grasshoppers were declared vermin to give the Government an opportunity to insist upon the actual requirements being carried out in coping with the pest, and so that it could take action against road boards and farmers who would not do their duty in that regard.

In a general sense most road boards have been very helpful. There have been instances where they have found it a little irksome to do their utmost, but in the main there has been co-operation wherever it has been shown that there is the least likelihood

of an outbreak. Every possible help has been rendered them in the supply of baiting materials free of charge. This is the only State in Australia which has undertaken the job in that way. South Australia has an exactly similar kind of grasshopper and, in addition, another type known, I think, as the black-winged hopper which can fly 100 miles at least. But what is done in that State? The road boards have the responsibility of dealing with the situation except for some small subsidies that have at times been given by the Government. In 1937, which was the worst year in this State, the districts affected were Narembene, Moora, Mingenew, Carnamah and others, and since better seasons have obtained they have not suffered a serious outbreak. In the Mingenew district alone in 1937 thousands of acres were threatened by this pest. This year that district, so far as we know—and it has been visited recently by the entomologist—has no serious outbreak of the hopper. In the York district large areas were seriously affected in 1937 and 1938, but by the measures which the member for Avon is pleased to call "ineffective," absolute control has been effected. There is no report this year from properties, which were seriously affected at that time, of any encroachment of the grasshopper; nor is there any appearance of it in plague form.

It is important, too, to know that the only prospect of handling this pest by means of poison bait, is before it reaches the winged stage. Once the grasshoppers are on the wing it is a practical impossibility to cope with them by poisoning, or any other means. Hundreds of miles can be affected by grasshoppers which would emerge, perhaps, from an area in its totality, although not contiguous, of not more than 1,000 acres. Road sides, railway embankments and even open forest country, if of a suitable type, are splendid breeding grounds for this pest, in addition to the areas that have been farmed, some of which are occupied, on which the grasshopper breeds. Once the pest reaches the winged stage, there is no prospect of coping with it. Regarding the mis-statement by the member for Avon to the effect that we have let up on the matter and only treated it spasmodically, I point out that during the last two years when there was a likelihood of a shortage of bran and other baiting materials, we were in months before there was any prospect of a request for these

materials and had secured them. The Railway Department was the first entity this year to request material for poison baiting.

Mr. Boyle: Was any ploughing done last year?

The MINISTER FOR AGRICULTURE: Some was done. In connection with ploughing, it is interesting to note that 103,000 acres were ploughed in the one season five years ago. A sum of £13,000 was spent by the Agricultural Bank and recouped by the Department of Agriculture on ploughing contracts in that one year, and this year every possible inducement has been given by inspectors of the Agricultural Bank to get farmers, if they would not take on a bushelage basis, to plough their land and receive 4s. per acre for doing it. I have a report in that connection which was recently submitted to me. The localities to be ploughed are not confined to marginal areas, but embrace any district where the grasshopper has been known to exist in plague form. Branch managers of the bank were requested to get ploughing undertaken wherever possible if there was likely to be a threat to crops this year. All railway embankments, any hard ground at all that will not fall in—these are the discriminating factors. Sandy soil offers no threat at all as regards a plague of grasshoppers. When the female is ready to deposit her eggs, she must have hard soil into which to deposit the eggs, a place where the soil will not fall in. Road sides, railway embankments and hard claypans in open forest country are ideal spots, as well as abandoned areas.

The hon. member suggested that the Government should have maintained a continuing effort and that it was necessary for him to keep unrelentingly at the Government in order to get it to attend to this problem. It is easy to spin words in that way and make extravagant statements, but the facts are that during the past seven years a sum of £36,000 has been spent by the Government in providing bait free to farmers likely to be affected. The pest in this State is mostly confined to our ten-inch rainfall areas, and when some of our inner districts experience two or three bad seasons in succession, there is an opportunity for the pest to spread, although seasonal conditions do not wholly control the situation. There is very little doubt that there will be no intrusion or invasion of the clover paddocks in the Pingelly district because, so far as we know, there

is no grasshopper in plague form within 15 miles of that district and, as the member for Avon pointed out, that is the maximum distance this type of grasshopper travels. It flies spasmodically; it follows no set direction. Its flight is governed by natural conditions, by obstructions and by wind. It can go anywhere, and its maximum distance from the point of hatching is usually about 15 miles.

Mr. Boyle: And it will go back to that spot, too.

The MINISTER FOR AGRICULTURE: Yes. When the life cycle of the insect is about to end, it will move to suitable spots to deposit its eggs. The Government could wish it were possible to get a continuing interest in this matter amongst other sections of the community. I can quite understand that farmers who have experienced a bad time seasonally and in regard to prices are inclined to think that this might be a year when added effort is not necessary, but that has not been the attitude of the department or the Government. We are continuing the policy we began in an endeavour to cope with the pest, and the hon. member may rest assured that so far as inspiration and endeavour are concerned, the farmers will receive all possible assistance. At least twice a year the Government Entomologist visits the road board secretaries in districts where the pest is known to exist. He watches the progress to ascertain whether there is any fungus, any parasite, any natural enemy, and makes recommendations accordingly.

Mr. Watts: Is he doing that now?

The MINISTER FOR AGRICULTURE: Yes, continuously. I have a report dated the 7th September stating that the entomologist had visited, in company with a prominent member of the C.S.I.R., several districts where the pest was about to emerge. Close contact is maintained continuously with the authorities of the Waite Institute and with world-wide authorities in an endeavour to ensure that every measure of practical value is employed to control the pest.

Mr. Watts: Does he consider there will be a plague this year?

The MINISTER FOR AGRICULTURE: Yes, and has made recommendations accordingly. It will be found on investigation that the districts affected this year are fortunately much fewer than those affected at the time of the maximum plague. In



1937 a very large area, extending as near to the coast as 100 miles, was seriously affected by the ravages of this insect. Control measures were advocated and put into effect with very successful results but, in districts where there are millions of acres of potential breeding grounds, the magnitude of the task can be appreciated. In the marginal areas it would entail the breaking-up of at least a million acres a year before we could say that the egg pods of the grasshopper in that area had been destroyed. In addition, there are many thousands of acres along road sides that cannot be dealt with in the same manner.

The Government is anxious to do its best in this connection, and if the hon. member cares to read a file of the reports submitted by the Government Entomologist over the years, he will find that there has been a continuing effort. These reports were distributed amongst a number of files, but for convenience copies have been placed on one file so that they may be readily seen. If the hon. member perused those reports, I think he would be fair enough to admit that there has been not a spasmodic effort, but a continuing effort, and all we hope is that the detrimental effect of the pest could be so impressed upon the farmers that they would maintain interest all the time. It is very difficult for them, in view of the present manpower situation, to meet the needs regarding labour, but it is too late now to take action. There are no known means of coping with the pest now that it is on the wing. It must take its course. Nothing practical can be suggested. Until the insects alight en masse to deposit their eggs in suitable hatching grounds, we cannot deal with them. So the remedy lies in all farmers and all road boards giving the Government the utmost co-operation in the endeavour to exterminate this pest.

Question put and a division taken with the following result:—

Ayes	..	..	..	..	14
Noes	..	..	..	..	22

Majority against .. 8

#### AYES.

Mr. Boyle	Mr. Sampson
Mrs. Cardell-Oliver	Mr. Seward
Mr. Hill	Mr. Shearn
Mr. Hughes	Mr. Thorn
Mr. Mann	Mr. Watts
Mr. North	Mr. Willmott
Mr. Patrick	Mr. Doney

(Teller.)

#### NOES.

Mr. Berry	Mr. Marshall
Mr. Coverley	Mr. McDonald
Mr. Cross	Mr. Millington
Mr. Fox	Mr. Needham
Mr. Hawke	Mr. Nilsen
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. Triat
Mr. Johnson	Mr. Willcock
Mr. Keenan	Mr. Wise
Mr. Kelly	Mr. Withers
Mr. Leahy	Mr. Wilson

(Teller.)

Question thus negatived.

### QUESTIONS (6).

#### COMPANIES BILL

##### *As to Reinstatement.*

Mr. SEWARD asked the Premier: When commending the Companies Bill to the Assembly last year, the Minister for Justice stated that it was the most modern and efficient piece of company legislation in Australia: In view of the small amount of business on the notice paper: 1, Is it the intention of the Government to abandon the Companies Bill? 2, If not, when will it be brought forward? 3, Will adequate time be given for consideration of the Bill by both Houses this session?

The PREMIER replied: 1, No. 2, It will be put on the notice paper at an early date. 3, Yes, consistent with the importance of other business before Parliament.

#### NATIONAL SECURITY ACT.

##### *Lighting of Motor Vehicles.*

Mr. SEWARD asked the Premier: 1, Has a reply been received from the Prime Minister to the letter written to him some three weeks ago asking for the relaxing of lighting regulations, particularly lighting of motor vehicles? 2, If so, what is the nature of that reply? 3, If no reply has yet been received, how long does he intend to wait before taking action? 4, If a reply has been received, and it is unfavourable to the State Government's request, does not the authority which gave the Premier the power to issue the regulations also empower him to amend or cancel them? 5, If so, will he cancel the regulations and thereby compel the Commonwealth Government or the military authorities to enter into negotiations with the State Government with a view to adopting regulations that will prove more acceptable to all concerned? 6, If not, why not?

The PREMIER replied: 1 to 6, the Prime Minister has acknowledged our com-

munication and additional information has been sought from us. This has been supplied and advice from the Commonwealth authorities, both by telegram and telephone, was to the effect that further consideration was to be given to the matter early this week. As it is confidently expected that all the information regarding the intentions of the Commonwealth will be available within a few days, the matter will be deferred until then. Failing action on the part of the Commonwealth Government, this Government proposes to deal with the matter expeditiously on the lines indicated in the Deputy Premier's letter to the Prime Minister, which was published in the Press at the time.

### FIRE BRIGADE EMPLOYEES.

#### *Compensation for War Injuries.*

Mr. CROSS asked the Minister for the North-West: 1, Is he aware that firemen are not covered by the ordinary worker's compensation provisions when injured on duty, if such injury is due to enemy action? 2, Can he say whether any definite arrangements have been made to compensate firemen in the event of death or injury due to enemy action? 3, If so, what compensation will be paid to firemen and/or their dependants in the following circumstances if killed or injured—(a) Between the "warning" and the "all clear" signal? (b) After the siren has sounded the alarm, when off duty and on his way to report for duty? (c) When injured by either bomb, gas or gunfire? (d) If by delayed-action bomb after the "all-clear" has sounded? (e) By falling walls and debris at a fire caused by the enemy, but after the "all-clear" has sounded?

The MINISTER replied: 1, Yes. 2, Yes. Commonwealth National Security Regulations relating to Civil Defence workers were recently amended to provide compensation for essential services personnel for war injuries received whilst continuing to perform their ordinary duties or standing in readiness to perform those duties during a period of enemy action, i.e., between the sounding of the "action warning" and the "raiders passed" on the sirens, or during a period immediately following the period of enemy action as approved by the Minister for Home Security. The W.A. Fire Brigades have been classed as an essential service. 3, The rates of compensation and the circumstances affect-

ing same appear in the Commonwealth National Security (Civil Defence Volunteer Compensation) Regulation No. 288 of 1941, and amending Regulations Nos. 53 of 1942, and 325 of 1942.

### GAS PRODUCERS.

#### *(a) As to Imports.*

Mr. SEWARD asked the Minister for Industrial Development: 1, Is it a fact that a second consignment of gas producers has arrived, or is due to arrive, in this State from the Eastern States? 2, If so, who is responsible for their being sent here? 3, As there are country manufacturers of gas producers who have been unable to accept orders, owing to their inability to obtain the material necessary for the making of gas producers, will he have the consignment sent back to the Eastern States? 4, In view of the fact that he announced the appointment of a Priorities Committee, approved by the Commonwealth Government, to control such matters, how is it that this second consignment was permitted to be sent here?

The MINISTER replied: 1, The question gives no means of identifying the consignment of gas producers to which it refers. No gas producers can now be shipped to Western Australia. Several were recently brought from South Australia by rail. Action has since been taken to prevent any repetition of that practice. 2, It is understood General Motors-Holdens of South Australia, who manufacture the "Nasco" gas producer, consigned the producers to agents in Western Australia. 3, This suggestion is impracticable as the producers are the legal property of the local agents. 4, As far as is known the consignment in question was not brought to Western Australia by sea.

#### *(b) As to Supply to Farmers.*

Mr. BERRY asked the Minister for Agriculture: As it is an injunction of the Liquid Fuel Control Board to fit gas producers to agricultural vehicles and machinery, does the Government intend to take steps necessary to supply these gas producers at the lowest rates possible and on easy extended terms to farmers unable financially to instal such producers otherwise?

The MINISTER replied: It would be difficult for the Government to intervene where farmers are clients of private institu-

tions, but every consideration in this connection is given to farmers who are clients of the Agricultural Bank.

(c) *As to Travelling Permits for Farmers.*

Mr. BERRY asked the Minister for Agriculture: Does he intend to grant permission to farmers who have fitted producer gas units to their trucks to visit Perth twice annually by road, thus enabling them to attend to matters which cannot be done in the country or by correspondence?

The MINISTER replied: Such permission does not come within my jurisdiction but in any case appears unnecessary as no restriction exists under the State Transport Co-ordination Act.

### FEDERAL SENATE VACANCY.

*Parliamentary Joint Sitting.*

Mr. SPEAKER: I desire to announce that, in furtherance of the resolution of the House, I consulted the President of the Legislative Council and we have fixed Thursday, the 8th October, at 2.30 p.m., in the Legislative Council Chamber, for the joint sitting of Parliament to elect a Senator.

### BILLS (2)—RETURNED.

1, Mining Tenements (War Time Exemptions).

2, Road Districts Act Amendment.

Without amendment.

### BILL—LICENSING ACT AMENDMENT (No. 2).

Introduced by Hon. N. Keenan and read a first time.

### BILL—PUBLIC AUTHORITIES (POSTPONEMENT OF ELECTIONS).

Report of Committee adopted.

### MOTION—LIQUOR LICENSES AND S.P. BETTING.

*To Inquire by Royal Commission.*

MR. SEWARD (Pingelly) [3.20]: I move—

That this House is of opinion that the statements of the member for East Perth, made in Parliament on the 16th September, 1942, with reference to liquor license abuses and starting-price betting business, as well as a failure to prosecute for offences against the betting laws,

are so serious as to be liable to undermine the standing of Parliament in the opinion of the public.

And further, that this House demands an immediate investigation of these charges by the Chief Justice sitting as a Royal Commission, and that the terms of reference include the following:—

The terms of reference to include:—

- (1) Has the administration of our betting, gaming, and/or liquor laws corrupted or tended to corrupt—
  - (a) any of the Police Force of the State;
  - (b) any Ministers of the Crown of this State; and if so, who are the persons so affected?
- (2) Have any instructions been given to the Police Force, or any member thereof, to refrain from enforcing the law against betting shops and/or gaming houses except at long intervals? If so, have these instructions been given—
  - (a) by senior officers of the Force without Government intervention; or
  - (b) by the State Government or any Ministers thereof; or
  - (c) by other persons, and if so, what persons?
- (3) Is there any evidence that any betting shop or gaming house or any number of betting shops or gaming houses are or have been actually, or in effect, exempted from law enforcement? If so, to what extent, and by whose instructions has such total or partial exemption become applicable?
- (4) Is there any, and if so, what evidence to support a statement that such periodical enforcement or such total or partial exemption or either, is part of Government policy?
- (5) When taking proceedings against betting shops, is there any, and if so, what evidence to support the allegation that either all or some of the members of the Police Force acting therein know or have reasons to believe that the person arrested by them as the keeper of the premises is not the keeper of the premises and in consequence that members of the Police Force so acting can be considered to be conspiring together to thwart the ends of justice?
- (6) Is there any evidence to support the belief that a minimum term of imprisonment without the option of a fine, to be imposed on both keepers and users of betting shops, would have the effect of minimising or eradicating offences against Section 211 of the Criminal Code?
- (7) Is any Justice of the Peace in the metropolitan area—
  - (a) the owner of the premises in which illegal betting is conducted?
  - (b) the owner, either alone or in conjunction with any other person or persons of any betting shop business,

or entitled to participate in the profits to be derived from such business, and if so, what Justices of the Peace are so interested, and to what extent?

(8) Is any Minister of the Crown or any other person holding high place in the Government of this State the owner of or interested in any such premises or business of the like kind to those mentioned in paragraph (7), and if so, the name of such Minister and persons, and what is their interest?

(9) Have any, and if so which, Justices of the Peace at Fremantle received any sums of money or other consideration as an inducement to exercise their judicial authority to minimise the penalty imposed upon keepers and/or users of betting shops, and if so, who are these justices?

I do not intend to speak at any great length upon or unduly to labour this question, as I think the member for East Perth has already done that. Members will readily recall that he spoke calmly and deliberately and, speaking generally, weighed his words. As a matter of fact, I think that, with only one exception, it can be said that he particularly emphasised the words of which he made use. In some cases he repeated statements that have been made in this House on previous occasions. His statement must be given the weight that should be attached to statements made by a member of Parliament speaking from his seat in the House. He represents an important city electorate, and has represented it for a number of years against the stoutest opposition. I have no hesitation in saying that on one occasion he secured the seat against the full weight and debating power of the Government. Consequently, his statements must be taken as those of a responsible man occupying an important public position. At the outset, I desire to say that I do not associate myself with the statements of the hon. member. Whether they are true or untrue I am not in a position to say; but they are so serious as not to be possibly passed over by any body such as this Parliament, because unquestionably they reflect not only upon the Government but upon every member of Parliament. I mention that because I heard a question asked the other night by way of interjection to the following effect:—"Did anyone think that the statements were made by a responsible person or came from a responsible quarter?" I maintain that they did come from a responsible quarter, and therefore they should be investigated in

order to ascertain whether or not they are true.

It must be remembered that on the morning following the day on which the statements were made they were reported in our principal daily paper, "The West Australian." The report appeared on the main page, under heavy-type headlines to the following effect:—"Gaming Laws. Motion for Repeal. Hypocrisy and Cant." The report occupied more than three-quarters of a column. The paper has a large circulation throughout the State and is read from one end of the State to the other. Consequently there was a certain re-action by the public to those statements. Some of my electors have met me since and asked, "What about the charges made in Parliament by the member for East Perth? Are these things that Mr. Hughes stated true?" I could only reply that the statements were made by the member for East Perth and that I had no means of ascertaining whether they were true or not. My constituents immediately asked, "Well, do you not think they should be proved? Is it right that a man should make charges against the Executive of the State if there is not some truth in them?" I could only reply, "That is the position." I was then at once told, "If they are true, they rebound on you as a member of Parliament. Are you content to sit in Parliament and hear such statements made against the Executive of the State, public men holding highly responsible positions?" I replied, "I am not." It is for that reason that I placed on the notice paper the motion standing in my name.

The motion will, if carried, give timely opportunity for an investigation to be made, because I want to say straight here that the member for East Perth is by no means the only person I have heard making those statements, and spreading such rumours and insinuations. I have heard them made in the city of Perth and in the country. I have heard people say, "Why is such a thing tolerated and allowed to go on?" My desire is to be in a position to say that such statements are not true, and I am sure every member of this Parliament wants to be in the same position. If the statements are not proved to be untrue, it simply means that our public life will be undermined. People will not, as they ought to do, look up to the public life of this State; they will simply deride it.

The unfortunate position today is that the tone of public life is deteriorating, with the result that "isms" are bred, such as Communism and Fascism, and other forms of "isms," as a substitute for our present form of government. We have a duty to the people of this State to preserve the standing of Parliament; it is our duty to contradict insinuations of this description. I am not referring to the small tittle-tattle that one hears, but to statements made in this House by a member in a responsible position. Such statements receive more notice than do statements made outside Parliament.

Unfortunately, the rules of the House preclude me from quoting from the speech made by the member for East Perth; but members will be able to read it in "Hansard" if they were not present on the occasion. They can ascertain for themselves exactly what statements were made. I desire to draw attention to the terms of reference, of which I gave notice yesterday, as possibly some members may not have had time thoroughly to consider them. I desired these terms of reference to be included because they are probably the prevailing reports or insinuations that one may hear any day in Perth and throughout the State. The first term is as follows:—

(1) Has the administration of our betting, gaming, and/or liquor laws corrupted or tended to corrupt—

- (a) any of the Police Force of the State;
- (b) any Ministers of the Crown of this State;

and, if so, who are the persons so affected?

I have heard that statement made on various occasions. It has been said that the administration of our laws to-day has been brought about because certain people occupying extremely responsible positions either in the Police Force or in the Government of the State have become corrupted. That is a most serious statement to make, and consequently I have included it in the terms of reference so that, should the inquiry be held, the statement will be investigated and disposed of once and for all if the members of the Police Force and of the Ministry are not corrupt. Should it be established, however, that either members of the Police Force or the Ministry are involved, then it behoves us to have the matter cleared up. The next term is as follows:—

(2) Have any instructions been given to the Police Force, or any member thereof, to refrain

from enforcing the law against betting shops and/or gaming houses except at long intervals? If so, have these instructions been given—

- (a) by senior officers of the Force without Government intervention; or
- (b) by the State Government or any Ministers thereof; or
- (c) by other persons, and if so, what persons?

That is another statement I have heard. It has been said that members of the Police Force have received instructions not to enforce the law against certain people, but to enforce it against certain other people, thereby insinuating that favouritism exists. Certain people are permitted to violate the law, while other people less favourably situated, and perhaps unable to bring influence to bear on their behalf, are not free to violate the law. That is a statement which, if proved correct, would undermine the whole of our administration of the law. If people become possessed of the idea that certain persons can bring influence to bear on their behalf and so avoid the force of law it means this kind of thing will spread. A few years ago the question of gold stealing was brought up. I have heard it stated that that was not stealing in the generally accepted meaning of the word, but I venture to say that the crime of stealing gold has spread to other things such as pilfering and so forth. That is the sort of thing we have to contend with. People may become possessed of the idea that the owners of gaming houses can interview certain persons and have influence brought to bear on their behalf so that prosecutions may be avoided. The whole of our administrative and social life is thus likely to become contaminated. The same thing might occur with our State administration if it is was thought that Ministers could intervene and direct the police not to do certain things.

Then there is the serious statement I have frequently heard that, whether as the result of graft or some other influence, public prosecutions could be avoided. I would be very sorry to think that such a thing could enter into our police force. I have no hesitation in saying that during my 25 years' residence in this State I have always looked upon the police force as being equal if not superior to any other police force in Australia. I do not think any serious crime has been committed in this State where the police force have not brought home to justice the guilty parties. I view with grave concern the necessity for maintaining the

reputation of our police force. These are the reasons why I have included in my motion this particular term of reference. The next paragraphs are as follows:—

Is there any evidence that any betting shop or gaming house or any number of betting shops or gaming houses are or have been actually, or in effect, exempted from law enforcement? If so, to what extent and by whose instructions has such total or partial exemption become applicable?

Is there any, and if so, what evidence to support a statement that such periodical enforcement or such total or partial exemption, or either, is part of Government policy?

Whilst one might view with serious misgivings the fact that the police force would of its own initiative undertake not to enforce the law, whether through graft or anything else, one would view the matter even more gravely if that were done as part of Government policy. I have heard it stated that immunity from prosecution in several cases has been brought about because that has been the policy of the Government. That point has been raised, and my attention has been called to the fines that are regularly recorded in either Monday's or Tuesday's paper for offences against gaming laws. These fines have amounted to thousands of pounds in a few years. People are asking why the fines are inflicted, and of what use it is to impose fines up to £75, for instance, week after week if the offences for which the fines are imposed are allowed to continue.

The Premier: You might as well ask of what use it is to put a burglar in prison every time he commits an offence.

Mr. SEWARD: Of what use is it to inflict fines when this sort of thing is allowed to go on? Is it the policy of the Government to allow it? I cannot imagine that it would be the policy of the Government but the statement is being made, and so that the matter may be clarified I have included that point in my motion. The next paragraph is as follows:—

When taking proceedings against betting shops, is there any, and if so, what evidence to support the allegation that either all or some members of the Police Force acting therein know or have reasons to believe that the person arrested by them as the keeper of the premises is not the keeper of the premises and in consequence that members of the Police Force so acting can be considered to be conspiring together to thwart the ends of justice?

That is another very serious statement I have heard. The question here is whether a

police officer does arrest a person as being the keeper of a gaming house although the officer knows he is not the keeper. I do not think that statement, or rumour, should be allowed to remain current without a proper investigation. It undermines the confidence the public have in our police force. Another statement I have heard, when my attention has been drawn to the fines published in the paper, is that a term of imprisonment should be imposed upon the offenders. If fines do not accomplish the desired end, it is suggested that a term of imprisonment would soon put a stop to these offences. I do not know whether that would be so or not. If a Royal Commission is appointed I hope that particular aspect of the matter will be inquired into. I think the magistrates whose duty it is to try these cases would be able to gather helpful assistance from the Commissioner on that point. He would be able to say whether the imposition of a term of imprisonment without the option of a fine would have a more definite effect against the nuisances that are in evidence today.

I am not talking against betting in particular, for people will always bet. My principal objection is to having in our Criminal Code a section stating that these offences may not be committed without a penalty being imposed, and then to having the law ignored. That is the feature to which I object. I have also heard it stated that justices of the peace, or persons holding even higher positions in the metropolitan area, are the owners of some of these gaming houses, or are part owners or are interested in them. If that is so it would tend to bolster up the belief that preference is given to certain people when cases of breaches of the law are brought before the bench. If a justice of the peace was interested in a matter in any way that would be a very serious offence, because he would be directly concerned in the verdict that was to be given and would see that his own position was safeguarded. If there is any evidence to show that any member of the judiciary is interested in any way in these particular premises, or interested in the business appertaining thereto in any way, the fact should be exposed and the person concerned should be relieved of the opportunity to adjudicate upon such cases. It is stated that in certain parts of the metropolitan area, where the fines inflicted have not been very heavy,

some magistrates may even receive monetary consideration for inflicting a minor financial penalty. That point, too, should be investigated. If such a charge were proved it would mean that the persons holding these positions were not fit to adjudicate in such cases.

These are the terms of reference I should like to see given to a Royal Commission so that we may ascertain what truth there is, if any, in the matters referred to. I fully appreciate that a Royal Commission cannot do its work without expenditure, and that the Government does not desire to make undue inroads upon its income at present. I have no hesitation in moving this motion although it must entail a certain amount of expenditure—I hope not much. Even if it does mean expenditure I point out that the reputation of the State Government is at stake, and such expenditure would be fully justified. I hope, however, that the expense will be kept down to a minimum consistent with the public duty a Royal Commissioner would be called upon to perform. In my motion I have asked that the Chief Justice be appointed as Royal Commissioner. The very highest authority in the land should conduct an inquiry of this nature.

We should have a Royal Commissioner who holds the public confidence, and I know of no one more fitted to fill that role than is the Chief Justice. He may be a busy man and find it difficult to spare the time necessary for the work. He is, however, the highest of our judicial officials. The charges he will be called upon to inquire into involve the Executive of the State. We require a man of ripe experience, a man who does not hold his position simply as a result of book learning but one who has mixed with his fellow-men, knows their temptations and weaknesses, and would therefore be able to investigate these matters from the point of view of a man about town, and yet from the point of view of a man who possesses extensive legal knowledge and is able to sift the chaff from the grain in the evidence that is put before him. The Chief Justice is a man who will hold the confidence of every person in the State. For these reasons I have mentioned him as the man I would like to see make the investigation.

Finally, I would like to see the inquiry made soon. Unfortunately these rumours have been going about the State for at least the last two or three years, and it is time

they were scotched once and for all. I view with misgivings the present state of our public life. Unfortunately, in the other States we have seen somewhat similar occurrences which have tended to reflect anything but credit upon men holding high public positions. Within the last few weeks a Royal Commission was appointed in Victoria. We have not had its report yet, but the summing up of the legal assistant to the Commissioner was such as to lead us to believe that unfortunately the report may not prove to be very good reading.

All that tends to emphasise the fact that the proposed inquiry should be held immediately. I do not want to see anyone proved guilty; that is not my desire. I hope the Government will be exonerated from all these charges. I have no doubt, too, that the hon. member who made them had good ground for so doing. The inquiry would give him an opportunity to prove the charges. If the Government is found guilty in any way, or any individual Minister is found guilty, no doubt that will be the end of the political career of both the Government and the Minister concerned. It may mean the end of the Government if Ministers are found guilty of the charges levelled against them. There is also the possibility that the member for East Perth cannot substantiate his charges: and if that should be the position, he must accept full responsibility for whatever the result of the inquiry may be. That is no concern of mine. What I am concerned about is the fair name of men who hold the highest positions in this State. That is what has impelled me to move the motion.

**THE PREMIER:** Mr. Speaker, —

Mr. SPEAKER: Is the Premier seconding the motion?

The PREMIER: Yes, I second the motion. I have no objection to its terms. So far as I am personally concerned—and I can speak for the other members of the Government as well—I, with them, welcome the opportunity to have the charges referred to by the member for Pingelly investigated by an impartial tribunal, such as the Chief Justice would constitute if he is able to accept the position which, if the motion is agreed to, the House will ask him to fill. The charges are based on statements that have been made in this Chamber by the member for East Perth. I can say that the

charges against the Government made by that hon. member are completely unjustified. I think the member for East Perth was definitely irresponsible, and even reckless, respecting the statements he made. During the course of his speech I said that spontaneously by way of interjection, but it is also my considered opinion respecting the general make-up of the member for East Perth. Five or six years ago he made another series of charges in this House. I think they totalled nineteen. Every one of those charges was subsequently proved to be unfounded.

Mr. Hughes: Do not be so silly. You cannot silence a dead man.

The PREMIER: The charges were declared to be unfounded after an impartial inquiry had been conducted by an impartial Commissioner.

Mr. Hughes: A fraudulent Commission.

The PREMIER: The Commissioner said, and that is all we can take notice of, that the charges were unfounded.

Mr. Hughes: Where did you get him?

The PREMIER: Never mind where we got him. The hon. member made 19 specific charges, and every one was proved untrue.

Mr. Hughes: Every one was proved true.

The PREMIER: That is a silly lie.

Mr. Hughes: You cannot substantiate that.

The PREMIER: That is what the Commissioner found.

Mr. Hughes: That was just telling lies.

The PREMIER: The member for East Perth cannot put me off my balance by interjections of that description. I have been in this House too long to be upset by anything of that sort.

Mr. Hughes: Nor can you upset me.

The PREMIER: The hon. member can say what he likes and go as far as the Speaker will allow him, but that does not affect me.

Mr. Hughes: It does not affect me either.

The PREMIER: I have something to say and irrespective of the hon. member's interjections I intend to say what is in my mind. If anyone wishes to ascertain what I think of the member for East Perth, I shall not reiterate remarks I formerly made, for they can be read in "Hansard" for the year 1937. I made that speech after the member for East Perth had delivered another attack against the Government. I have not altered my opinion regarding that

member since I made that speech. My opinion is the same now as members will find expressed in "Hansard." I still hold that opinion of a man who will bring charges of this type forward, and then, even after they have been refuted—or at least after all those which were made at the time of the inquiry had been definitely refuted—to go on repeating them—well, I can only reiterate he is quite irresponsible. He has no appreciation of the responsibilities attaching to his position as a member of Parliament. That is evident from the fact that he can get up and repeat charges blandly and blissfully, although they have already been refuted. He has repeated his charges over and over again.

That type of action would not be resorted to by anyone who could be characterised as a responsible member of the community, let alone a responsible member of this Chamber. The member for East Perth is irresponsible in the persistency he has displayed in launching his attacks. Mere repetition of such charges does not make them more worthy of notice, yet he repeats them over and over again. It is said that when mud is thrown about, some will stick. From the point of view of the Government, a public and impartial inquiry should demonstrate whether any mud that has been thrown about as a result of the hon. member's charges will stick to any members of the Government. Although, in the opinion of the Government the charges emanated from a source that is irresponsible to an extent that it is discredited, at the same time the allegations have been extensively canvassed, as the member for Pingelly remarked. Particulars of them have been published in the columns of the leading newspaper in Western Australia, and in such circumstances one must take some notice of the charges. If they had been made only by the hon. member himself, perhaps people would not be so keen to take cognisance of what he had said; but when the charges have been published in the Press and other members of the House have expressed some concern about them, as the member for Pingelly did, then the Government thinks, with that hon. member, that charges of such a type made at such a time as the present should be either proved or disproved. Consequently, seeing that an opportunity has arisen for them to be referred to an impartial Royal Commission, neither I nor other members of the Gov-



ernment have any objection to the motion submitted by the member for Pingelly.

It is desirable that the confidence of the people in their Parliamentary institution and their Parliamentary representatives should be vindicated, and the Government has no objection to the inquiry proposed. Ever since the member for East Perth was elected to this Chamber six or seven years ago, he has kept up a tirade of abuse and levelled a series of unsustained charges against all and sundry, and particularly against members of the Government. Six years ago he made charges which led to the appointment of a Royal Commission, to which subject I shall not refer further at this stage. One would have thought that even if he had considered the charges were true, he would have learnt his lesson and would in future be particularly careful to see that he was in a position to prove any statements he might make. On the contrary he has continued to indulge in the practice, and three or four times since then he has advanced other charges. He has not troubled to ensure that he was able to prove the truth of his allegations before proceeding irresponsibly to launch a series of unsustained charges before Parliament, which is a responsible body. Instead of making sure of his grounds, almost every session some inference, some innuendo, some wild unsupported charge is made.

If there were any truth in the allegations, as the member for Pingelly has suggested, the standing of Parliament would be seriously condemned in the eyes of the community. Since his original attack on the Government in 1936, the member for East Perth has moved two no-confidence motions and the notice paper today contains yet another in his name. During his attack on the Government when speaking to his no-confidence motion in 1937, the member for East Perth accused the Royal Commissioner, Mr. Hart, a barrister-at-law of Queensland, who had conducted the inquiry into his previous charges, Sir Walter James, Mr. Keall and also Mr. Wolff, who is now a member of the Judiciary, of conspiring together to defeat the ends of justice. After that outrageous charge against the gentlemen I have mentioned, the House refused to regard his motion seriously; neither did the hon. member himself regard it seriously because he did not even divide the House on his no-confidence motion. Two years ago he moved

another no-confidence motion regarding the Government, and on that occasion it was probably the most farcical of its type ever tabled in a Parliament in the British Empire. The member for East Perth did not even bother to speak in support of the motion. He did not have a seconder for it, and even then he did not have the decency to withdraw it. He simply moved it and let it go at that. This session the same course is adopted. In his first speech this year, according to a report in "The West Australian," he said—

He knew a hotelkeeper who brought police to his place after midnight on a Saturday to quell a disturbance so that a party, which included several girls under 16 years of age, could go on drinking in peace.

That statement was made public through the report published in the paper, and the Chief Secretary, as Minister for Police, in his official capacity naturally wished to look into the matter.

MR. SPEAKER: The Premier is not in order in alluding to a debate that took place earlier in the session.

THE PREMIER: I am referring to something that appeared in "The West Australian."

Mr. Hughes: And the statement was true.

THE PREMIER: In view of the statement published in the newspaper the Minister for Police wrote to the member for East Perth, because he was concerned about the facts.

MR. SPEAKER: Order! The Premier is not in order in reading a report of a speech delivered in Parliament this session.

THE PREMIER: Am I not? I am quoting exactly what was published in "The West Australian." I shall read the Minister's letter to the hon. member, which will bear out my contention. The Minister for Police wrote as follows under date the 27th August:—

"The West Australian" of today's date, in reporting your remarks on the Address-in-reply yesterday, states as follows:—

He knew a hotelkeeper who brought police to his place after midnight on a Saturday to quell a disturbance so that a party, which included several girls under 16 years of age, could go on drinking in peace.

I have referred this to the Commissioner of Police who advises that he has no knowledge of any such incident. In the circumstances, will you be good enough to supply me with further particulars so that same might be investigated?

Mr. SPEAKER: Order! I understand that refers to a speech made in the House this session and reported in the newspaper.

The PREMIER: I am dealing only with the report in the newspaper.

Mr. SPEAKER: I refer the Premier to Standing Order 127, which sets out that no member shall read from a printed newspaper or book the report of any speech made in Parliament during the same session. If the letter hinges on a debate reported in the paper, the Premier will not be in order in discussing it.

The PREMIER: Something that appeared in the paper which also happened in the House, would not disqualify me from referring to the matter.

Mr. SPEAKER: If it is not referring to a report of a debate in this House this session—

The PREMIER: It may do so, but I know that this statement was made by "The West Australian." Anyhow, it contains some facts regarding a hotel to which the member for East Perth had also referred. The Minister for Police received a courteous reply from the hon. member under date the 28th August, in the following terms—

I have to acknowledge receipt of your communication of the 27th inst. concerning the extract published in "The West Australian" newspaper from some remarks made by me on the Address-in-reply. The Commissioner of Police was not present at the incident referred to by me. I do not propose to supply you with further particulars that might be used detrimentally to the police officers concerned who were merely carrying out Government policy.

I do not know how the member for East Perth knows what was Government policy. The Minister did not know it was a matter of Government policy because he wanted to find out something about it in order to ascertain whether the allegation had any foundation in fact. It is certainly not a matter of Government policy, nor yet that of the police force, that officers should go to a hotel to quell a disturbance so that girls under 16 years of age could continue drinking in peace on licensed premises. Perhaps that particular allegation could be added to those that are to be the subject of inquiry. I am quite satisfied to accept what the member for Pingelly has submitted as the basis for that inquiry without adding to, subtracting from, or in any way altering the grounds set out. I do not want it said that the Government formulated the charges that will be referred to the Royal Commission. I

would prefer Parliament to carry a motion setting out the various charges and not one embodying charges formulated by the Government. I think the motion submitted by the member for Pingelly represents a reasonable interpretation of the charges made by the member for East Perth and, in the circumstances, I have no desire to alter them in the slightest degree. An analysis of the second speech made by the hon. member, when moving the second reading of the Bill to amend the Criminal Code, shows that in turn the member for East Perth attacks the Government, attacks Parliament, and attacks the police.

Mr. SPEAKER: I am afraid the Premier has got back on to another question. Standing Order 126 provides—

No member shall allude to any debate of the same session, upon a question or Bill not being then under discussion, except by the indulgence of the House for personal explanations.

The PREMIER: This motion, Mr. Speaker, I contend refers to charges made against the Government in this session. Surely it is not contended that we are not permitted to deal in the same session with charges which have been made. The motion deals with aspects of the speech made by the hon. member. Therefore anything we have to say connected with the motion is in order.

Mr. SPEAKER: Order! The Standing Order is plain enough and in clear English, and I am here only to carry out the Standing Orders. The member for Pingelly in moving the motion said that he was not allowed to mention other things, and that otherwise he could say a good deal more.

The PREMIER: His motion repeats extracts from the speech made by the member for East Perth.

Mr. SPEAKER: The member for Pingelly distinctly said he realised he could not touch on matters raised by the member for East Perth on another question.

The PREMIER: He said he did not want to read the speech, or to have much more to say about it. I am referring to the speech of the member for East Perth on the motion moved. The motion deals with racing proprietaries, insurance companies, justices of the peace, magistrates and the judiciary—apparently everybody is out of step except one man. The question arises, why are these charges and assertions being made? Possibly the answer lies in a Press statement of about a week ago, wherein the member for

East Perth said he was willing to have a show-down, to face the electors with a view to getting a mandate on the question involved. With the possible imminence of elections, he wishes to revive propaganda that has been dormant for some time. Lies and slanders against Government employees, but nothing against the Government accomplish nothing for the electors. The hon. member thinks these things will go down at election time. Or is it that the legal practice of the hon. member needs a fresh spate of free advertisement? The hon. member may be willing to face the electors on these charges, but the Government does not think the proper way to deal with such charges is to make them before a public meeting in an election campaign. The Government thinks the proper place to deal with such charges is in the quietness of a judicial inquiry held by competent persons, where witnesses may be compelled to come and give evidence. That is the proper way to deal with such charges. For that reason I am quite prepared to support the motion.

After a judicial inquiry a finding will be given based on the evidence submitted, not based on the effect which perhaps a clever speaker may have on the mob psychology of the crowd he chances to be addressing. The hon. member may be able to impress gullible people, but sensible people will not give credence to statements made by him. I repeat that I agree with the motion. I do so in the hope that the allegations made may be inquired into, and that if they are refuted the last will be heard of them. If continuously heard, they become a reflection on the intelligence of the House. I find it hard to realise that for four or five consecutive sessions a series of unwarranted charges should be made and disproved, and I consider that the House would not be justified in taking seriously anything that might be said in future by the particular individual making those charges. I hope that once the charges have been inquired into by an impartial judicial authority, we shall hear no more of them. I trust that will be the end of attempts which would have the effect of discrediting and lowering the prestige of this Parliament as an institution. I support the motion.

**MR. HUGHES** (East Perth): The Premier evidently thinks he can make answer to certain things—proved by sworn testi-

mony—by indulging in a tirade of abuse against me. As for his cheap statement that my legal practice needs a fillip, it is entirely wrong.

The Premier: But you are always saying that I am wrong!

**MR. HUGHES**: I say the Premier is wrong on this occasion. If new evidence was required of the irresponsibility of a person, surely by that statement alone the Premier has proved that he has no sense of responsibility whatsoever. It is well known—and probably known to the Premier—that my legal practice does not need a fillip. In fact my difficulty is to cope with the work I get. Surely, however, the Premier, in making that suggestion, goes to an extraordinary length in trying to answer accusations made in this Chamber. I submit that no person whatever, much less a person holding the position of Premier, would resort to such tactics if he had the slightest notion of the meaning of the word "responsibility." I do not know whether he tries to be humorous or not when he refers to the infamous Hart Commission.

The Premier: On a point of order! Is the hon. member in order in referring to the honourable gentleman who came over here to conduct a Royal Commission as "infamous"?

**MR. SPEAKER**: I do not know that there is anything to prevent the hon. member from doing so.

**MR. HUGHES**: I will show how the statement is a proper one to make. The gentleman referred to conducted a Royal Commission and positively refused to accept evidence that would have proved the allegations made by me. To give one illustration of how he stifled evidence that would have proved my assertions—

The Premier: You accused him of conspiracy with Sir Walter James.

**MR. HUGHES**: I said that if there was any justice in this country, those gentlemen would be indicted for conspiracy. I say that again, and for this reason, because the statement should count for me whether I made it or anyone else made it. The grounds for making it should be the acid test. Everything I said in this Chamber I had said previously in public, without the cover of Parliamentary privilege. I did not say anything whatever here that I had not said in public. Without entering into a mass of detail about the Royal Commission con-

ducted by Mr. Percy Hart, K.C., from Queensland, I point out that the Premier passed over all the eminent barristers here and in Melbourne—some of them of world-wide reputation—

The Premier: We tried every Government.

Mr. HUGHES: Why did not the Premier choose a barrister practising in Melbourne or—

The Premier: Mr. Hart was chosen because he had been an acting judge.

Mr. HUGHES: The man was the nominee of certain people. That is why the Premier wanted him. Why did not the Premier pick a man out of the legal profession in Sydney? Why did he not go to Adelaide? Why did he go right up to the extreme north of Australia to get Mr. Percy Hart? And how did Mr. Hart conduct the Commission? I will give just one or two illustrations of what he regarded as being the method to obtain evidence. One of the essential questions of the Commission was whether Mr. McCallum and Mr. Collier were in partnership with the late E. B. Johnston in hotel properties.

The Premier: That was never mentioned.

Mr. HUGHES: We shall see.

The Premier: Never mentioned!

Mr. HUGHES: I do not get angry when the Premier contradicts me, saying "That is a lie." I will verify my statements by reference to official records. I had Mr. Collier called as a witness, and he was put in the witness chair and was asked by me "Have you any interest in hotels?" That is what the inquiry was about, whether Mr. Collier had any interest in hotels. Mr. Collier fenced with the question. I said to him, "I will put it to you this way, Mr. Collier, straight." I am now speaking from memory, but am repeating the substance of what is in the official record. Undoubtedly what I am saying can be verified. I asked Mr. Collier then, "Are you in partnership with E. B. Johnston in any hotel?" Mr. Collier said, "I do not think that is a fair question," and Mr. Percy Hart, acting judge, said, "Neither do I. You need not answer, Mr. Collier." That was the very thing we set out to inquire into, whether Mr. Collier was interested in hotels with E. B. Johnston. So, Mr. Collier was one of the two men at that time in the world who could say whether he, Mr. Collier, was interested as I stated. He was

the witness on the stand. I appreciated Mr. Collier's position. I fully appreciated his saying that it was not a fair question to ask. If he did not want to disclose to the world that he was in partnership with the late E. B. Johnston, he was quite entitled to endeavour not to answer the question. But the Royal Commissioner was not entitled to support him. If he was an honest, straightforward Commissioner, anxious to get at the truth, he would have said, "I am sorry, Mr. Collier, but you will have to answer."

The Premier: Has that anything to do with this motion or this Government?

Mr. HUGHES: I hope, Mr. Speaker, you will allow me now, whether this has anything to do with the motion or not, to answer what the Premier raised.

Mr. SPEAKER: The member for East Perth may proceed. I will stop him when he is wrong.

Mr. HUGHES: Thank you, Sir! Was not that a dishonest action on the part of the Royal Commissioner? Was it not a shocking thing for the Commissioner to say to the very man who had the evidence that was wanted, "You need not answer"? And so, after all the trouble, Mr. Collier was absolved from answering. Other witnesses were put in the box, and Mr. Hart, when they objected to answering a question, absolved them from answering. Surely that was the conduct of a dishonest Commissioner! Should he not have said to those witnesses, when the question was material, "I am sorry, but my duty compels me to ask you to answer, and therefore you must answer the question whether you are interested or not." That is one of the reasons why I have referred to Mr. Hart in disparaging terms. With the Premier, I think that if I, as a member of this House, referred in disparaging terms to a Royal Commissioner, and did not have justification for doing so, of course I would deserve the utmost censure.

I go further than the Premier and say that if I referred in disparaging terms to him, under cover of privilege of this House, and was not prepared to repeat what I said where I am not protected by the House, I would be deserving of censure. But I make allowance for this: As one of the parties concerned I may perhaps be a little prejudiced against Mr. Hart, because, after all, no one is a good judge in his own cause. But I do not think I am. What I have said

about the question that was asked of Mr. Collier and his refusal to answer is enconced in the records of this House. No member is obliged to accept my version of what took place; he can get the official records of the House and see the question and the absolution from answering. Therefore, Mr. Speaker, after the lapse of time, and having had ample opportunity to think it over, I make this statement calmly—I hope—and with full responsibility. I see no reason for withdrawing what I said concerning Mr. Hart's conduct.

The Premier: And the other statements?

Mr. HUGHES: I will come to them directly. If I, in the heat of the moment, have spoken disparagingly of Mr. Hart without just cause, I hope I have enough courage to withdraw publicly what I said publicly. I spoke disparagingly of Sir Walter James.

The Premier: No. You said he was in the conspiracy.

Mr. HUGHES: Yes. That was very disparaging.

The Premier: Yes, more than disparaging.

Mr. HUGHES: I may tell the Premier why I said that of Sir Walter James. I did this, too: I did something which I feel perhaps might have been a little vindictive. When Sir Walter James was tendered a little social effort by the members of the legal profession on the 72nd anniversary of his birthday, I refused to attend. I refused to attend and drink Sir Walter James's health on his birthday. I sometimes feel that that was a very hard thing to have done; but, in the light of events, and on thinking the matter over calmly, I think I was justified in going even to that extreme. May I make the reason clear why this Commission was held? Mr. Hart had hardly got his thousand pounds in his pocket—he got nearly £1,000 out of this State's taxpayers' money—after he had found that there was no justification at all for the charges that I made against certain people, when the late Mr. McCallum died and his widow immediately sued the late Senator E. B. Johnston for £10,000, being a half-share in the Captain Stirling Hotel. She issued a writ.

The Premier: You did not ask Mr. McCallum whether he was mixed up with E. B. Johnston, and you never charged him.

Mr. HUGHES: I do not think Mr. McCallum was on the witness stand. If the Premier will remember, I withdrew from the proceedings as a protest against the Commissioner's repeated efforts to stifle evidence. The Premier will remember that I withdrew. I think I withdrew before Senator Johnston was on the witness stand, because it was no good going on trying to get the truth if the witnesses would not tell it. However, a writ was issued claiming £10,000, and the parties decided to go to arbitration and thus avoid a public court case. They appointed the member for West Perth, in his legal capacity I think, as arbitrator. He sat in arbitration and I think awarded the widow £6,000. I think he came to the conclusion that Mr. McCallum was a partner in the Captain Stirling Hotel, and he awarded Mrs. McCallum £6,000, although McCallum did not put one shilling-piece into the venture. I hope when we have an inquiry that arbitrator will appear on the witness stand, and tell the learned Chief Justice what he found out during that arbitration. I hope that arbitrator will tell us what was in the documents that passed between the parties. There were two witnesses who could not be suppressed; one was death and the other was greed. Death gave the widow £6,000 and greed pursued her for the £10,000. I am thankful for death and greed vindicating me—two good, solid, silent witnesses. That was all right. That was No. 1.

The next episode was when Mr. Collier sued Mr. Johnston for a share in the Pemberton Hotel. A writ was issued in respect of that. Before Mr. Collier had issued the writ, the late Senator Johnston sent for me and showed me certain secret agreements that had been made between him and his partners. Those agreements were drawn up by Sir Walter James—some of them. Therefore I learnt that Sir Walter James knew all about the transactions between Johnston and Collier and McCallum.

Mr. Watts: Were the agreements made prior to the Hart Commission?

Mr. HUGHES: Yes. They were old agreements. Sir Walter James, if he did not know everything about the matter, knew a lot about it. He knew there was a business transaction. As a legal practitioner he was bound to secrecy. He had no right to go before the commission and disclose his client's business. But he went to the com-

mission. I would remind the House of what took place at the commission. We had a commissioner definitely anxious to stifle evidence and definitely rejecting questions. We had Mr. Keall, a legal practitioner, assisting the commissioner. We had Sir Walter James representing somebody at the commission. We had the Crown Solicitor and another solicitor. We had those people on one side, and I was playing a lone hand, with not even a clerk to help me to prepare and present my case. I was playing a lone hand against the whole of that barrage of legal talent.

Sir Walter James went to the commission and blackguarded me. He said there was not a bit of truth in the allegations I made about these hotels and abused me thoroughly before the commission. Yet Sir Walter James knew from his own personal knowledge that what I said was true, that there were business arrangements between those people and that they had reference to hotels. Therefore I say that Sir Walter James was part of the conspiracy to keep the truth out. I do not say that Sir Walter James should have gone along and betrayed his client's business. That would have been improper. But what he should have done, as a member of an honourable profession is this: When he was offered the brief, he should have said, "How can I go and contest the statements that Hughes is making about these hotels when I know personally that they are true? How can I go and blackguard this man and accuse him of telling lies when I know perfectly well that what he says is true? I am sorry, gentlemen, but you will have to get another counsel." In my opinion, what he did was a terrible thing for a legal practitioner to do.

If I might draw a parallel, there was a man in Sydney named Richard Meagher. He was a brilliant barrister who defended a man named Dean and got him off. In a moment of youthful exuberance he boasted that his client was guilty. He was struck off the rolls, and was disbarred for 30 years. He later became Lord Mayor and finally in his old age was reinstated by Act of Parliament. That was the penalty Dick Meagher paid. That is why I speak disparagingly of Sir Walter James and refused to drink his health on his 72nd birthday. If what I have said is not true, if Sir Walter James can show that those documents never came into his possession, that he knew nothing about the matter, I will be the first one to

offer him a public apology. There is nothing very irresponsible in my condemning a legal practitioner who knew a person was telling the truth but went before a commission and blackguarded him and said he was not telling the truth. I think I would be lacking a sense of responsibility if I allowed that to go unchallenged.

I also referred to Albert Wolff, another legal practitioner. I excused Cliff Gibson and other civil servants because they were in a different position from Sir Walter James. They were Government servants and more or less felt it their duty, I suppose, to stand by the Government. He, however, was in a different position and had complete independence. After I had withdrawn from the commission, as a protest against the refusal of the commissioner to accept evidence, Albert Wolff put on a great show. He was going to make me give evidence. He had the audacity to send me a subpoena to appear before the tribunal. He was going to make me give evidence. Well, he did not, because he knew very well that he was only bluffing. Before the commission he said he was going to make me tell this and tell that, but he found that the commissioner ruled in my favour. It was the one ruling given in my favour: That Albert Wolff had no power to make me give evidence. It was the one isolated ruling in my favour. I think Albert Wolff overstepped the bounds of his duty when he took upon himself—knowing as he must have known, because he knows the law better than I do, that he was doing something that he was not entitled to do—to try to bluff me, relying, I suppose, on my nervous and easily embarrassed disposition. On that occasion our friend Percy Hart stuck to me and ruled accordingly.

I think Albert Wolff overstepped the bounds when he interfered with the electoral officer and instructed him not to return my deposit after I had won an election. But that is another issue. All I had to say to Albert Wolff on that occasion I said to him.

Mr. SPEAKER: I think the hon. member is getting away from the motion now.

Mr. HUGHES: Yes. Even now, with the latest liberal dose of abuse from the Premier—

The Premier: Not too liberal.

Mr. HUGHES: It was given willingly.

The Premier: It was not as much as I could say by a long way.

Mr. HUGHES: Coming back to the substance of whether the charges I made were proved or not, he said that not one charge out of the 19 was proved. I should say that if all that I said was forgotten and that only the sworn testimony of the late Senator E. B. Johnston and the late Mr. McCallum and the living Mr. Collier was taken into account, it is hard to believe how anyone could say that the charges were not proved. In the Supreme Court two or three weeks ago sworn testimony was given that Mr. Collier was, in fact, half-owner of the Pemberton hotel, in conjunction with the late Senator E. B. Johnston.

The Premier: When?

Mr. HUGHES: From the very inception of the license being granted. It is known what happened about the license. There were contenders for the license and Johnston's nominee won. Sworn testimony was given in the court two or three weeks ago that Mr. Collier's half-share of the profits for the first year—1930, I think—was £3,000. So his fellow workers at Pemberton paid pretty dear for their liquor! The profits on the half-share amounted to £3,000. That is not my statement, but is the sworn testimony first of the late Senator E. B. Johnston—

The Premier: Surely that has nothing to do with this motion!

Mr. HUGHES: It is an answer to the Premier's statement that none of the charges was proved. I hope that the Chief Justice will not shut this evidence out when we have the inquiry. I hope there will be no more shutting out, but I will deal with that point later. That was the sworn testimony of E. B. Johnston and the taxation officials. The only difference was as to the amount of profit. Senator Johnston fixed a one-eighth share at £785 15s. 9d., in sworn testimony before the commission. The Taxation Department fixed a half-share for the year at £3,153 3s. Which figure is correct, of course, was never finally determined. How, Mr. Speaker, in the face of that can the Premier say that not one of my allegations was proved?

The Premier: They were not at the time.

Mr. HUGHES: The Premier did not say "At the time."

The Premier: I say it now. I was talking about the inquiry and said that none of them was proved at the inquiry.

Mr. HUGHES: The Premier also attacked me and said I had no right to refer to Mr. Hart as an infamous Royal Commissioner.

The Premier: It was an interjection which the Speaker did not uphold.

Mr. HUGHES: And that I did not have the right to criticise adversely Sir Walter James or Albert Wolff.

The Premier: I said you had no right to accuse them of being in a conspiracy.

Mr. HUGHES: I am now giving the House the grounds on which I based my statement when I said they should be charged with conspiracy. Surely the Premier does not contend that, if Sir Walter James knew from acting for these clients that what I said was true, Sir Walter's action in coming to the commission and not only contesting what I said as being untrue but blackguarding me for making the statements, was justified?

The Premier: I objected to your saying that he conspired with two other K.Cs.

Mr. HUGHES: I repeat that, in view of what I subsequently found out, Sir Walter knew. I am afraid I have still to admit that I think Sir Walter and the Commissioner should be indicted for conspiracy. Many men have gone to gaol on conspiracy charges on much less evidence and much flimsier grounds. Take another aspect, the amount that I criticised. What have subsequent events proved in that direction? At present there is a claim before the High Court in England against De Bernales and his group and other people engaged in mining, involving £4,500,000. What I said at that Commission about mining transactions was amply demonstrated there and has been since, when an investigation showed that of £8,000,000 subscribed by British shareholders £4,500,000 had been lost; and these shareholders were taken down by very questionable methods which so damaged the name of Western Australia that a London stockbroker told me by letter—"It is no use mentioning a mining venture in Western Australia as, unfortunately, your State is in such bad odour over recent mining transactions."

The Premier: That has nothing to do with this motion, nor did I mention it.

Mr. HUGHES: The Premier did. He said nothing was proved. Events have proved, not only that I had a sense of responsibility, but that I do not make statements unless I have grounds for doing so. It is the Pre-

mier who lacks a true sense of responsibility, when he thinks so badly of me.

The Premier: That is the only thing we agree on.

Mr. HUGHES: I am sorry that we do not, because I do not think half as badly of the Premier as he does of me. I am sorry we cannot agree on that, but I do think some kind friend should give him a dictionary so that he can look up the word "responsibility". I want to see an inquiry because I think that the affairs of the State are such that the most searching inquiry is necessary. When I make statements in this House I do so as a result of what I see. When I sit in the Police Court on Monday morning and see a shabbily dressed and obviously poor person alleged to be the keeper of a certain gaming house fined £75 without turning a hair I know he is not the keeper. And I know that the police know he is not the keeper; and I know that every member of the Government knows he is not the keeper and that every member of Parliament knows he is not the real keeper.

I venture to say this, that if the whole 50 members of this Chamber were put on oath—and I hope to have the pleasure of putting them on oath—and asked, "Do you believe that these people fined are the real keepers?" each would have to say, "No, I think he is a dummy."

The Premier: Most members would not say anything at all. They are not interested.

Mr. HUGHES: I think they are interested, because if there is one subject which has been discussed more than any other in this Parliament during the last six years it is S.P. betting. I would be surprised if one member of this House would say on oath, "I do not think they are dummies; I think they are the real keepers." And if he said he did not know I do not think anybody would believe him. Therefore it is necessary to have an inquiry, and it is necessary, too, that there shall be no ham-stringing at the inquiry; that there shall be no question about whether this or that is going to be admitted. We do not want an inquiry that is going to be a perennial wrangle as to whether certain evidence is to be admitted or not. I think the terms of reference suggested by the member for Pingelly would be apt to limit the inquiry. They are designed to endeavour to throw the whole responsibility on to the police instead of making the Government take responsibility for the adminis-

tration of the law. Paragraph 5 of the terms of reference reads:—

When taking proceedings against betting shops, is there any, and if so, what evidence to support the allegation that either all or some of the members of the police force acting therein know or have reasons to believe that the person arrested by them as the keeper of the premises is not the keeper of the premises and in consequence that members of the police force so acting can be considered to be conspiring together to thwart the ends of justice?

In my view that is not sufficient. It would limit the Chief Justice from saying that not only do the police officers know, but that also Parliament and Cabinet Ministers know. Why does the member for Pingelly want to exclude a finding against members of Parliament and Cabinet Ministers? Why try to make it an issue with the Commissioner of Police and his officers? We might get a finding one way or the other. Suppose we got a finding, "Yes, certain police officers do know." Then the Chief Justice would not be able to say within the terms of his commission whether members of the Cabinet knew. Thus we would have all the work of the inquiry without getting what we want, namely, who knew. I suggest that if members of the Cabinet know, they must shoulder the responsibility. They cannot pass it on to some junior policeman. We are asked to start by placing a limitation on the inquiry and then we are to have a wrangle as to whether this or that shall be admitted as evidence. Paragraph 7 of the terms of reference reads—

Is any justice of the peace in the metropolitan area—

- (a) the owner of the premises in which illegal betting is conducted?
- (b) the owner, either alone or in conjunction with any other person or persons of any betting shop business, or entitled to participate in the profits to be derived from such business, and if so, what justices of the peace are so interested, and to what extent?

Why limit it to the metropolitan area? Why not include the country and goldfields districts? I have been informed that there are two such premises in the Premier's electorate and I want to know whether that is true. Is it not just as important to ascertain whether there are premises owned by justices in Geraldton as it is to know whether there are such premises in East Perth or Perth? If we are going to have an inquiry, why not make a job of it?



The Premier: You would have the thing going on for months and months.

Mr. HUGHES: Even if it did go on for months and months, would it not be better to have a full and complete inquiry and be done with it rather than have an inquiry that will get only half the truth? I would not want to prolong the inquiry because I would have to do the work for myself. There will not be £1,500 to assist me in presenting my case. I daresay there will be, as in the inquiry conducted by Percy Hart, an array of legal practitioners provided by the Crown, but I venture to say that the Crown will not provide me with the services of even a clerk. Therefore it would not be in my interests to prolong the inquiry. If we are going to do the job, let us do it properly. Do not let us have it said afterwards that the job was only half done.

I am not suggesting that the member for Pingelly desires to limit the inquiry. I am wondering whether he considered the point and realised how he would be hamstringing the inquiry. I want to know what happened to the fund subscribed by the S.P. bookmakers and distributed before the last election. There is not a word in the motion about that. I moved in this House for an inquiry into that matter. I want to know what happened to that £2,000.

The Premier: It was £350 when you got before the Royal Commission.

Mr. SPEAKER: It is not in the motion and the hon. member is not in order in discussing it now.

Mr. HUGHES: The £350 referred to before the Hart Commission was collected by two S.P. bookmakers for election funds for the election before last. At the last election they had a more substantial fund. It was put on an organised basis; S.P. bookmakers had been paying into the fund for some time and some of the subscribers have not been able to obtain from the people who received the money a statement of how it was distributed.

Mr. SPEAKER: Order! What portion of the motion is the hon. member discussing now?

Mr. HUGHES: There is ground upon which I hope to justify this discussion. The early part of the motion refers to statements made by me in this House. One of my statements was that a fund of £2,000 had been collected and no account had been rendered as to how the money was distributed.

It would be a tragedy to have a Royal Commission appointed and preclude it from inquiring into that matter. I submit that I am in order in referring to the absence from this motion of any mention of the £2,000. It is covering up something that I consider is very important. If the fund was subscribed and distributed just before the election, I think it is very important to know who participated and how the money was spent. It would be a master stroke if proof could be produced that £1,000 of it was spent to secure my return.

The Premier: Or the return of the member for Subiaco, for instance.

Mr. HUGHES: Yes. Still, as the Premier has described me as a reckless fellow, I am prepared to chance that. Unfortunately, the motion of the member for Pingelly makes no reference to that matter.

Hon. W. D. Johnson: The motion could be amended.

Mr. HUGHES: I also point out that it would be very desirable to have some independent party to settle the issues. If I were allowed to settle the issues, that would be very unfair to the people I have criticised. If the other side is allowed to settle the issues, that would be very unfair to me. Therefore I suggest that an independent person settle the issues. The Chief Justice is going to conduct the inquiry. Let him settle the issues. To that end I move an amendment—

That in line 13 after the word "reference," the words "be settled by His Honour the Chief Justice after hearing the mover of the motion, the Hon. the Premier, and Mr. T. J. Hughes" be inserted.

Later I shall move a further amendment to strike out all the succeeding words of the motion.

The Premier: I am not going to make speeches to the Chief Justice!

Mr. HUGHES: If the Premier does not want to be present at settlement of the issues, well and good.

The Premier: Let the House settle the issues. Why bring in anybody else to settle them?

Mr. HUGHES: I want the issues settled independently and comprehensively.

The Minister for Works: You do not always get what you want.

Mr. HUGHES: I rarely get what I want; and, perhaps luckily, sometimes I do not get what I deserve.

The Minister for Works: That is true.

*[The Deputy Speaker took the Chair.]*

Mr. HUGHES: Of whom in this Chamber is it not true? I wish to ensure that there shall be no humbug as to what we can inquire into and what not. Could anything be fairer than allowing some disinterested person to settle the issues? My amendment will allow a fair opportunity to every one of the interested parties. The member for Pingelly as mover of the motion, I take it, wants a comprehensive inquiry, with no difficulties about whether certain evidence can be got in and whether certain things can be inquired into or not. The position then will be that the people concerned will set out what they want to prove, will state their standpoint to the Chief Justice with a view to securing the right issues. They would give their reasons and let the Chief Justice settle the issues. We would point out to the Chief Justice that we wished the inquiry to be exhaustive and comprehensive, and such that no one could afterwards complain that evidence was excluded which ought to have been admitted. In the light of those things, I presume, the Chief Justice would settle the issues, and nobody would have cause for complaint.

MR. SEWARD (Pingelly—on amendment): I oppose the insertion of the words. As I pointed out when moving the motion, I personally am not involved in the matter in any way other than as to the effect that the charges levelled by the member for East Perth have on every member of this Chamber. I also pointed out that the terms of reference included in the motion were included at my suggestion. If any member wishes to add to those terms of reference, he has a perfect right to do so by way of amendment. I have no desire to restrict the inquiry. In reply to the question of the member for East Perth why the metropolitan area was included, I included it—

The DEPUTY SPEAKER: I draw the attention of the member for Pingelly to the fact that he, as mover of the motion, closes the debate.

Mr. SEWARD: But I am speaking only to the amendment.

The DEPUTY SPEAKER: The hon. member can speak to the amendment, but I want him to refrain from dealing with matters outside the amendment. To those matters he can refer when replying.

Mr. SEWARD: Thank you, Sir. I oppose the amendment. I am not making the charges; consequently the Chief Justice could not learn anything from me. I prefer the suggestion of the Premier, that the terms of reference be made by this House. If members consider my terms too limited they can add to them, with the consent of the Chamber. But as regards myself and others going along to put up a case to the Chief Justice, I refuse to do so.

MR. McDONALD (West Perth—on amendment): I have some sympathy with the member for East Perth as regards the terms of the commission. Members feel that in the time at our disposal there has been hardly any opportunity to examine carefully the terms of the commission as set out in detail in the motion of the member for Pingelly. I feel, myself, that they are limited in their nature and may prove to be unsatisfactory to all parties concerned. I would, therefore, favour the adoption of some means by which provision could be made to ensure that any essential evidence which might be tendered by either side should, if relevant, be admitted by the Royal Commissioner. I offer that suggestion with some slight diffidence. It might be a better alternative if the issues were settled by a small committee, say two or three members, of the House. After all, the purpose of the motion is to have an inquiry by a Royal Commissioner into the statements made by the member for East Perth in the course of the speech recorded—all the statements, I take it—or any statements material to the issues. Like the member for Pingelly and the member for East Perth, I have the feeling that as at present drawn those statements would afford but a limited type of inquiry, which might be answered in a very few words but would not cover the full ramifications of the question of the administration of the law with regard to people who are charged as keepers of starting-price betting shops. I consider that the terms of the motion should be re-drawn.

HON. W. D. JOHNSON (Guildford-Midland—on amendment): I hope the House will take this matter very seriously and realise that, while the member for Pingelly has drafted the motion, once it is passed the references will be the references of this Chamber. I have looked through them and think they are unduly wrong. I am always

afraid of anything that has a lot of words in it. I like to read a letter that gets to the point in as few words as possible, because then there is seldom any misapprehension. When there is a multiplicity of words, one does not realise what one is writing or reading. Therefore I am afraid—absolutely afraid—that we are going to appear ridiculous in the eyes of the public when the whole matter is being reviewed by the proposed Royal Commissioner. We must realise that it is not an individual that is submitting these references; it is Parliament, and consequently we all must share the responsibility of submitting references in such a way that we cannot be accused of incapacity, or of not having viewed the question seriously enough to ensure that Parliament did reflect in the reference exactly what Parliament wanted.

On the face of it, the member for Pingelly went through the speech of the member for East Perth point by point and tried to cover everything; but one thing that has caused me concern is the statement made by the member for East Perth in reference to a sum of £2,000. That does not appear in the reference, and it immediately caused me very grave concern because, if we do not deal with that statement, it will be said that Parliament considers it is not worth inquiring into. We would be asked to accept the responsibility for its exclusion. That would not be fair to ourselves or to the electors whom we represent. In my opinion the amendment is very crude. There is, however, much merit in the suggestion of the member for West Perth, the Leader of the National Party, that Parliament, having decided by resolution to have this inquiry, should make certain that the terms of the reference truly reflect the accusations and charges made by the member for East Perth. If we appoint a commission, that commission must act within definite limits. Therefore, we must not exclude any of the statements made. If we do, we shall be subjected to a fair amount of public criticism.

I do not know exactly how to frame the reference; that is a difficult legal matter. We should adopt the suggestion of the member for West Perth to appoint a committee of the House to go into the matter and frame the terms of the reference, so that if the matter goes before the Chief Justice he and the public will realise that Parliament has given proper consideration to the matters

to be inquired into, and that the terms of the reference cover the whole of the subject-matter of the charges made by the member for East Perth. I personally want a complete inquiry. The Premier wants a complete inquiry. Do not let it be said that we are not making it complete, and that we accept, willy-nilly, the drafting of the member for Pingelly. He may have obtained legal advice; I do not think he did, because the wording of the motion does not convey that to me. The member for Pingelly has done an excellent job for a layman; but nevertheless the motion is simply the opinion of a lay member of the House, and we ought not to adopt it without analysing it. I, for one, am not capable of analysing it from a legal point of view. I do not want to vote for the amendment. If the House does not do something in the matter I submit there will be gross misrepresentation. We should not pass the motion in the form in which it stands.

**HON. N. KEENAN** (Nedlands—on amendment): On reading this motion members will see that it is based entirely on the statements made by the member for East Perth in a speech which he delivered in this House on the 16th September last. The motion purports to ask for an inquiry into those statements, but when it sets up—after the opening paragraph, which is in the direction I have just told the House—an inquiry into all the charges made in that speech, it then particularises. It is quite true to say that in the course of that particularising it does leave out very serious matter that was definitely in the speech. Indeed, it leaves out the very gist. I have just refreshed my memory by reading the speech of the member for East Perth, and it is perfectly clear that the hon. member did not wish to bring charges against specific police officers, but to emphasise the point that the Government must have known of those events happening and it must therefore have been its policy to allow them to happen. That is the very gist of the speech.

Mr. Seward: That is dealt with in the reference.

[*The Speaker resumed the Chair.*]

**Hon. N. KEENAN**: No. As the member for East Perth pointed out, it would be an inquiry into the actions of police officers. The matter is important from the point of

view of the member for East Perth, whether junior police officers did this or that, or carried out prosecutions in such a way as to make the law an utter farce, because men they prosecuted were men whom they knew and everyone knows, so the member for East Perth says, were not the real culprits, but merely dummies. But that which is the very essence of the charge would not be covered by these references. Therefore I hope the House will agree to what has been suggested by the member for West Perth, that a committee be appointed to draw up a reference based on the speech of the member for East Perth. Of course, that committee would have the member for East Perth before it to point out in which way he wishes the reference to be drawn, subject of course to the approval of the committee. On the other hand, if there is a person opposing the matter, he could appear before the committee. As at present drawn, there is no possible doubt that the inquiry would be limited to these specific heads of reference. That would exclude, among other things, an inquiry into the fund of £2,000.

The Premier: There is no objection to an amendment.

Mr. Seward: Have not people like that the right to raise money to defend their interests? There is no charge against the Government in that respect.

Hon. N. KEENAN: As I understand it, the charge is where the money goes and the inference to be drawn from where the money went. If certain things are alleged to be in existence, great difficulty may be experienced in ascertaining why they are in existence. It may simplify the matter if it is found that a fund raised by these individuals is going to a certain quarter. That is undoubtedly the reason why the member for East Perth referred to that fund. The gentlemen who contributed the money could have spent it in any way they chose. They could have thrown it into the Swan River if that amused them and that would have been no concern of anybody else, but if that fund was used for a specific purpose and if certain things happened with which that purpose was associated, then it becomes important. I do not know that the member for West Perth actually moved an amendment, but if he does move it I hope the House will agree and appoint a committee of this House to frame the references, and that those refer-

ences will include everything dealt with in the speech of the member for East Perth delivered on the 16th September.

**MR. WATTS** (Katanning—on amendment): I am opposed to the amendment in its present form. I would not like us to be in the position that the Premier should help to settle these terms of reference. We have heard expressed the attitude of the member for Pingelly.

Mr. Hughes: He cannot squib it that way. He brought it up.

Mr. WATTS: The matter of settling the terms of reference is not his concern, he said, because he is only acting on what was said by the member for East Perth. I listened very attentively to the member for Pingelly when he moved the motion, and it was quite clear from his remarks that he wanted to make sure that the Government and public officials of this State were or were not guilty of certain malpractices. There is a reference in the speech of the member for East Perth to a sum of £2,000 but I defy him or any member to find in that reference any charge against the Government. So I sympathise with the member for Pingelly in omitting it. He based his argument on the fact that he wanted to clear the public life of this State and Parliament in general of the charges that were made, charges that must directly or indirectly reflect upon the Parliament of this State. I think if the member for East Perth will think back over his speech he will realise that with this one exception the member for Pingelly did his utmost to pick out the things that were said which might directly or indirectly appear to indicate that the Government, or those under it or those for whom it is responsible, have been doing something that is not right. When he got that far he stopped. That seems to me to be the position.

I have clear recollections of the hon. member's speech and, like the member for Nedlands, I have refreshed my memory several times on this matter and I say there is nothing in it concerning the sum of £2,000 to indicate that the member for East Perth thought that any member of the Government had anything to do with that. If that is the hon. member's impression now, I have not the slightest objection to its being included in the terms of reference. If that was indicated in the remarks to which I have

referred, made earlier this year, I will have no hesitation in saying that it should be included. But let not the House lose sight of the fact that this inquiry is an inquiry to discover whether or not the public administration of this State is in error, and not an inquiry to ascertain whether a bookmakers' union or whatever they may care to call it is raising money and spending it for some purpose for which it should not be spent. The member for Pingelly has made it perfectly plain that only the question of the State Executive and those attached to it and their reputation or lack of reputation disturbs him. I believe that is the reason he left this matter out. I wish to make it clear that if it will give the member for East Perth or any other member of this House any satisfaction to include this matter in the terms of reference, I would be pleased to support an amendment of that character. But I do not think we should accept the present amendment, which places the onus of this matter upon three persons.

There should be something in the suggestion made that a committee of the House should deal with the matter but I venture to suggest that the member for Pingelly, in asking the House to agree to include these items in the terms of reference, was anxious to get the matter cleared up in the near future. We want to know where we are and not to have the matter hanging fire for an indefinite period. I think that was the opinion of the member for Pingelly. He did not want the possibility of time being wasted. Members will notice that the motion states that the terms of reference should include certain things. It does not state that they should be the only things included. In fairness to the member for Pingelly the House should remember that. The terms of reference of the motion are not all that could be inquired into, but with one exception they are the only matters in the speech of the member for East Perth on which an inquiry could be held.

**THE MINISTER FOR LANDS** (on amendment): I have listened attentively to the speeches made and the views of the member for Pingelly regarding the amendment by the member for East Perth. One specific statement in the speech of the member for East Perth does appear to be omitted from the terms of reference suggested in the motion. That relates to the

collection and disbursement of a sum of £2,000. I propose therefore to move a further amendment.

**MR. SPEAKER:** We must deal with this amendment first.

**The MINISTER FOR LANDS:** I shall move it at a later stage, and it will have specific reference to the collection and disbursement of the £2,000.

**Hon. W. D. Johnson:** On a point of order, Mr. Speaker! Does the amendment we are about to vote on refer to striking out the words "including the following" in the second paragraph of the motion?

**MR. SPEAKER:** The amendment is to insert after the word "reference" the words "be settled by His Honour the Chief Justice after hearing the mover of the motion, the Hon. the Premier and Mr. T. J. Hughes."

**MR. MARSHALL** (Murchison—on amendment): May I also point out that the mover of that particular amendment indicated that he proposed, if the amendment were carried, to delete the other two words following.

**Mr. Seward:** The whole of them.

**Mr. MARSHALL:** The idea was to get these other words included. Then the member for East Perth gave the House to understand he proposed to move a further amendment to complete the job.

Amendment put and a division taken with the following result:—

Ayes	..	..	..	3
Noes	..	..	..	35
				—
Majority against	..			32
				—

AYES.	
Mrs. Cardell-Oliver	Mr. Hughes (Teller.)
Mr. McDonald	
NOES.	
Mr. Berry	Mr. Nulsen
Mr. Boyle	Mr. Patrick
Mr. Coverley	Mr. Sampson
Mr. Doney	Mr. Seward
Mr. Fox	Mr. Shearn
Mr. Hawke	Mr. J. H. Smith
Mr. J. Hegney	Mr. Thorn
Mr. W. Hegney	Mr. Tonkin
Mr. Hill	Mr. Triant
Mr. Johnson	Mr. Warner
Mr. Keenan	Mr. Watts
Mr. Kelly	Mr. Willcock
Mr. Leahy	Mr. Willmott
Mr. Mann	Mr. Wilson
Mr. Marshall	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Needham	Mr. Cross (Teller.)
Mr. North	

Amendment thus negatived.

**HON. W. D. JOHNSON** (Guildford-Midland): I desire to move an amendment.

The Minister for Lands: I gave notice of a further amendment.

**Hon. W. D. JOHNSON**: I am inclined to think the Minister will get in beyond where I propose to insert my amendment.

**Mr. SPEAKER**: We will hear where the Minister wants to place his amendment.

The Minister for Lands: I propose to move that a further paragraph 10 be added to the terms of the reference.

**Hon. W. D. JOHNSON**: I have an amendment before we reach that stage. Before the Minister for Lands moves his amendment I desire to move that after the word "reference" in line 13 the words "be drawn up from the subject-matter of the said member's speech by a committee of this House consisting of two members nominated by the Premier and two members nominated by the Leader of the Opposition," be inserted. The responsible leaders of the House will then protect the House and members against any accusation which can be made that the subject-matter of the speech was not fully submitted, and consequently not fully inquired into. If we start going through all the paragraphs submitted by the member for Pingelly in his speech I am fearful that we will not be able to frame it in such a way that it will reflect credit on this Chamber. This is a serious matter because it is going before the Chief Justice. Parliament is submitting it to the Chief Justice. Parliament surely wants to be scrupulous to see that the subject-matter of the speech is presented in such a way to the Royal Commission that the Royal Commissioner will not be circumscribed or authorised to go beyond the speech, but will have to keep within it to allow full scope to make a searching investigation. If the Premier and the Leader of the Opposition, two of the responsible leaders of this Chamber, are called upon to go through the speech and to draw up the references, then we would all be satisfied that it will be done in a proper way and Parliament can with confidence believe that the whole thing will be thoroughly investigated. I move an amendment—

That in line 13, after the word "reference," the following words be inserted, "be drawn up from the subject-matter of the said member's speech by a committee of this House consisting of two members nominated by the Premier and two members nominated by the Leader of the Opposition."

**THE PREMIER**: I do not propose to support the amendment. I want the House to take the responsibility. I do not want people to say that the Premier bludgeoned this through the committee. Let it be done in the open. I do not want to be making bargains or arrangements, or to do anything behind the back of the House in regard to this matter. Let the whole House say what it wants to say. If the hon. member's terms of reference are not sufficiently embracing, the member for Guildford-Midland can move in the same manner as is intended by the amendment, notice of which has been given by the Minister for Lands. Let it be decided on the floor of the House rather than behind the doors of a committee room between two or three people who might make arrangements between themselves.

**Hon. W. D. Johnson**: If that were done, it would not be a creditable document.

The Minister for Works: A more creditable one than you would draw up.

The **PREMIER**: This matter should be settled in the House, so that everybody may know the opinions of those who speak to it. It should not be settled behind the doors of a committee room, because no one would know what had been said in justification of this item or that item. Further, bargaining might occur between members of the committee on the basis that "if I put this in will you leave that out"? If members desire that some other aspect should be included, the House can express a decision on the matter. Therefore I am not prepared to support the amendment. Any member may move an amendment to include something additional to what is set out in the motion.

**MR. HUGHES** (East Perth—on amendment): I support the amendment in lieu of something better. I defy anyone to make a satisfactory list of references out of what is set down on the notice paper. If we are going to move amendments piecemeal, where shall we end?

The Minister for Labour: You would have the same trouble if the matter was referred to a committee.

**Mr. HUGHES**: No.

The Minister for Labour: Of course you would.

**Mr. HUGHES**: The committee would probably simplify the issue, and refrain from crowding it, by recommending that the Chief Justice inquire into and report upon

the matters contained in the speech. This is all that would be necessary. If the Chief Justice was instructed to inquire into and report upon the matters contained in the said speech, he would have a free hand. He could go through the speech and would know exactly what was necessary.

Mr. Needham: Why do you want a committee?

Mr. HUGHES: The hon. member will probably appreciate how difficult it is to make satisfactory amendments to this long motion. I wish to be sure that there will be no keeping out of evidence. I want the job done fully, so that when evidence is submitted, it will not be cast aside. It would be simple to instruct the Chief Justice to inquire into and report upon the matters contained in the speech. The alternative is to accept all these limiting paragraphs contained in the proposed terms of reference, and they would preclude a determination being made as to whether the Government knew these dummies were being used. That is the whole gist of the speech—whether these things are being done and whether the Government knows. That is the major issue—the very essence of the speech—and that will be excluded.

The Premier: I do not think anyone is worrying about that aspect of it.

Mr. HUGHES: That is the issue.

The Premier: No, the issue is corruption.

Mr. HUGHES: Would it not be corruption if the Government knew that a dummy was being put in for a man charged with a crime and the Government allowed it?

The Minister for Works: Who is going to decide whether there is dummying? Would not the magistrate?

Mr. HUGHES: No.

The Minister for Works: Why not?

Mr. HUGHES: The magistrate has no choice in the matter because the man charged with the offence pleads guilty, and so the magistrate has to accept him as the person guilty of the offence. The question is whether the Government is aware of that. Ministers read the newspapers and know what is happening. The question is that of a man being found guilty of an offence he did not commit.

Mr. SPEAKER: We are discussing the amendment moved by the member for Guildford-Midland.

Mr. HUGHES: If a committee was appointed, it could consider the matter of the

terms of reference, but the difficulty of moving amendments in the House is very great. In the absence of anything better, I shall support the amendment, though I should like to see the Chief Justice himself settle the issues.

Amendment put and negatived.

Mr. SPEAKER: The question is that the motion be agreed too. I understand that the Minister for Lands has an amendment.

Mr. HUGHES: Before the Minister proceeds, I should like to move an amendment.

Mr. SPEAKER: The hon. member cannot do that, though he could speak to an amendment moved by another member.

Mr. HUGHES: Cannot I move an amendment?

Mr. SPEAKER: No. The question is that the motion be agreed to, and as the hon. member has already spoken to the motion, he cannot catch my eye.

Mr. HUGHES: Do you understand what I am asking, Mr. Speaker? I want to move an amendment.

Mr. SPEAKER: The hon. member is not in order in moving an amendment now. If some other member moves an amendment, the hon. member may speak to it. I am putting the question on which the hon. member has already spoken, and he cannot speak again.

Mr. McDonald: I rise to move an amendment.

Mr. HUGHES: How can the member for West Perth, who has already spoken, move an amendment?

Mr. SPEAKER: The hon. member has only spoken to an amendment, not to the motion.

Mr. HUGHES: It is an extraordinary ruling.

Mr. SPEAKER: I ask the hon. member to withdraw that statement. It is not an extraordinary ruling.

Mr. HUGHES: I withdraw. If that is the sort of hole-and-corner inquiry that is going to be held—

Mr. SPEAKER: Order! I ask the hon. member to withdraw that statement.

Mr. HUGHES: I withdraw.

Mr. SPEAKER: Now the hon. member will resume his seat, and the member for West Perth may proceed.

#### *Point of Order.*

Hon. W. D. Johnson: I rise to a point of order. A motion was submitted, to which the

member for East Perth moved an amendment to be inserted in line 13. That amendment was defeated. The hon. member now desires to move another amendment further on. I submit that he should have the right to do so.

Mr. Speaker: I am rather surprised that the member for Guildford-Midland, above anyone else, should raise that point of order. The member for East Perth has spoken to the motion and I am now putting the question that the motion be agreed to. It is impossible for the member for East Perth to catch my eye unless to speak on an amendment moved by some other member.

Hon. W. D. Johnson: I understood that the hon. member moved an amendment, and spoke to it.

Mr. Speaker: The member for East Perth spoke to the motion at some length, and cannot speak again except on another amendment.

Hon. W. D. Johnson: He moved the amendment that was defeated on a division.

Mr. Speaker: I do not know who moved that amendment, nor do I care. The member for East Perth spoke to the motion, and he cannot be heard again unless as to some other member's amendment.

[Debate Resumed.]

MR. McDONALD (West Perth): I move an amendment—

That in line 5 of paragraph 5 after the word "therein" the words "or any members of the Government" be inserted.

I presume that will meet the situation mentioned with regard to the limiting effect of paragraph 5.

Amendment put and passed.

Mr. McDONALD: I move an amendment—

That in line 7 of paragraph 5 the words "by them" be struck out.

Amendment put and passed.

Hon. W. D. JOHNSON: I am afraid we shall have—

Mr. SPEAKER: I think the member for Guildford-Midland has spoken to the motion.

Hon. W. D. JOHNSON: I am now speaking to the paragraph which has just been amended.

Mr. SPEAKER: The paragraph is not before the House. The motion is before the House.

Hon. W. D. JOHNSON: The paragraph is now amended will not read correctly.

MRS. CARDELL-OLIVER (Subiaco): I move an amendment—

That in paragraph 7 the words "Is any Justice of the Peace in the metropolitan area," be struck out, and the words "The names of those in this State who are the owners of premises in which illegal betting is carried on" inserted in lieu.

Amendment put and negatived.

THE MINISTER FOR LANDS: I move an amendment—

That the following words be inserted to stand as paragraph 10:—"Was the sum of £2,000 alleged to be collected from S.P. bookmakers subscribed by them and who received this money for the purpose of assisting candidates at the election?"

Amendment put and passed.

MR. J. HEGNEY (Middle Swan): I move an amendment—

That the following be inserted to stand as paragraph 11:—"To inquire into and report on any charges not included in the foregoing references but included in the said statement."

The motion refers to the statement of the member for East Perth. If the amendment is carried, any other matter mentioned in that statement can be inquired into by the Chief Justice.

MR. HUGHES (East Perth): I had in mind something similar that would give the Chief Justice some scope. I move—

That the amendment be amended by adding the following words, "or reasonably incidental thereto."

Several members interjected.

Mr. HUGHES: Do not members want a full inquiry? Why do members want to stifle an inquiry? What are they afraid of?

Amendment on amendment put and a division taken with the following result:—

Ayes	..	..	..	..	9
Noes	..	..	..	..	25

Majority against .. 16

AYES.		
Mr. Berry	Mr. McDonald	
Mrs. Cardell-Oliver	Mr. North	
Mr. Hughes	Mr. Shearn	
Mr. Keenan	Mr. Sampson	(Teller.)
Mr. Kelly		
NOES.		
Mr. Boyle	Mr. Needham	
Mr. Coverley	Mr. Nuisen	
Mr. Cross	Mr. Patrick	
Mr. Doney	Mr. Seward	
Mr. Fox	Mr. J. H. Smith	
Mr. Hawke	Mr. Tonkin	
Mr. J. Hegney	Mr. Triest	
Mr. W. Hegney	Mr. Watts	
Mr. Hill	Mr. Wilcock	
Mr. Johnson	Mr. Wise	
Mr. Leahy	Mr. Withers	
Mr. Marshall	Mr. Wilson	(Teller.)
Mr. Millington		



Amendment on amendment thus negatived.

Amendment put and a division taken with the following result:—

Ayes	..	..	..	20
Noes	..	..	..	14
Majority for				6

#### AYES.

Mr. Berry	Mr. Marshall
Mr. Boyle	Mr. McDonald
Mrs. Cardell-Oliver	Mr. North
Mr. J. Hegney	Mr. Patrick
Mr. W. Hegney	Mr. Simpson
Mr. Hill	Mr. Seward
Mr. Hughes	Mr. Shearn
Mr. Johnson	Mr. J. H. Smith
Mr. Keenan	Mr. Watts
Mr. Kelly	Mr. Doney

(Teller.)

#### NOES.

Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Tonkin
Mr. Fox	Mr. Triat
Mr. Hawke	Mr. Willcock
Mr. Leahy	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Needham	Mr. Wilson

(Teller.)

Amendment thus passed.

Question put and passed; the motion, as amended, agreed to.

### PERSONAL EXPLANATION.

*Hon. C. G. Latham and York Seat.*

**HON. C. G. LATHAM** (York) [6.3]: I ask leave of the House to make a personal explanation.

Leave given.

**HON. C. G. LATHAM**: I desire to inform the House that at the conclusion of the present sitting I propose to tender my resignation as member for York, which seat carries with it the Leadership of the Opposition. Mr. Watts has been appointed Leader of the Country Party by my Party, and he will succeed me as Leader of the Opposition. I do not propose to anticipate what may happen tomorrow, but I take this opportunity to express to you, Sir, and to every other member of this House, my very best thanks. I shall carry away with me extremely happy recollections of nearly 22 years' service. When I came to the House in March, 1921, I was asked to second the motion for the adoption of the Address-in-reply, and I was then told that I was joining a House in which I could feel exactly the same as if I were in my own home. I have often thought of that, because it seems to me to be such very sound advice. Ever since then I have felt that no matter what viewpoint I have

expressed in this House it has been taken in a very fine spirit. When I became Leader of the Opposition a little over ten years ago I tried to emulate the two leaders of the Opposition who had preceded me—Mr. Collier and Sir James Mitchell, who is now His Excellency the Lieut.-Governor. At times I feel that I have not given all satisfaction to members supporting me because I was not aggressive enough, but I do not know the members of the House—or others—get very far because they are aggressive in nature. After all, one can get a good deal more by saying what one has to say and saying it with a bunch of flowers. I shall leave the Chamber with a certain amount of regret. I have made very great personal friends, not only on this side of the House, but also amongst members on the other side of the House.

Mr. J. Hegney: We shall miss you Charlie!

**HON. C. G. LATHAM**: My severance from the House will be a severe one. In my capacity as a member of the National Parliament—if I reach Canberra, as I hope I shall—my services to this State will be the best I can give. No man can say more than that. I have gained experience and knowledge here that should fit me to represent not only one section, but all sections of this State. Western Australia has a wonderful future. We are very isolated; we need representation in the National Parliament. We require more representation than we have at present and representation that will bring before people in the Eastern States the potentialities and possibilities of Western Australia.

I desire to tender to you, Mr. Speaker, my very best thanks for the kindness, consideration and guidance you have given me in my capacity as Leader of the Opposition. I desire also to tender thanks to the Clerk of the House and members of his staff. No one could have served anyone better than I have been served by them. To the Chief "Hansard" Reporter and his staff, including the ladies, I desire to express my appreciation, and also to the Controller and his staff. I can not remember one angry word I have had with any of them. I have had no reason to find fault with any of them, and going away after close on 22 years membership of the House, I think it would be unreasonable for me not to acknowledge that they have served me exceedingly well and I am grateful.

offer my thanks also to the Press of this State. In common with others I have made a great many mistakes. In reporting my remarks the Press have been very generous and considerate, and I take this opportunity of publicly saying to the Press that I thank them very much for their consideration in the past. I hope I shall be treated quite as liberally by the Press in future. I will now say au revoir to you, Mr. Speaker, and to members of this House.

**THE PREMIER:** It is with very great regret that I hear of the hon. member's decision to resign his position as Leader of the Opposition and member for York. With so much regret do I receive the news that tomorrow I shall take action to circumvent his desire so that we shall be able to retain his services. I know he has been held in such esteem and respect by members of his own Party that should he come back to the House he will again occupy the position of Leader of the Opposition, in which office he has rendered such excellent service to his party and the people he represents. He has been a member of this House for quite a long time—about 22 years. He has an honourable record as a member of the Government for three years and has been Leader of his party for ten years. When a man, after successive elections—we have had three or four—retains his position as Leader of his party, it is a great compliment to himself and means that he has carried out his duties in a way that commends itself to his party and to people outside. He has built up a great reputation for sincerity and diligence since he has been here, and the fair-minded attitude he has adopted towards legislation, motions and the actions of members generally has endeared him to members of the House.

I think we can all say without any exception that Mr. Latham has earned the respect and esteem of every single member of the House who is here present, and of all those who have served in the House during the time he has been a member. I have had some experience and I consider that the conduct of this House compares very favourably with that of any other House of Parliament in Australia. There has been cordiality between members of both sides of the House. There has been exemplary conduct, far better, I should say, than has prevailed in most Houses of Parliament, and an absence of that heat and bad feeling which

have been allowed to occur in some other Parliaments. That pleasant state of affairs is engendered by the Leader of the Opposition and the head of the Government. A tradition has been built up in this House over the last 20 years that quarrelling shall be confined to political principles rather than personal issues. That line of conduct can be encouraged or discouraged to a very great extent by the man occupying the office of Leader of the Opposition. That we have had that line of conduct for so many years is a tribute to the present Leader of the Opposition and those who preceded him. I would have liked the Leader of the Opposition to occupy that office for many years.

Mr. Needham: His successor will!

**The PREMIER:** Joking apart, it is with sincere regret that all the members of each side of the House, including the cross-benches, will say au revoir and farewell to the Leader of the Opposition. I congratulate the new Leader of the Opposition. He will have a very high ideal to live up to in following the footsteps of so capable a man as Mr. Latham has proved himself to be.

Mr. Marshall: We will bring him back to earth very smartly.

**The PREMIER:** He follows a line of people who occupied the position with distinct credit to themselves and to Parliament. I hope the relationship between Government members of the House and the Opposition will continue on the same friendly lines. We have all been out, I think, to do the best we can for the State of Western Australia. We have all been consistently strong supporters of the principles we were elected to maintain, but we have been able, in addition, to follow a line of conduct which has prevented a lot of disturbance and disorderliness such as exist in some places elsewhere. I congratulate the new Leader of the Opposition and hope he will have a very long and successful term of office.

**MR. McDONALD** (West Perth): I congratulate the new Leader of the Opposition, and wish him every success in the responsible duties he has to fulfil, and which I am sure his youth and capacity will aid him in discharging. As for our old friend, the member for York, by which title I can refer to him for the last time, we feel great regret at his impending departure. He has been (this sounds like giving him a reference, but I must say it) most conscientious in the discharge of his duties. He has been a real

hard worker and scrupulously fair. He has rendered honest and sincere service to his constituents, to his party and to the whole State. Above all that, he has engaging qualities, which we do not all have, but which he possesses so eminently. We, therefore, feel regret at seeing him go, and wish him every success in his new sphere. We can say of him, to adapt the words of Daniel Webster,—"Parliament has honoured him, and he has honoured Parliament."

**MR. J. H. SMITH** (Nelson): I was one of those who entered Parliament at the same period as the member for York. I wish to say how much I have appreciated his friendship during those years. I regret that he is leaving State politics for the Federal arena, but at the same time I hope he will be successful tomorrow. I am sorry that he has never reached his ambition, which was to be Premier of this country. Perhaps he would have, had he stayed a little longer. I hope that in the National Parliament to which he is going he will become Leader of the Senate. I wish him Godspeed from Western Australia. We know that we will tomorrow have one member in the National Parliament who will look after Western Australia's interests, and that is what we require in our isolated State. I congratulate the member for Kataning on becoming Leader of the Opposition. I feel sure he will make a good job of it. He will have at least my wholehearted support.

**MR. PATRICK** (Greenough): I would like to express my regret at the departure of the Leader of the Opposition from this House. Not only these benches, but the whole House, will be the poorer for his going. I do not know whether this will start a landslide from State Parliaments. We know the member for York will worthily represent this State in the Federal Parliament. He has an idea that he has put up a record as Leader of the Opposition, but that record is held in the House of Commons, where Charles James Fox, of whom Edmund Bourke, no mean judge, said that he was the greatest debater the world ever saw, sat in Opposition for 20 years—in Opposition to Pitt. The Leader of the Opposition has a long way to go to equal that record. The House will be poorer for his going, and I very much regret his departure. He will worthily represent Western Australia, with his great knowledge of the State. I have

already congratulated the new Leader of the Opposition, and I take the opportunity now of doing so again.

**MR. SAMPSON** (Swan): I join with other members in expressing sincere regret at the decision of the member for York. I realise that there are perhaps greater opportunities in the Senate, but this House will not be the same without the Hon. C. G. Latham. He has proved to be a man possessing a very equable temperament. He has acted fairly, without reference to party. We have been through difficult times, but he has always acted with discretion. The member for York will carry with him the best wishes not only of members but of very many people throughout the State. I hope he finds life in Canberra to be happy, and that he will find opportunities for service, because if he does not he will not long remain content. I was elected to this House during the same election that he was, but it was a few weeks after he took his seat that I came here, because I had to face a serious illness. To an old leader I wish Godspeed and good fortune, and may the future provide all that he would wish.

**MR. WILLMOTT** (Sussex): I cannot let this occasion pass without saying a few words. I have, perhaps, known the member for York as long as has anybody in this Chamber. We first met in camp at Blackboy in 1916 during the last war. He was then a corporal in a platoon of which I was a member, and he was a good leader then, and always has been. All I regret is that I have not been behind a Government of which he was the leader. I am sure that in the position, which we hope he will attain after tomorrow, as member in the Senate for Western Australia, he will undoubtedly do his utmost for this State.

**MR. DONEY** (Williams-Narrogin): As secretary to the Country Party for a good many years, and therefore as one who has had a close association with the leader of the party, I might be permitted to say a word. I draw attention to the fact that the hon. member is going over East as a pronounced and enthusiastic "State's righter," and he must live up to his reputation. There will be vastly greater scope in the future than in the past for him to assist the State. Nothing would disappoint me more than to find that after being in Canberra for a while

the hon. member descended to the level of others who have been there for some time, and forgotten their duties to their home State. A member referred to Mr. Latham's having been Leader of the Opposition for what, so far as he knew, is a record length of time. I offer him this solace—that Leaders of the Opposition in the other States have, dating from the commencement of the depression, been in the same position as he has here. It is not only in Western Australia that the position has been held by the same party for ten years. That position obtained in Victoria and also in New South Wales until McKell broke the hoodoo, and also in South Australia and, of course, Tasmania. I do not pretend that my sentiments are not tinged with a little disappointment, but if some one other than my close friend on my left or I had to get the position, I am satisfied that that other should be the member for Katanning. With other members who have spoken, I hope Mr. Watts will, as Leader of the Opposition, have as successful and happy a time as Mr. Latham who, as "Charlie Latham," has become more of an institution in this Chamber than has any other member I can think of. Certainly there is no one who has gained greater popularity than he has. I wish Mr. Latham in his new sphere of activity a period of very great success and such measure of happiness as can possibly come to a public man.

**MR. WATTS (Katanning):** I wish to thank the Premier and other members who have offered me their congratulations. I regret that we are losing Mr. Latham. In the seven or eight years I have known him, and in the seven years I have been a member of this House, he has been of great assistance to me, and I have never regretted sitting behind him as a member of this party and backing him up whenever I thought it could be done. I hope he will be elected to the Senate vacancy and, if he is, I believe he will do much good for Western Australia. I wish him all possible success. For my own part I feel some pleasure, tinged with a considerable sense of responsibility, and I will do my best in the position and trust by the forbearance of other members to get away with it moderately successfully. If I do as well as my predecessors have done, I shall have no regrets.

*House adjourned at 6.27 p.m.*

## JOINT SITTING.

### Legislative Council and Legislative Assembly.

*Thursday, 8th October, 1912.*

Joint Sitting—Federal Senate vacancy ... .. Page 718

#### FEDERAL SENATE VACANCY.

In accordance with the Standing Orders passed by both Houses of Parliament and approved by Executive Council, the members of the Legislative Council and the Legislative Assembly met in joint sitting in the Legislative Council Chamber, to fill the vacancy in the representation of Western Australia in the Senate of the Federal Parliament caused by the death of Senator Edward Bertram Johnston.

The **PRESIDENT** of the Legislative Council (Hon. Sir John Kirwan) took the Chair at 2.30 p.m., in accordance with the Standing Orders. He was accompanied by the Speaker of the Legislative Assembly (Hon. J. B. Sleeman).

#### *Election.*

The **PRESIDENT**: This joint sitting of both Houses is held in order to fill a vacancy in the representation of Western Australia in the Federal Senate. I am now prepared to receive nominations.

**THE PREMIER** (Hon. J. C. Willecock—Geraldton): I propose—

That Mr. William Wauhoh, clerk, of 48 Duke-street, East Fremantle, be elected to fill the vacancy in the Federal Senate due to the death of Senator Edward Bertram Johnston.

I have Mr. Wauhoh's assurance that, if elected, he is prepared to act.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West): I second the nomination of Mr. William Wauhoh.

**MR. WATTS** (M.L.A., Katanning): I propose—

That Mr. Charles George Latham, farmer, of Narembreen, be elected to fill the vacancy in the Federal Senate due to the death of Senator Edward Bertram Johnston.

I have Mr. Latham's assurance that, if elected, he is prepared to act.