

# Legislative Assembly,

Wednesday, 10th December, 1913.

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The SPEAKER took the Chair at 3.30 p.m., and read prayers.

## QUESTION—CARRIAGE OF MAILS NORTH OF KALGOORLIE.

Mr. FOLEY asked the Minister for Railways: In view of the alteration of train service north of Kalgoorlie will he endeavour to have mails carried daily?

The MINISTER FOR RAILWAYS replied: This is a matter which concerns the Postal Department. In the absence of suitable trains, it is their business to make such arrangements for the carriage of mails as they may deem necessary.

## QUESTION—PUBLIC SERVANTS' LEAVE.

Mr. LANDER asked the Premier: 1, In the case of clerks recently appointed to the permanent staff, who previously served a period on the temporary staff, and whose services have been unbroken throughout, will the term of service be reckoned from the date of their first employment, or from the date of permanent appointment? 2, If the Public Service Act and regulations do not at present provide for the granting of long service leave to all officers who have served seven years, and who are now on the permanent staff, are the Government prepared to frame and pass a regulation to meet the case?

The PREMIER replied: 1, From the date of permanent appointment. Prior

to the passing of "The Public Service Act Amendment Bill, 1911," by the present Government, these temporary officers could not have received appointment to the permanent staff, and they were fully aware that it was never intended that their term of service should be reckoned from the date of their first employment. To do otherwise would reflect serious injustice on the permanent staff, as it would give many of these officers seniority, on which, very often, promotion is decided. It would be particularly unfair to men who have attained their positions on the permanent staff by competitive examination. 2, Statute law does not at present permit it, and a regulation would be *ultra vires*.

## BILL—ROADS CLOSURE (No. 2).

Read a third time and transmitted to the Legislative Council.

## BILL—ILLICIT SALE OF LIQUOR.

### Third Reading.

The ATTORNEY GENERAL (Hon. T. Walker), in moving the third reading, said: I desire to explain to the House that I have prepared the necessary amendments promised last night, but they have not reached the Chamber, and therefore, to save time, I will have them inserted in another place. I move—

*That the Bill be now read a third time.*

Question passed.

Bill read a third time and transmitted to the Legislative Council.

## BILL—AGRICULTURAL BANK ACT AMENDMENT.

### Second Reading.

The MINISTER FOR LANDS (Hon. T. H. Bath), in moving the second reading, said: The measure I am now submitting to the House provides for an increase in the capital of the Agricultural Bank. Hon. members will remember that during last session an amend-

ing Agricultural Bank Bill was introduced, which provided that under the new scheme capital which was repaid to the trustees could be again utilised as capital for the further operations of the bank, but up to the present time the capital we are dealing with is that which was lent before this amending provision came into operation, and it will be some considerable time before we will have an accumulation of such a sum as will have any material effect upon the provision of additional capital year by year for the operations of the bank. The measure now before the House provides for an increase of the capital by an amount of £500,000. At the present time the total amount authorised is £3,500,000, and this Bill will increase the amount to £4,000,000. Hon. members will understand that to a certain extent this capitalisation is fictitious, as the total amount which has been actually advanced falls far short of this amount. That is due to the fact that money which is repaid goes back to the Savings Bank for the redemption of bonds taken up by the Agricultural Bank. It will be, perhaps, of interest to hon. members if I give a resume of the operations of the bank for the year ended 30th June, 1913, and also the amounts advanced up to the end of November. For the financial year ended 30th June last, the total applications received were 5,019, and the amount applied for was £293,885. The total loans authorised were 3,442 for an amount of £160,765; and the applications declined, 567, for an amount of £184,255. Undrawn balances amounting to £160,892 were cancelled, and cancelled loans amounting to £3,495 were reinstated, making the net appropriation from capital for the year £493,872 and the total appropriation to-date £3,321,709. The purposes for which the amount authorised is to be used are as follows:—to pay off liabilities, £47,700; purchase of stock, £70,566; purchase of agricultural implements, £12,019; to carry out improvements—clearing, 397,931 acres, valued at £386,030; ringbarking, 204,862 acres of a value of £15,893; blackboy and poison grubbing, 47,969

acres valued at £12,513; fencing, 304,067 chains valued at £91,803; draining, 957 chains, valued at £956; wells and reservoirs, £43,809; fallow, 8,551 acres, valued at £3,268; and buildings, £8,642, or a total for effecting improvements, of £562,918. The amount actually advanced during the year was £636,753, making with the amount previously advanced a total disbursement of £2,592,937. The repayments during the same period amounted to £33,527, making a total amount repaid of £698,980, leaving a balance outstanding on the 30th June, 1913, of £1,883,957. For the five months ended the 30th November, 1913, the amount advanced was £234,726, and the total amount actually advanced up to the 30th November was £2,817,662, while the total amount repaid was £715,104. The provision which is made in this measure together with the usual amounts of cancellation of undrawn balances, and the balance as between the total amount advanced and the amount authorised, is anticipated to be ample to carry us over until a similar measure is introduced during next session. The operations of the bank at the present time necessitate provision on the ordinary Loan Bill for the Loan Estimates for the current year. Up to last year the requirements of the bank were met by provision from the Savings Bank, as the Savings Bank authorities issued bonds to the Agricultural Bank and provided the necessary capital; but owing to the extension of the operations of the institution it has now been found necessary to make provision on the current Loan Estimates. The sum of, I think, £240,000, was made available on last year's estimates, and that will have to be materially increased on the Estimates to be presented by the Colonial Treasurer this week.

Hon. J. MITCHELL (Northam): Naturally I do not propose to oppose the increase in capital. Rather do I welcome it. My only fear is that the amount will be altogether too small to meet the legitimate demands of the people under our Agricultural Bank Act. The Minister remember that when he brought down his amending Bill, early it is true in the life of

the present Parliament, and very early in the days of the present Government, he told this House the Act passed had not done all for the people that it should, and that his Government proposed to liberalise the bank in such a way as to enable the bank to do for the people all that the private banks, operating together, could do. Most assuredly people were led to understand that money would be much freer and the opportunity of getting it would be very much greater. On that occasion the Minister pointed out that the restrictions would be removed and in future it would not be necessary for people to do work to get money, and said the Act would provide for the making of advances just as the ordinary chartered banks did. When this Bill became law it increased the limit from £750 to £2,000, as the amount which might be advanced to any one person. It must be perfectly patent to members of this House that when a law is put on the statute-book we expect that law to be given effect to. I pointed out that the limit of £2,000 would involve a tremendous amount of money and the usual increase made from year to year would not be sufficient to meet the demands. Our farmers are very peculiarly situated. For some years money was plentiful. The ordinary banks were very ready to do business. During the time of the past Administration they lent money very freely and of course their opportunity of lending was largely restricted to land against C.P. leases. It always seemed to me the very best thing which could happen was for the private banks to undertake this work. The people throughout these districts, of course, welcomed the opening of these banks, as they could come in and do their business without any delay, and without any restriction. I have always urged that in connection with the Agricultural Bank there should be restriction. We want matters to be controlled by expert, responsible officers and that always had been the system in the past. We advanced to pay off mortgages and to relieve the farmer in connection with machinery and stock. In common with other members sitting on this side of the House, I welcome the widening of the bank by the Minister, but

I doubt if the Minister has advanced £2,000 from this bank to half a dozen of our farmers, notwithstanding that the Act gives the people the right to apply for £2,000 and obtain £2,000. I urged on the last occasion when we were dealing with this matter, that all were entitled to the advantages conferred by this Act, and that there should be no discrimination. If a man has the security then, so far as the bank's authority extends, if there is nothing against the character of that man, he has an absolute right to expect to get what the law provides. I object to discrimination. Any member here has as much right to borrow from the Agricultural Bank as any member of the community outside, but it would be a sorry thing for members here to urge that there should be discrimination, and that for one man there should be a limit of £2,000 against a security of £4,000, and that another man with a security of £4,000 and equally competent, a limit of £1,000. It has been often said that when a customer has left the Agricultural Bank and has taken his business to another bank he should stand by that other bank and not seek to come back to the Agricultural Bank. That is quite wrong and we should protest against treatment of that kind being meted out to people who left the bank some time ago. If this law stands on the statute-book providing for advances up to £2,000 for the ordinary purposes for which money is advanced by the banks, we are entitled to protest when we find that this law is not being given effect to. There is no need for me to discuss the question of security, but it is a fact that the security of our C.P. lands has not the same value as it had before the present Government came into office, which is largely owing to the fact that money has become tighter to some extent and our farmers are being called upon to pay up the advances which were repayable on demand. Cannot the Minister see his way to increase the capital to such an extent that he will be able to fulfil the obligations imposed on him by the Act? He found an Act which said the limit should be £750 and he immediately raised it to £2,000.

Mr. E. B. Johnston: He improved it out of all recognition.

Hon. J. MITCHELL: I want the Minister to respect the limit of £2,000, just as before his time we respected the limit of £750. There are some people and some members sitting in this House, including the hon. member who has just interjected, who are absolutely satisfied when an Act is put on the statute-book. What on earth is the use of an Act if it is not given effect to? We might as well not have the Act at all and if the member who interjected does not complain that the Minister is not giving effect to this Act, then he will hardly be true to the constituency he comes from, as there, as well as in other places, advances have been refused. The Minister himself told us that he had declined applications for £180,000. It may be that some of these applications were not covered by sufficient security but a great many must have been legitimate and genuine and should have been given effect to. It has come to my knowledge time and again, where men have been refused and their application money, which is forfeitable if the application is not satisfactory, has been returned to them, which clearly shows that so far as the application was concerned the application and the security were in perfect order. The time has come when it will have to be recognised that our farmers must get their advances for a fairly long term. It is quite useless for a settler who is improving his holding to take an advance repayable on demand. It is much better for the country, and for him too, that his advance should be spread over a number of years, 25 years is not a long time over which to repay advances legitimately spent on clearing, fencing, ringbarking, and dam sinking for the purpose of improving a holding. Farmers get one crop a year and members will realise that any profit that may be made in the early years of settlement must be put back into the holding if the holding is to be improved, and we must encourage the man by making an advance which will not be repayable at a short term. If the Government were to go on the London money market for a couple of millions now for the pur-

pose of developing this country in the way of loans to agriculturists, they would have much less trouble to get it than if they went for the purpose of borrowing to purchase Perth trams, State steamers, and things of that kind. No money lender would require better work to be done with the money advanced than the improvement of our broad acres. In connection with the Agricultural Bank Act, Ministers have made a rod for their own backs and trouble for the people at the same time by failure to meet the applications they so cheerfully and willingly undertook when they came into office. It is not enough to say, "There is the Statute, there is the law," the people want more than that. They want this Act carried into effect and to borrow in accordance with the provisions of the Act. They will be disappointed indeed if other members from farming constituencies do not join with me in the protest I make against discrimination, which has had to be exercised by the Agricultural Bank through want of funds. When this Bill was before the House last year I endeavoured to have the amount increased. No private member could of course do that, but I took another course on that occasion, and hon. members will recollect that I moved that applications should be approved when they were made by men of repute and when the security was of a satisfactory nature. It would be useless for me to move the same amendment, although the effect of it would be to compel the Minister to make ample provision for the demands which might be made. We find that millions of money can and have been raised and that to some extent the money has been put to good use. There is no doubt, however, that the law has not been given effect to, and many hardships have been experienced by farmers as a result. Those who had advanced money and wished to be repaid took the opportunity of calling upon the borrower to make his arrangements with the Agricultural Bank under the new Act. If any hon. member will read the Minister's speech when he introduced the amending legislation he will see that not only was the farmer justified in making his demand, but the man who had lent the

money was also justified in asking the farmer to make his financial arrangements with the Government institution. I hope that the Minister will see the wisdom of increasing the amount to be made available to Mr. Paterson and the other trustees. Unless the money is made available the Act cannot be given effect to. A great deal of money has been advanced by the bank, and we find from the figures that last year £34,527 was repaid. In a matter of this kind it is of course difficult to make comparisons, but in my last year of office the amount which was repaid was £151,000. These repayments, however, were not ordinary repayments on a redemption basis, but special amounts by people who had arranged to borrow as well. We know of course that money is tighter to-day with the result that the bank has had a smaller return. The demand for money must be greater now than it was three years ago when the private banks were actively operating in assisting the farmer. Almost the whole of the responsibility for this work is now thrown on the Government institution and Ministers should realise that it is their duty, not only in the interests of the individuals clearing the land, but of the country, to see that the work of development is not slackened. Rather should that work be increased and that can only be done with the aid of the Agricultural Bank, and not with the aid of the chartered banks. I have already warned the Minister that the £500,000 will not enable him to give effect to his wishes. He must therefore take the responsibility. I am quite certain that the Minister has not faced the situation cheerfully, and I am sure that he and the other Ministers cannot but regret that they are unable to see their way clear to make ample provision to give effect to this law. We know that Ministers are responsible for a great deal of the trouble occasioned by the tightening of the money market, and they should endeavour to at least reduce the trouble by making the Agricultural Bank capital much greater.

Mr. A. E. PIESSE (Katanning) : I welcome this amending measure. It goes to show that the needs of agriculture make

it mandatory on the part of the Government to provide further funds for the trustees, to enable them to continue the good work which they have carried on in the past. At the same time I regret with the member for Northam (Hon. J. Mitchell) that the Minister has not seen fit to further increase the capital by at least another million. While good work has been done by the bank, I also am aware of the limitation which has been placed upon the assistance meted out by the manager and his officials because of the fact that there is a limitation placed upon the capital of the bank. I was under the impression that when the maximum amount was increased from £750 to £2,000 greater opportunities would be given to a number of our settlers who had found it necessary owing to the limitation previously existing to go away from the Agricultural Bank and seek assistance from other financial institutions. I had hoped that a greater number of those one-time clients of the bank would have been able to obtain that assistance which the Government desired to give them when they introduced the amending Bill of two sessions ago, and which was also the desire of all members of Parliament, particularly those who represented agricultural constituencies. I am afraid that until greater capital is provided there will still be a number of very deserving settlers who will not be able to obtain the assistance which it was hoped by this House on a previous occasion would be given to them. I have not the least doubt that there are many settlers who, owing to shortness of money, have found themselves in a tight corner. The newspapers have proved during the last year or two that in many cases there have been foreclosures not only by some of the associated banks, but also in other directions. This I think could have been avoided if more capital had been provided, and I can only hope that even at this late stage some greater effort will be made by the Minister to provide a larger amount, and at the same time indicate to the trustees of the bank that it is the desire of Parliament that wherever possible deserving cases shall be met even though the total amount which may have to be advanced may be in the

neighbourhood of £2,000. It is very satisfactory to know that since this Act has been operating in the State three-quarters of a million has been repaid. That speaks well for the management of the institution, and it augurs well for its future success. There is not the least doubt that this institution has done more than anything else could possibly have done to develop the broad acres of the country. It is hard to estimate the enormous advantage that the Agricultural Bank has been in the development of the agricultural resources. There is another matter which might be referred to in the operations of this bank, and it is that there is a settler who comes between the operations of the Workers' Homes Board and the Agricultural Bank. I am alluding to the small blocker, the holder of 10, 50 or 100 acres. I think he is deserving of greater consideration by the Government of the day than has been meted out to him in the past. It appears to me very often the area is too small for the Agricultural Bank to consider the question of an advance, and I think the Minister should look into the matter and see whether some special provision can be made to enable this small blocker, particularly in the agricultural districts, to receive similar consideration to that which is given to workers under the Workers' Homes Act, and to the larger holders of agricultural lands. I can only hope that the Minister will be fully seized with the importance of further increasing the capital of the Agricultural Bank at an early date, and our settlers will know then that they have some reasonable chance of being able to obtain a sufficient advance to tide them over the difficulties they may be in. After all, it is better for our settlers to remain with the Agricultural Bank, to have their fixed term of mortgage, and so long as they pay interest and provide for repayments there need not be further trouble, which is quite different in the case of advances through associated banks, which, by the way, have done a very great deal to help forward the development of the country. In their case, these loans are called up on demand, and it often places settlers in an awkward position indeed if the money has to be found on short notice. I have on every occasion advised

our settlers to remain as long as ever they can with the Agricultural Bank, and I take it it is the duty of the House to see that the amount to be loaned to those settlers is kept as high as possible, of course within the means which the State is able to provide for the purpose of carrying on the bank.

Mr. S. STUBBS (Wagin): I commend the Minister for Agriculture for having brought forward the Bill. I do not think there is any institution in Australia which has done more in the time for the development of agriculture than has our Agricultural Bank. It is gratifying to know that the operations of the bank have tended very largely to induce the associated banks to lend money on agricultural leases more freely than they would have done if the Agricultural Bank had not been in existence. The increasing of the capital from 3½ million to 4 million pounds is a step in the right direction, and I would like to have seen the Minister increase it by a million instead of by half a million. Quite recently an illustration came forcibly home to me. A man holding a fine block of land in the Dumbleyung district, land second to none anywhere, has a loan of £1,000 from one of the associated banks on his property, which is worth £3,000 or £4,000. He is desirous of getting the Agricultural Bank to assist him by paying off the associated bank overdraft of £1,000 in order that he might effect very necessary improvements. I understand there is just a little doubt about his being able to get the necessary accommodation from the Agricultural Bank, for the reason that in the past the money loaned by the Agricultural Bank has been drawn from funds provided by the Savings Bank, and naturally the Managing Trustee of the Agricultural Bank would prefer to have half a dozen settlers who only require £300 or 400 each than to have one settler who wanted up to £2,000. Therefore although a little capital is available, the operations of the Agricultural Bank must naturally be limited, and the demands that are made from time to time can only be met as money is available. I do not think any hon. member will object to the

measure before the House, and I am quite sure I am echoing the sentiments of all in the Chamber when I say the bank has done good work. It is officered by capable, straightforward, first-class men, and I am sure the State is proud of the Managing Trustee and the staff that are assisting him in the working of that institution, which has done and is doing so much for the agricultural districts of Western Australia.

Mr. E. B. JOHNSTON (Williams-Narrogin): I would like to express my regret that while the Government are amending the Bill they have not seen fit to increase the capital of the bank to a larger amount. Of course it may be argued that it is a great task for 318,000 people to have already set aside as much as £4,000,000 for the development of the agricultural industry through the Agricultural Bank. Still, it must be remembered that this amount is reproductive. The farmers are paying interest on it to the Government, and the Agricultural Bank is actually carrying on its operations and making a profit of from £8,000 to £10,000 per annum. Under these circumstances it is apparent that the amount borrowed for the purposes of the Agricultural Bank is not a debt on the people of Western Australia in the ordinary sense of the term, and I would urge the Minister and the Government, even at this late hour, to increase the capital of the bank to five millions or five and a half millions, instead of to four millions as proposed in the Bill. Let us give the bank authority for this extra capital now, and float the money as the market becomes favourable. I believe with the member for Northam that if a loan were put on the London market to-day for this special purpose, if it were known that the money was to be spent in Agricultural Bank advances, or workers' homes advances, or similar works, we would have no trouble in getting it. I am quite prepared to leave it to the Government as to when they shall actually raise the money, but I do urge the Minister to increase the capital of the bank now to five million pounds instead of the four million as

proposed. Figures have been pretty frequently quoted showing that for the year ended 30th June, 1911, the last year of the Liberal Administration, £285,000 was advanced through the Agricultural Bank, whilst last year £636,000 was advanced by that institution under the Act as liberalised by the present Government. I give the Government every credit for having liberalised the Act, but in view of the fact that we are now advancing £636,000 per annum, and that the increase which has been made during the last two years is being maintained, I do not see that the Government are going to give the farmers a fair deal by merely increasing the capital by half a million pounds. I do not see that the bank will be able to continue its operations unless its capital is increased to at least five million pounds.

Mr. S. Stubbs: They will not be able to keep up advances.

Mr. E. B. JOHNSTON: No, I am afraid we will be as bad as in the time of the Liberal Government, when only 13 people succeeded in getting the limit of £750. We do not want that sort of thing to obtain now, and I hope the Government will increase the capital as I suggest. In regard to loans for the taking over of large liabilities, I may say the trustees are only able to look on liability loans in the light of charity. Unless the man who requires his advance from a private bank to be taken over is being absolutely squeezed, he has very little chance of transferring his accounts from the private institution to the Agricultural Bank. I quite realise the difficulties the Government have in financing so many undertakings throughout the country, but capital for the Agricultural Bank is a matter which, I think, we all agree ought to come first, and I hope the Government will take this view of the case. With regard to improvements I find that the advances are not made as liberally as they should be. In the district east of Narrogin very few people can get more than £1 an acre for clearing their land, although for a great deal of the forest country one cannot let contracts for less than thirty shillings an acre. This is a matter that needs atten-

tion. The Government have promised that men shall get the full value of the work they are doing up to a certain amount, and I hope we will see this done, and that the men will not be offered, as so often occurs, only two-thirds of the value of the work. I am glad to say that the control of the Agricultural Bank is in the hands of trustees, and political influence is neither necessary nor desired; at the same time I would like to ask the Minister for Lands what license is given to the two trustees who assist the Managing Trustee in regard to entry into political affairs. For instance, there was a letter in the *Western Mail*—

Mr. SPEAKER: Order! The hon. member must consider the Bill.

Mr. E. B. JOHNSTON: This Bill is a Bill to amend the Agricultural Bank Act, and in Committee—

Mr. SPEAKER: It does not permit the hon. member to discuss the opinions of the officers of the bank.

Mr. E. B. JOHNSTON: Can I not discuss the political opinions of an assistant trustee of the Agricultural Bank with a view to seeing whether it is necessary to amend the Act so as to prevent those opinions—

Mr. SPEAKER: The Act could not be amended in that direction; it is for a specific purpose.

Mr. E. B. JOHNSTON: But the Bill is a Bill for—

Mr. SPEAKER: The hon. member must obey my ruling.

Mr. E. B. JOHNSTON: Of course, Mr. Speaker, I must. At the same time I may be able to move an amendment in Committee which will give me an opportunity of ventilating the matter in question. I can only say in conclusion that the Bill does not go far enough. If the bank is to continue to do the work expected of it, it is absolutely necessary that its capital should be increased to at least £5,000,000.

The MINISTER FOR LANDS (in reply): I wish to point out to the member for Northam (Hon. J. Mitchell) that his attitude to-day is very different indeed from that taken up by him when introducing an amendment of the Agricultural

Bank Act on a previous occasion. There was a time when he was very glad indeed to claim my support in the attitude he was then assuming. In 1909, when the amending Bill was under discussion, I pointed out that the whole question of the amount by which the capital was to be increased, or the amount to be lent under the provisions of the Agricultural Bank Act, was entirely dependent on the financial exigencies of the time. Even as leader of the Opposition I was not desirous of being so unfair as to take up a merely critical attitude when I recognised that that point had to be borne in mind by those who for the time being were charged with the administration. One could have hoped that the member for Northam, who at one time had Ministerial responsibility, would have evidenced the same measure of fair play. The hon. member on the occasion referred to quoted my remarks of 1909, and said—

He was sure the member for Brown Hill would agree with him, for he remembered when a similar Bill was before the House last year that hon. member pointed out it was mainly a Bill to help the poor man. The Government had to find the money, and an increase of from £500 to £750 was something that should be regarded as drawing a large sum of money from the Government. The responsibility of finding this money rested with the Government, and it was really a position, when there was a desire to increase the capital, that the Government should consider the ways and the means. He was not prepared to accept the amendment. The increase was altogether unnecessary, therefore he would ask the Committee to vote against it.

Hon. J. Mitchell: What was the increase?

The MINISTER FOR LANDS: I just want to point out that because after all the desire to be critical or the attempt to score off a Minister ought not to lead any hon. member into taking up an entirely unfair attitude, and the hon. member had had particular experience which made it clear that that attitude was necessary at that particular time. I want also



to disclaim ever having stated that the amendment of the Agricultural Bank Act introduced by myself was to result in the taking over of the whole of the liabilities of the chartered banks and concentrating them in the Agricultural Bank.

Hon. J. Mitchell: Turn up your speech.

The MINISTER FOR LANDS: I claim that I was advocating an extension of its functions, that we could not rescue all those who had left the Agricultural Bank, and my chief object was devoted to minimising as far as possible the necessity for existing clients having to leave the Agricultural Bank, and it was with that object that the liberalisation was made and I never anticipated that in one or two years we would reach the position that we could meet the demands of every client of the chartered banks. The Agricultural Bank in many hundreds, and even thousands of instances has lent right up to the hilt, and the small amount which we set apart year by year, representing the profits—or what are called the profits, although in reality they are not profits as security against depreciation or loss on the assets of the bank, is in my opinion an altogether insufficient provision for that purpose, and it is altogether misleading to call them profits when we have no separate provision in the Bill such as every private institution has, by which a sum is set apart year by year in order to guard against loss in respect to the dealings as between the bank and their clients, and the time will come when with the extension of the bank instead of merely saying, "We set apart whatever profit is made as a reserve against these possible contingencies," we ought to set apart a specific percentage year by year for that purpose, and so adjust the rates of interest and the operations of the bank that that sum would be available from the earnings of the bank after the ordinary working expenses and interest on the money had been provided for. I say, however, that with the alterations which have been made in the bank, and with the development of the State the time will arrive when the amounts

advanced to individual selectors can be substantially increased. At the present time we know that even the repayments provided for by law have not been made. In a number of instances, even the interest has not been paid owing to the difficulties which have been encountered, and these are all factors which make it necessary for the trustees of the bank to insure a cautious policy in their administration. The hon. member has been very critical, but I want to repeat, although it may be nauseating to the hon. member, some details in connection with the operations of the bank, to show that the present Government have fulfilled their promise in regard to the liberalisation of the bank. In 1908-9 the total advances were £261,000 and after repayments are deducted the net amount which the Government had to find was £225,000. In 1909-10 the total advances were £252,000, and after deducting repayments the net amount they had to find was £100,000. In 1910-11 the total advances were £283,000, and after providing for repayments the net amount which the Government had to find was £39,000. In 1911-12 the total advances were £405,000, and after deducting repayments the net amount which the Government had to find was £303,000. In 1912-13 the total advances were £636,000, and after providing for repayments the net amount which had to be found was £603,000. That indicates the difference in the administration of the bank as between the present Administration and that of the hon. member opposite.

Hon. Frank Wilson: It shows that private institutions are not advancing as freely.

The MINISTER FOR LANDS: The hon. member repeats that frequently and evidently is deluding himself that the attitude of the banks is entirely determined by the particular Administration in Western Australia. No one knows better than the hon. member that it is a position which is influenced by the world-wide position, and we have no less an authority than Viscount Goschen, who said that the great need of the financial markets of the world to-day is that

there should be a period of financial rest. I have also supplied to the newspapers correspondence from some of the Canadian provinces where great agricultural development is going on. The board of trade, which is a body corresponding to our Chambers of Commerce, wrote to me as Minister for Agriculture asking for information as to the methods and details of the administration of the Agricultural Bank of this State, and in their first communication they pointed out to me that the rate of interest to the agriculturists in the particular province was from eight to 10 per cent. for advances which were not for a specified term, and later on, in a letter acknowledging the receipt of the memorandum and the information accompanying the memorandum which I supplied, they pointed out that the rate of interest had increased from 10 per cent. to 12 per cent. to the agriculturists in that State, and that, owing to the world-wide financial stringency the farmers were not able to obtain money even at that rate. Since then and in fact only during last week I received another letter—I think it was from the province of Manitoba—asking for similar information and pointing out that a similar condition of affairs existed there, and from reports we have from the Dominion of Canada they are up against a serious condition of affairs in regard to their future agricultural development, owing to the financial stringency, which of course is largely influenced by the position of the market at home. How unjust and unfair it is to try to score a miserable, petty point by attributing to a Government in a comparatively insignificant part of the British Dominions like Western Australia—insignificant compared with other parts—attributing I say to some act of administration a condition of things which is entirely caused by the financial position in the centre of the financial world, that is London, and in those other places throughout the world whose financial markets are entirely determined by the position at the centre of affairs. It is that kind of criticism to which one naturally

strenuously objects, and yet while we regret that condition of affairs, while we recognise that our Administration in Western Australia has to be carried out in accordance with our power to obtain money, the Agricultural Bank with other activities of Government has to be governed accordingly, and it would have been simply flying a kite and getting a cheap advertisement if I had said that we would increase the capital by two million or one and a half million pounds, as advocated by the member for Williams-Narrogin, unless there was some reasonable hope of obtaining that sum of money. The position at the present time is that before we meet again, or until we meet again, we will have ample money for the administration of the Bank on the present lines which have been much enlarged, and when this House meets again the financial market may be more favourable and this House will be able to consider the question of securing an even larger sum than we have provided at the present time, and determine the policy accordingly.

Question put and passed.

Bill read a second time.

#### *In Committee.*

Mr. Holman in the Chair; the Minister for Lands in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 16 :

Hon. J. MITCHELL : The Minister had given members to understand that if the market improved later on the question of increasing the capital of the bank would be considered. Apparently there were now two methods of controlling capital, that of debentures repaid and the fixed capital.

The Minister for Lands : Repayments of that amount and whatever is provided in the Loan Act can be utilised.

Hon. J. MITCHELL : The fixed capital was £500,000.

The Minister for Lands : Yes, to the extent that we get repayments.

Hon. J. MITCHELL : It was used over again without further authority from Parliament.

The Minister for Lands : Yes.

Hon. J. MITCHELL: So that there would be a fixed capital of a million and three millions of capital under the old system of debentures and repayments.

The Minister for Lands: It goes back to the Savings Bank and has to be re-drawn under authorisation.

Hon. J. MITCHELL: That would meet the position to a small extent, but not unless the repayments came in fairly well. The Minister would do well to increase the amount by more than £500,000. As the member for Williams-Narrogin had pointed out, if the amount was increased the Minister need not borrow it straight away but could exercise the authority when the opportunity was favourable.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

#### *Message.*

Message from the Governor received and read recommending the Bill.

#### *Third Reading.*

Bill read a third time and transmitted to the Legislative Council.

#### BILL—MONEY LENDERS ACT AMENDMENT.

Returned from the Council without amendment.

#### BILL—BOULDER LOTS 313 AND 1727 AND KALGOORLIE LOT 883 REVESTMENT.

Returned from the Council without amendment.

#### BILL—STAMP ACT AMENDMENT.

##### *Second Reading.*

Debate resumed from the 28th November.

Hon. FRANK WILSON (Sussex): The Premier in moving the second reading of this Bill gave as his reason for the measure that it was not altogether the amount he proposed to collect under the

additional taxation, but that the method embodied in the Bill was in his opinion fair. Then he went on to give an instance of the fairness of the method in his finishing remarks, by saying that he knew most people when they paid £100 over, said "Come and have a drink" and spent 1s. for drinks, and he asked the House to agree with him that if people could pay 1s. for drinks, they could pay 6d. to give legality to the document in the nature of a receipt. Thereupon I moved the adjournment of the debate. I was rather nonplussed at the argument and could hardly believe my ears that this was a legitimate reason for the acceptance of the proposed increase in the stamp duties. I know some people do have a habit of shouting a drink when they pass money to others and *vice versa*, but I hardly think it is the universal custom, and if the Premier was acquainted with the running of commercial houses he would know that scores of accounts are paid and cheques passed every day of the week, large sums of money pass and there is no drink about it at all. Business is not carried on on those lines at the present day, and it is foreign to the purpose of this legislation to suggest that it is conclusive evidence that the proposal is a fair one for us to accept. I want hon. members to look into this measure themselves and see if they consider the proposal is fair. It appears on the face of it that it is a strenuous attempt to raise some additional revenue, and if the Premier had put that forward as his main reason for introducing the measure it would have been a legitimate reason. It certainly would have been much better to have done so than to have adopted such an argument as the one I have referred to. We know that stamp duties in all States are imposed for the purpose of getting a certain amount of revenue. In New South Wales, the mother State of the Commonwealth, several years ago the stamp duties were repealed when they had more revenue than they deemed necessary for their purposes and they wanted to lighten the load of taxation when their revenue was plentiful; of course that was when a Liberal Administration was in

power. That proves my contention that a measure of this sort is passed for the one purpose only, that of raising revenue to assist the Treasurer. The Premier tells us he thinks he will get £5,000. He used the words "he imagined he would get some £5,000 additional revenue if the Bill was passed." I want to know if it is worth while to put the commercial community of this State and others to all the vexatious trouble of a differential tax for receipts as is enumerated in the Bill for the purpose of raising £5,000 to go to some small extent in the direction of lessening the deficit of £550,000. Of course the Government are justified in raising revenue in a legitimate manner to meet their legitimate demands in the administration of the State. When revenue is short, it is the duty of those in charge to look round and see where they can legitimately ask the citizens to assist by way of increased taxation; that is providing the position and shortage of revenue has been brought about by no fault of their own and not owing to what I might term maladministration on their part. At the present time, therefore, we have to consider whether the Government are justified in increasing taxation. For my part I do not think they are. We have already had to accede to the passage of land taxation proposals which doubled the burden to be carried by owners of land and which by the abolition of rebates increased the burden of those tilling the soil. Railway rates are to be increased, and here again we have an instance of the bleeding process which was so eloquently announced to take place by the Attorney General during the recess.

The Attorney General: It is an honourable healthy sort.

Hon. FRANK WILSON: No, it is not. I am just trying to show that to the hon. member, but he does not like the criticism and I want to know if he maintains that the Government are justified in their financial position; have they justified the whole of their expenditure?

The Attorney General: Yes.

The Premier: You did a lot of croaking and squealing the other day because we did not spend a lot of money at Busselton.

Hon. FRANK WILSON: I am not in the habit of squealing; I do not know what the Premier refers to. I might have made a legitimate request to the Premier and to his shame he could not respond to that legitimate request.

The Premier: All of which meant the expenditure of a huge sum of money. It is a lot of hypocrisy.

Hon. FRANK WILSON: I am talking about the maladministration of the hon. member and the way he has extravagantly thrown away, and extracted from the people's pockets, money, and now he comes here and asks us to raise £5,000—he imagines.

The Premier: You had the Estimates here the other day, why did you not show the extravagances?

Hon. FRANK WILSON: I showed them. The £5,000 which the Premier imagines will be raised under the Bill is to go towards the £550,000 deficit at the present moment. He knows very well he has entered upon speculative concerns and undertakings and is losing money and cannot enter on the legitimate demands of my electorate, and has had to break his promises on many occasions. It has been repudiation. He is so hard up that he does not know where to turn.

The Premier: It is nothing but political hypocrisy.

Hon. FRANK WILSON: The losses incurred by the Government have had to be made good and this is one of the painful attempts which the Premier is now making in order to cover up his lack of administrative ability.

The Premier: This is your own Bill.

Hon. FRANK WILSON: Nothing of the sort.

The Premier: It is your own draft.

Hon. FRANK WILSON: I never drafted one. That is another misrepresentation of the Premier's.

The Premier: You proposed this very Bill.

Hon. FRANK WILSON: I proposed an increase in the stamp duty, but not this Bill.

Mr. E. B. Johnston : Why, you proposed a duty on amusements.

Hon. FRANK WILSON: Yes, and I think it was a legitimate tax at the time. The Bills were never introduced, but if they had been they would have been passed and the revenue collected.

Mr. E. B. Johnston: Very paltry.

Hon. FRANK WILSON: Is it so paltry as this proposal of the Premier's to make up the loss on his trading concerns by raising £5,000 under the schedule such as I have before me? Business people and all classes of the community are to be hampered to collect the paltry sum of £5,000. We have the suggestion that everyone is compelled to give a receipt under a penalty of £10 for money which they may receive in payment of a debt. As suggested by interjection by the Premier, if I met him in the street and handed him over £5 in payment of a debt and adjourned to a drinking shop in order that we might borrow pen and ink because the receipt must be in writing—

The Premier: Most up-to-date people nowadays carry a fountain pen.

Hon. FRANK WILSON: And if the fountain pen is not in the pocket of the hon. member, if I want to pay him £5 he cannot accept it because he is not in a position to give a written receipt which the measure provides for.

The Premier: If it was made retrospective, I would have to get a receipt from you.

Hon. FRANK WILSON: No. The hon. gentleman has received money from me on more than one occasion and I did not get a receipt, so we are quits. The next time I may be in his debt to some extent. The schedule proposes that we should inflict a tax of one penny for all receipts from £2 to £25. Then from £25 to £50 we are to make it twopence, from £50 to £100 threepence, £100 sixpence, and every part of £100 above that sum a further sixpence, so that for £101 we have to actually put a one shilling receipt stamp on. That is manifestly unfair. There is no reason in it at all, and it is nothing like any suggestion I have made for an amendment of the Stamp Duties

Act. I do remember that my proposal, which I commend to the Premier for consideration, was to charge one penny stamp duty on all receipts over one pound up to £5 and twopence above £5. That would be much more reasonable than the suggestion made in this Bill, which is crude and only calculated to cause breaches of the Act, because people will never remember the amount they ought to put on, and the very magnitude of the duty will only incite them to evade the Act and take the risk of discovery. If one penny were charged on receipts for £1 up to £5, and twopence on receipts above that amount, the penny being the same as is charged in the old country, it would be a much fairer proposal than the Premier has made, and it would bring in much more revenue, which is the only justification for a measure of this description. The Premier went on to instance payments by cheque, and said that they, too, should pay stamp duty. I want to remind him that cheques do bear a stamp duty of one penny already, and if a person who pays his account by cheque is satisfied to do without any official recognition by way of a receipt, I do not see why he should be compelled to demand a document of that nature, to carry stamp duty in addition to the duty already on the cheque. At present it is on a par with the duty which we charge under the 1905 Act. Then we have certain provisions in the measure which the Premier dwelt on, and which I think I can agree with, that is, to charge stamp duty on documents or transfers which have been lodged in escrow. I do not think we can take any exception to that, or to a contract for sale, with, of course, due provision for a refund in case the agreements are not eventually carried out and the transfer completed. It seems to me that when we take a deed for the sale of property or any other goods mentioned in this Bill, we are then entitled to collect the stamp duty, always with the provision that if the agreement is not eventually carried out there shall be a refund; so that I concur with that portion of the measure. The proposal to charge duty on collateral securities, however, does not appear to me to be fair or rea-

sonable. It is set forth here that sixpence per £100 shall be charged on the amount secured by collateral or additional security, notwithstanding that 2s. 6d. per £100 has already been paid on the principal security. I do not think we should be justified in charging additional stamp duty, merely because some additional security has been given by way of mortgage for a loan. It would be just as reasonable to charge on the full value of the security that was lodged instead of on the amount secured, as it would be to charge this additional impost on collateral security. After all, I go to borrow £5,000, and I produce security valued at £10,000. Stamp duty under the existing law is collected on the amount I have borrowed, and if by way of collateral security I throw in further securities there is in this provision an attempt to raise additional revenue by imposing a further sixpence per £100 on the amount secured by this collateral security, and yet we do not charge on the full value of the securities already lodged as primary security. It seems to me unreasonable to legislate in this direction, and, further, we will have very great difficulty in ascertaining the value of additional or collateral securities in the suggested amendment of paragraph 2. I think the Premier would be well advised to admit at once that his Bill is not for the purpose of making the incidence of taxation under the Stamp Duties Act, but is for the legitimate purpose of raising further revenue. That is the only excuse that the Premier can advance for proposing additional taxation of this nature, and then if he excludes Section 11 altogether and does not attempt to make his stamp duty for receipts too intricate, as it will be under the schedule in the measure, but simplifies it in the manner I have indicated by naming only two amounts for receipts, one penny and twopence, he will attain his object, get more revenue, have a fairer impost by way of taxation, he will certainly not incur the same amount of complaint, and will not harass the business people and others by a schedule which is altogether out of reason and proportion, and should not be passed.

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

Ayes	..	..	25
Noes	..	..	15

Majority for .. 10

#### AYES.

Mr. Angwin	Mr. Lewis
Mr. Bath	Mr. McDonald
Mr. Bolton	Mr. Price
Mr. Carpenter	Mr. Scaddan
Mr. Chesson	Mr. B. J. Stubbs
Mr. Collier	Mr. Swan
Mr. Dwyer	Mr. Taylor
Mr. Foley	Mr. Thomas
Mr. Gill	Mr. Turvey
Mr. Holman	Mr. Walker
Mr. Johnson	Mr. A. A. Wilson
Mr. Johnston	Mr. Underwood
Mr. Lander	(Teller).

#### NOES.

Mr. Allen	Mr. Monger
Mr. Brown	Mr. Moore
Mr. Elliott	Mr. A. E. Plesse
Mr. George	Mr. A. N. Plesse
Mr. Harper	Mr. F. Wilson
Mr. Lefroy	Mr. Wisdom
Mr. Male	Mr. Layman
Mr. Mitchell	(Teller).

Question thus passed.

Bill read a second time.

#### *In Committee.*

Mr. Holman in the Chair, the Premier in charge of the Bill.

Clause 1, 2—agreed to.

Clause 3—amendment of Section 3:

Mr. MALE: Would the Premier explain what was the actual difference in this amended definition of marketable security? In the original Act the definition was fairly wide.

The PREMIER: The interpretation of "marketable security" in the principal Act had been found defective. It was requested that this amendment should be made to bring the Act into line with the Imperial Act and many other Acts in different parts of the British Dominions. The provision was almost word for word with the Imperial Act, and he believed was word for word with the New Zealand Act.

Clause put and passed.

Clause 4—agreed to.

Clause 5—Amendment of Section 53:

Hon. J. MITCHELL: This clause referred to leases, and increased the duty by 2s. If inserted it would mean that an agreement for a lease would have to bear full stamp duty, and the lease itself would have to bear a 2s. 6d. stamp, instead of 6d. That was a bit unfair.

The PREMIER: The clause was to correct a misprint which had been quite apparent, but had not been discovered until some of these documents came under notice. In England the duty was only 6d., and when the original Act was brought in here, it was agreed that 2s. 6d. was a fair thing, but inadvertently they misprinted the subsection, and made it 6d., instead of 2s. 6d. This clause was to correct what had been pointed out by the Crown Law authorities as a misprint.

Hon. J. Mitchell: It is a double-barelled shot.

The PREMIER: No, it was not.

Clause put and passed.

Clause 6—agreed to.

Clause 7—Certain contracts to be chargeable as conveyances on sale:

Hon. J. MITCHELL: In line 5 appeared the words "property locally situated out of Western Australia. This wording seemed extraordinary.

The PREMIER: The wording had been submitted by the parliamentary draftsman, but if there was a misprint he (the Premier) would have it corrected in another place.

Clause put and passed.

Clause 8—agreed to.

Clause 9—Penalty for omission to duly stamp documents:

Hon. J. MITCHELL: The Premier seemed to overlook the fact that a document must be stamped within 28 days, and the stamp cancelled by an authorised witness, or a fairly considerable fine was imposed. Again it appeared that both barrels were to be fired at the unfortunate man who had omitted to stamp his document at the one time. We should either strike out the provision that there should be a fine by way of additional stamp duty, or else strike out the penalty, which might be £10.

The PREMIER: It had been the practice, and in accordance with the statute.

to provide that in the event of a document held in escrow, although dated some time previous to the actual stamping taking place, so long as it was stamped within 28 days of the actual transaction taking effect, and it could be shown that the document had been held in escrow, the fine was not imposed. It was not a new provision at all, but had been in operation during successive Governments. The Government were continually on the advice of the Solicitor General remitting fines in the case of documents held in escrow.

Hon. J. MITCHELL: The stamping must take place within 28 days of the document being signed, and whether it was held in escrow or not made no difference. The document might or might not be presented for registration straight away, but it certainly must be stamped.

Mr. DWYER: Frequently it happened that documents were executed but, for certain reasons, they were not carried into effect. The document was then held in escrow, and nearly always these documents were not stamped until the escrow was finished. It followed that frequently documents were not stamped until considerably over a month after their execution, and up to the present time it had always been customary to remit any penalty on evidence being furnished that the document was held in escrow. It had been accepted that while a document was in escrow it need not be stamped. Frequently it was necessary to hold a document in escrow, as certain things had to be done before the provisions of the document were to take effect.

Hon. J. MITCHELL: That rendered it quite unnecessary for this penalty to be imposed at all. The Attorney General apparently had power to remit the fine, and where documents were held in escrow, usually by lawyers or banks, it was the custom evidently for our good-natured Attorney General to remit the fine, but he could discontinue the custom, and achieve what the Premier wanted. The law provided that on certain occasions where some omission was innocently made, the Attorney General might remit the fine, but apparently another custom

had grown up. It would be ridiculous for the Attorney General on the one hand to remit a fine, and on the other hand order a prosecution. The effect of this clause would be utterly absurd. It would be better if it were struck out altogether, and that we left the law as it stood.

Clause put and passed.

Clause 10—Amendment of Section 73:

Hon. J. MITCHELL: It was provided here that a receipt would have to be given but it had already been shown how ridiculous the position would be, and how impossible it would be to carry this out. No matter what the inconvenience might be a man would be compelled to give a receipt. The Premier stated that the man who paid by cheque should give a stamped receipt, but he forgot that the man who paid by cheque provided the Treasurer with a penny every time he drew a cheque, whereas the man who paid cash never contributed anything to the revenue. Under the law as it at present stood one could not demand a receipt. The provision was unreasonable and it was impossible of accomplishment. People would have to carry with them a variety of receipt stamps if the clause became law.

The PREMIER: It was highly interesting to hear the member for Northam pleading his opposition to the clause. Those who were in the fortunate position of being able to pay their accounts by cheque would be able to trace their payments, but the man who paid cash insisted on a receipt which had to be stamped. The receipt after all was of no value in law except that it was to prove that money had been paid, and if anything else could be produced to show that an amount had been met, one could not be charged a second time. The penny which was on the cheque had nothing to do with the stamp duty. That was imposed for a different object. We should not permit one person to stamp a document and another person to be able to get off scot free. If it was right that a stamped receipt should be given for £2 every person who received £2 should pay that stamp duty. Under those

circumstances in order to obtain that duty, we must insist that where by law it was necessary to give a receipt, that receipt should be stamped.

Mr. Wisdom: We have that already.

The PREMIER: When a receipt was given for £2 it had to be duly stamped. His desire was to compel, wherever transactions took place—whether the payment was made by cheque or sovereigns it made no difference—that stamp duty should be paid.

Mr. Wisdom: You want the duty on the transaction.

The PREMIER: Yes; there was nothing to prevent a person paying an amount of £100 without paying stamp duty at all, if he paid by cheque, because he did not ask for or require a receipt. On the other hand a person who paid with coin of the realm would have nothing to show unless he had a receipt, and that receipt would have to bear a stamp. In order to put all on the same footing it was desired that all must give a receipt, and that all receipts must be stamped. It was not a matter of getting revenue so much as putting all on the same footing.

Mr. MALE: The remark of the Premier that this was not required for revenue purposes was a strange one. Why then was it a graduated tax?

The Premier: I tried to explain that, and if you cannot understand it I cannot help it.

Mr. MALE: It was a pity that he was not able to understand the Premier, but certainly the Premier could not be understood when he said that the man who paid his account by cheque evaded stamp duty. That man paid a penny just as the man who paid with coin of the realm. If the Premier's contention was that this was to be a tax on transactions, then the clause did not go far enough. We had transactions by barter. How was it proposed to get over them? A man might give a bale of wool in exchange for a bag of flour. It would be easy to evade the payment of stamp duty by such a transaction as by the payment of an account by cheque. The proposal in the Bill was cumbersome and paltry in the extreme. This surely was not in the Im-



perial Act, because it would be impossible of administration, and moreover it was ridiculous.

The PREMIER: The hon. member forgot that stamp duty was imposed on the person who received the money. If he made payment by coin of the realm he would receive a receipt with a stamp upon it. Did the hon. member not recognise the fact that in dealing with cheques, it was not the person who received payment who paid the stamp duty, but the person who bought the cheque book and made the payment? In the case of a cash transaction the stamp was provided by the person who received payment. The object of the provision was that the person who received the payment by cheque should contribute to the revenue on an equal basis with the person who received payment by cash. All would be required to pay on an equal basis. It was not fair that because a man paid by cheque the duty should be evaded.

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

Ayes	..	..	24
Noes	..	..	15

Majority for .. 9

#### AYES.

Mr. Angwin	Mr. McDonald
Mr. Bath	Mr. Mullany
Mr. Bolton	Mr. Price
Mr. Carpenter	Mr. Scaddan
Mr. Chesson	Mr. B. J. Stubbs
Mr. Collier	Mr. Swan
Mr. Dwyer	Mr. Thomas
Mr. Foley	Mr. Turvey
Mr. Gill	Mr. Walker
Mr. Johnson	Mr. A. A. Wilson
Mr. Johnston	Mr. Underwood
Mr. Lander	(Teller).
Mr. Lewis	

#### NOES.

Mr. Allen	Mr. Monger
Mr. Broun	Mr. Moore
Mr. Elliott	Mr. A. E. Plesse
Mr. George	Mr. A. N. Plesse
Mr. Harper	Mr. F. Wilson
Mr. Lefroy	Mr. Wisdom
Mr. Male	Mr. Layman
Mr. Mitchell	(Teller).

Clause thus passed.

Clause 11—Amendment to schedule to Act No. 20 of 1905:

The PREMIER moved an amendment—

*That the following paragraph be inserted to stand as paragraph 1:—Under the heading "apprenticeship" the figures "0. 5. 0." and the exemption thereunder are omitted, and the words "exempt from duty" are inserted.*

The principal Act provided that an instrument of apprenticeship should carry a five shilling stamp. The exemption made reference to an instrument relating to any child apprenticed under the Industrial and Reformatory Schools Act, 1893. It was desired to encourage indentures of apprenticeship as much as possible and to make them of some value. Under the existing conditions they were frequently unstamped, and parents were not aware of the necessity for stamping, the result being that if a point of law was taken the indentures would be thrown out, because they were not stamped. To subsequently supply the omission meant the expenditure of something like £8 which, of course, in many instances would be quite prohibitive to the parent. The amount collected under the existing provision was scarcely appreciable. The only place where indentures were stamped was in the workshops at Midland Junction. The whole sum involved probably did not amount to £10 a year.

Amendment passed.

Hon. J. MITCHELL: Would the Premier explain why it was desired that any collateral security in respect to a mortgage should be stamped. The transaction which set out the security was duly covered, and under the provision, although it would not be covered twice, yet more stamps would have to be provided than were necessary to cover the security.

The PREMIER: Collateral securities were not carrying any duty.

Hon. J. Mitchell: Why should they?

The PREMIER: Because they were all part of the transaction. Duty was received on the original amount, but not on the collateral security. Collateral mortgages were exempt to-day, but under the Bill would be liable to 6 per cent.

Hon. J. Mitchell: Why should they?

Mr. Wisdom: It is not a fresh transaction.

The PREMIER: To some extent it was, and it was considered desirable that it should carry 6 per cent. duty, or one-fifth of that on a primary security. It was in accordance with the Imperial Act.

Hon. Frank Wilson: I do not think so.

Mr. WISDOM: The original duty on a security was based on the amount advanced. If the collateral security was given it did not increase the amount advanced, and that being so there was no reason to charge an extra duty, which indeed would be extremely unfair.

Hon. J. MITCHELL: Even if the provision were in the original Act it would be unfair that the security which was to cover the amount of the advance already fully stamped should be again stamped. The Premier ought to allow the provision referring to collateral security to be struck out. Again, he objected to the progressive stamp duty provision in the same clause. It was provided that stamp duty should range from one penny upwards. The penny was quite sufficient to place upon any receipt for any amount, and there was no need for a progressive duty. We collected revenue from the transaction in other ways and people would only avoid giving receipts if these high duties were imposed. If the Premier could not make ends meet without collecting all these sixpences he ought to get off the Treasury bench and let somebody else there. The Premier expected to raise £5,000 a year and to get it would involve £10,000 worth of trouble. He objected to progressive taxation in regard to stamp duty on receipts.

The PREMIER: The hon. member could not offer an argument without being offensive.

Hon. J. Mitchell: I was not.

The PREMIER: The hon. member did not appreciate it; it was part of his nature. He need not talk about the Government requiring sixpences to carry on and that if they could not do it they had better get off the Treasury bench. He was not aware that the present Government were responsible for the first Stamp Act which levied these sixpences and shil-

lings. Under the 1905 Act tremendous amendments were made in levying duty under the Stamp Act. The present measure was intended to correct and adjust some of the anomalies and to impose the tax more equitably. If stamp duty was to be increased it was better to fix it on a sliding scale. When a big transaction took place it was nothing unusual for a bottle of champagne to be broken.

Mr. George: What sort of company have you been keeping?

The PREMIER: It was frequently done.

Mr. George: Nonsense!

The PREMIER: It was done, and to ask the person to pay a small amount by way of stamp duty would not press heavily on him.

Mr. George: Why not make it apply to transactions where there is proved to be a profit?

The PREMIER: The hon. member was always complaining that there was no profit and was evading stamp duty.

Hon. J. Mitchell: Do not be offensive.

The PREMIER: That was not offensive. In a transaction involving £100 a person would not complain at having to pay 6d. in stamp duty. The marginal note referred to the Imperial Act, which showed that this was in accordance with the Imperial law.

Mr. ELLIOTT: The clause would prove a harassing piece of legislation, of which there had been too much this session. If we went on like this, Western Australia would be a good place to get out of.

The Minister for Works: No one is stopping you.

Mr. ELLIOTT: Under the clause the stamp duty on a transaction of £99 would be 3d. and on one of £100, 6d. The usual rule was to give a reduction for a larger quantity. It would be better to drop the Bill into the waste paper basket.

Hon. J. MITCHELL: How far was it intended to go with the exemptions? Would receipts for wages have to be stamped?

The PREMIER: All the exemptions were in the 1905 Act. At the present

time payments made by the Crown to contractors and others were exempt.

Mr. Male: Why should they not be exempt?

The PREMIER: Why should they be exempt? When a contractor received payment from a private person he had to pay stamp duty, and why should he not have to pay stamp duty in regard to a payment from the Crown?

Mr. George: At present you get stamp duty on Crown payments.

The PREMIER: No we do not.

Mr. George: Another bit of bleeding, that is all.

The PREMIER: It was not. Why should not a contractor have to stamp the document if he received £100 from the Crown just the same as if he received it from Jim Jones?

Mr. Male: How will hon. member's salaries stand under this clause?

The PREMIER: Moneys paid by way of salaries, wages, or emoluments would include the payment of salaries to hon. members.

Hon. Frank Wilson: Does stamp duty have to be paid in respect to wages?

The PREMIER: No, wages were exempt. Anything which was exempt at the present time would remain exempt, except payments of money by the Crown to other persons.

Mr. GEORGE: Were wages exempt to-day?

The Premier: Yes.

Mr. GEORGE: Then the Government had been receiving a lot of money from persons who were under the impression that wages were not exempt. If a man drew a cheque for £100 across the counter of a bank, would that be exempt?

The PREMIER: That was exempt under the Act. There was no change in the existing exemptions with the exception of payments made by the Crown. Payments of large sums to contractors at present did not carry stamp duty, and such payments should. The payment of salaries and emoluments to persons in the public service were still exempt.

Clause as amended put, and a division taken with the following result:—

Ayes	..	..	21
Noes	..	..	12

Majority for .. .. 9

#### AYES.

Mr. Angwin	Mr. McDonald
Mr. Bath	Mr. Mullany
Mr. Bolton	Mr. Scaddan
Mr. Carpenter	Mr. B. J. Stubbs
Mr. Chesson	Mr. Swan
Mr. Collier	Mr. Thomas
Mr. Dwyer	Mr. Turvey
Mr. Johnson	Mr. Walker
Mr. Johnston	Mr. A. A. Wilson
Mr. Lander	Mr. Underwood
Mr. Lewis	(Teller).

#### NOES.

Mr. Broun	Mr. Monger
Mr. Elliott	Mr. Moore
Mr. George	Mr. A. E. Plesse
Mr. Lefroy	Mr. A. N. Plesse
Mr. Male	Mr. F. Wilson
Mr. Mitchell	Mr. Layman
	(Teller).

Clause as amended thus passed.

*Sitting suspended from 6.16 to 7.30 p.m.*

Schedule, Title—agreed to.

Bill reported with an amendment, and the report adopted.

### BILL—FLINDERS BAY-MARGARET RIVER RAILWAY PURCHASE.

#### Message.

Message from the Governor received and read recommending the Bill.

#### Second Reading.

The MINISTER FOR WORKS (Hon. W. D. Johnson) in moving the second reading said: The Bill I have the pleasure to submit for the consideration of the House deals with the purchase by the Government of an existing railway running from the Margaret River to Flinders Bay. This line was built by Millars' Company some years ago and was operated by them for a number of years in connection with their timber trade and the working of their saw mills, and in

addition they carried produce from the settlers along the route of the railway and generally assisted to the extent that was possible the settlement and development of that part of the State. Some little time back the company realised that the milling operations would have to come to a close because the area was cutting out, and they proposed to close down their mill and remove it. In addition they were going to lift the rails laid on this line from Margaret River to Flinders Bay. It was recognised at the time that a hardship would be inflicted on the settlers of the locality if the rails were lifted, as they would by that means be cut off from communication with the port, and would have no opportunity of marketing their produce. It is true there are not a great many settlers in this locality, but considering that it is a timber concession the opportunities for settlement were not great; still, where land was available and the people had an opportunity of taking up land and working it, principally under closer settlement conditions, they did so. Few though there are in the locality, and few though there were at the time the company proposed to lift the rails, the Government of the day considered that something should be done to enable the settlers to continue their operations. A proposal was made that the Government should take over the line. This was submitted to the Government first, as far as I can see by the records, in 1909. Sir Newton Moore was then Premier, and the company suggested, and I think they were supported by the settlers, that the Government should take over the line. The company at that time pointed out that they would have two or three years' cutting, but that at the end of that cutting, unless the Government purchased the line, they would be compelled to lift the rails. Some time in 1911 the company practically cut out the whole of the area, and the concession that they had from the Government in the way of a timber lease reverted to the Crown. It is true they had quite an area of freehold land which they had purchased and acquired from the Government by other means, but that area which was held under timber concession reverted to the Crown in

1911. It was then the settlers became somewhat alarmed, realising that the company were closing down. They got up a petition and presented it to the Government, requesting that the line might be immediately purchased, and as a result of that petition one of the engineers of the Public Works Department, Mr. Tindale, who is recognised as one of our able men, was sent down to inspect the line and report. He pointed out in his report that the line started two and a half miles from the Margaret River and extended in a southerly direction *via* Karridale to Flinders Bay. He reported exhaustively on the condition of the line, and generally estimated the value, including the jetty, at £27,300. In April, 1912, the matter was brought under the notice of the Premier (Hon. J. Seaddan) by deputation, and I think it was brought under his notice while in the locality, and he stated in reply to representations made by the settlers that if the line could be purchased at a reasonable price the Government would be prepared to buy it. Things went quietly along then until some time in October, 1912 when it was reported to the Government that the company had started or were starting to lift the rails. Representations were made by the Government and the company replied stating that they expected to have the whole of the rails lifted by March, 1913. The Government realised then that something would have to be done, and consequently we opened up negotiations with the company, asking them to put a price on the railway and also to give us their opinion as to the condition of the line, so that we might have a basis to work on. In reply to these representations, the company stated that they were prepared, not only to sell the railway, but that they would like to sell their freehold land, the mill as it was in good order, and the jetty, etcetera. This offer was considered by the Government and it was decided that we should limit our purchase to the railway. On this being submitted to the company they pressed, stating that they considered it would be far better for the Government to purchase them outright. The result was that Mr. Properjohn, who is now superintendent of the sawmills,

and a capable officer, was sent down to inspect the company's sawmill. He reported that he could not recommend the purchase, as he could not see how it could be operated successfully, owing to the fact in the first place, that the timber was cut out, and again that the cost of the removal of the plant would make it anything but a business proposition. That confirmed the Government's views that it would be better to limit the question of purchase to the railway.

Hon. Frank Wilson: What about the land?

The MINISTER FOR WORKS: Of course that matter was also considered, and the Government came to the conclusion that we could not take into consideration the purchase of the land.

Hon. Frank Wilson: What did they want for it?

The MINISTER FOR WORKS: We did not come to a price. They submitted a suggestion that we should negotiate for the purchase of the whole thing, but I do not think they fixed a price on the various items which they proposed to sell. However, as the result of the Government limiting their purchase to the railway the company replied fixing the price for a mileage of 34 miles 24 chains at £34,310, and also stating that if we proposed to take over the jetty—which of course is essential to the successful working of the line—they would require £4,000 extra for the structure. This offer was considered by the engineers of the Public Works Department, and they pointed out that certain sidings were included in the proposed sale which they did not think the Government required. As the result of cutting out these sidings, it was found that the length of line we would require to purchase, if we decided to do so, was 31 miles 15 chains. This proposal was then submitted to Mr. Thompson, the Engineer-in-Chief. Mr. Tindale was again sent down, and went into the question of the proposal as submitted by the company. He was accompanied by Mr. Thompson, and both officers went exhaustively into the whole thing, making, of course, a personal inspection. They recommended as the result of their investigation that we should decide to buy the railway complete,

including the water supply, and also take over the jetty, the mooring buoys, springs, etcetera, and they fixed the price at £31,000.

Mr. George: Was that at its value, or the amount it would cost to put in new?

The MINISTER FOR WORKS: At its value.

Mr. George: Allowing for depreciation?

The MINISTER FOR WORKS: Yes. They went into it exhaustively and fixed the value of the jetty and other items, details of which will be found in the schedule, at £31,000. As a result of this investigation, and owing to the absence of the Premier in the old country, representations were made to Millars that they should allow the matter to stand over until the Premier's return. By allowing the matter to stand over I mean that they were not to lift the rails, but would continue to operate the line until the return of the Premier who had given some personal attention to the matter, and who, Cabinet thought, should be consulted before any final decision was arrived at. In April last I visited the locality, not, of course, the area served by the line, but while at Yallingup a deputation was introduced by the leader of the Opposition and the settlers there urged very strongly that the Government should take the line over, and pointed out what already had been admitted, that considerable hardship would be done them if the company lifted the line, or if they ceased to operate it. The deputation pointed out that there were 70 settlers interested and they claimed that they should receive some consideration. On the return of the Premier Cabinet went into the matter again and approved of the purchase of the line provided we could get it for £31,000, that is including the jetty, and provided that we could lease the railway at a low rental for a given time, until we had an opportunity to make the connection between the existing railway and Margaret River. The connection would be by means of a railway which has been discussed at various times from Busselton to Margaret River. The Government recognised that to operate this line successfully required

connection with the existing lines, and, consequently, while we wanted to keep it going in order that the settlers might not suffer, we were not prepared to pay the purchase price until we had an opportunity to operate it successfully. Consequently we made representations to the company that they should give us the right to operate the line at a low rental and also allow us the use of the locomotive and rolling stock which they were then using, so that we could keep the line going, and three years from the time we took it over on lease we were to complete the purchase, subject to the approval of Parliament. On the 24th June we received notice from the company that they were ceasing operations and that they generally had concurred in the proposal of the Government to lease the line, and they suggested that the Government should send down and take it over, so that it might be operated by the Government until we could finally settle the terms of the agreement.

Mr. George: What is the weight of the rails?

The MINISTER FOR WORKS: They vary. A few lengths are as light as 30lb. and some of them are 45 and 46lb. Only a very short distance is laid with 30lb. rails. Then Mr. Lowe, assistant under-secretary in the Works Department, was sent down to take over the concern. He arranged with some of the officers of the company to retain their positions and operate the line under Government control. That was fixed up and roughly since the 1st July this line has been operated by the Government on a leasehold, the details of which are outlined in the schedule. This, briefly, is the history to date and the other details are given in the schedule.

Hon. Frank Wilson: Have you any report from the engineers as to the condition of the rails, fastenings, and sleepers?

The MINISTER FOR WORKS: Yes, the officers went into detail and they gave a report as to the value of the rails and the state of the rails and the state of the permanent way, and of the sleepers. Having in view these de-

tails they fixed the price and it is the price with which we are dealing. If the House desires, I have the reports of the engineers, but I do not think it is necessary to go into detail. In the first place Mr. Tindale fixed the price at £27,300, and when he got the details as to what the company were prepared to sell, he and the Engineer-in-Chief fixed the price at £31,000.

Mr. Thomas: You are giving them the extreme value.

The MINISTER FOR WORKS: No. Hon. members should disabuse their minds on that score. The bedrock price of the company was £35,000 odd and the Engineer-in-Chief's value, taking everything into consideration, is £31,000.

Mr. George: Was there not some condition of reversion to the Government at the expiration of the concession?

The MINISTER FOR WORKS: No.

Mr. George: That is one of the conditions in regard to concessions.

The MINISTER FOR WORKS: There was no such condition in regard to this particular line. If members turn to the schedule they will find the agreement in detail. It roughly provides in the first paragraph that the company agree to sell and the Government agree to purchase. In paragraph 2 the completion of the purchase is fixed for the 1st June, 1916, practically three years from the time we took over under the lease. We took the lease of the line from the 10th July, 1913. It was arranged that we should have the use of their locomotive and the necessary rolling stock to keep the line operating, and for this we agreed to pay them a rental of £150 per annum and, in addition, we agreed to pay £150 per annum as a lease for the railway, making a total of £300. We agreed to pay for a term of three years until we completed the purchase at the price fixed by the Engineer-in-Chief, £31,000. Paragraph 2 also makes provision for the Government to keep and maintain the locomotive and rolling stock, simply allowing for fair wear and tear. Under paragraph 3 it is stipulated as to how fair wear and tear shall be decided. It

is to be left to the Chief Mechanical Engineer, whose decision shall be final. The officer inspected the rolling stock when we took it over and gave his report and he will report when we are handing it back and will decide as to whether we have maintained it fairly, and whether fair wear and tear only has taken place. In paragraph 3 provision is made for three months' notice, should we decide to cease hire. If we decide not to continue operating the line the company have to take back the rolling stock, which we are hiring. Paragraph 4 of the agreement simply outlines the width of the land which we take over with the line. It provides that we have the right to get land for four sidings. The exact position of these sidings has to be determined but the company agreed that, should these sidings be fixed where they have freehold land, they will give the land for the purpose of the sidings, when fixed by the Government. It also provides that the survey for the purpose of getting the width of land shall be done and paid for by the Government. Under paragraph 5, which also deals with the four sidings, provision is made that the company shall not sell any land without the consent of the Government. This paragraph is inserted so that the company could not speculate as to where the sidings would be located. The company might have an idea as to where the sidings would be fixed and might start selling the land. We suggested, and the company agreed, that they would not sell any land without first obtaining the consent of the Government. Paragraph 6 deals with water supplies and the details are more fully set out in the second schedule. Paragraph 7 deals with certain permanent way material and the telephone which is situated on land outside of the area which we propose to take over under the provisions of the Bill. It simply gives us the right to bring the telephone in from the company's land on to our own land, and the company give us the right to enter for that purpose at any time. Under paragraph 8 the company agree to give us the use of their engine sheds, and the sheds necessary for operating the line during

the time that we are working it. Under paragraph 9 if through any cause it is impossible for the Government to complete the purchase by June, 1916, we then start to pay interest on the amount agreed upon, £31,000, at the rate of 5 per cent. That is in the event of there being any delay in regard to the purchase.

Mr. Male: That is stiff interest, is it not?

The MINISTER FOR WORKS: The last paragraph in the agreement provides that the company shall pay all rates and taxes up to the time we take over the line. That generally and briefly outlines the history of the negotiations which led to the proposed purchase by the Government and the terms on which we propose to purchase, subject to the approval of Parliament.

Mr. George: Will this railway be of any use to the present sawmills?

The MINISTER FOR WORKS: No.

Hon. J. Mitchell: There is a good deal of timber along it.

The MINISTER FOR WORKS: There is a certain amount of timber but there is a good deal of freehold land. In regard to Flinders Bay, as was pointed out in the Press the other day by the Premier, there is a fine depth of water, something like 33ft. at the jetty, which can accommodate the largest vessels trading to Australia, and I believe the time will come when we will be exporting a considerable quantity of timber from Flinders Bay. I do not want the House to conclude from my remarks that the construction of the Russelton-Margaret River railway, and the connection with Flinders Bay, will have any great bearing on the export of timber, but I believe the natural fall of the country from the karri forests is towards Flinders Bay, and that it will be found beneficial to construct a railway from Big Brook to Flinders Bay, which will open up a bigger tract of forest country than we have to-day and then we will have an outlet to Flinders Bay, where we can load the largest vessels and have a grade which will enable us to carry greater loads than it is possible to carry into Russelton or Bunbury. That, however, is for the future, but it indicates, I think,

that it is a good business deal to acquire this jetty. The jetty is in a fair state of repair and will provide a port in the southern portion of the State which will be of material assistance to us in future. I think I can now leave the matter to the consideration of hon. members. The deal, in my opinion, is a good one. It has been thoroughly investigated and the value has been closely estimated by the expert officers of the department and the company have been induced, after protracted negotiations, to accept the Government's offer of £31,000, as outlined in the schedule to the Bill, including the jetty and the equipment at Flinders Bay.

Mr. George: Did you get any report from the Working Railways?

The MINISTER FOR WORKS: No, because it is essentially a matter for the Works Department.

Mr. George: You would have been wise if you had done so.

The MINISTER FOR WORKS: No; we will have to bring it up to standard before the Working Railways will touch it. I move—

*That the Bill be now read a second time.*

Hon. FRANK WILSON (Sussex): I, of course, welcome the fact that the Government have decided to purchase this line, because I have urged them ever since they took office, not only to acquire this railway line, but also to construct the proposed railway from Busselton to Margaret River, to couple up with the same and thus make a through connection from our permanent railway system to the southern coast. I have also urged very strongly on the Government on several occasions that they should not be satisfied with acquiring the railway line, but that they should also take steps to acquire the freehold lands of the company in the neighbourhood of Karridale. There we have a stretch of country which is eminently suitable for closer settlement, and more especially is it suitable for cereal crops and dairying, that industry which we all agree will mean very much to Western Australia in the near future. It has given considerable concern to previous Administrations, as indeed it has to

the present Government, that we should be importing every year butter and other food stuffs which might be produced within our own borders. Here we have the solution of the difficulty in the South-West corner of the State, a district which to some extent is unknown to the ordinary citizen of Western Australia at the present time, although the officers of the Government have a good deal of knowledge of the capabilities of that portion of our State. I am sorry that the Government have decided to turn down the idea of acquiring the freehold estate owned by the company.

Mr. E. B. Johnston: How big is it?

Hon. FRANK WILSON: I fancy it is about 30,000 acres, but I would not be sure. We are in the position that the Government will take over this line and they will put it into good running order, and immediately the freehold of the land around it will acquire an added value, more especially as under the circumstances the Government will be bound to run some sort of a time table for the railway and give facilities of transit which possibly the company would not give unless they were assured it would be a directly payable proposition. We know that the company had started to lift the rails and thereby they occasioned great concern to the settlers between the Margaret River and Karridale. Naturally these settlers felt that not only had their local market gone, the local market which previously existed by reason of the fact that there was a large community for whom they catered, but also that access to the coast would be denied to them. On the other hand they were brought back to the only means of getting in their produce by carting 30 miles into Busselton. It is only right that these people should have some consideration, not that they are producing a great amount at the present moment, I am sorry to say, but I wish to emphasise the point that unless the pledge given by the Premier on several occasions to construct the railway from Busselton to Margaret River is speedily carried out, the purchase of this Flinders Bay railway will be somewhat of a white elephant. Its



success hinges upon the coupling of it up with the existing railway system of the State, and giving encouragement to the settlers in that portion of the State south of Busselton. The question of value is of course apart from the principle of the State acquiring the line. I am not in a position to say with any degree of certainty what the value of the railway is. I know it is a pretty old line, and therefore, unless the rails and fastenings have been renewed to some extent from time to time, and the sleepers renewed also as it was found necessary to renew them, there would not be so much value in the undertaking as appears in the agreement. But if the line has been kept in fair repair and the engineers have satisfied themselves, and I presume they have from the Minister's remarks, that it is in reasonably good working order at the present time, although not perhaps quite up to the standard, then I take it we must accept the Engineer-in-Chief's recommendation to purchase, backed up by that of Mr. Tindale, and come to the conclusion that this gentleman, after a thorough inspection of the line satisfied himself that it was in good order. I want to see that portion of the State settled and settled quickly, and this is a preliminary step in that direction. The future of the State depends largely upon the opening up of the country between Busselton and Denmark, and Flinders Bay and Nornalup on the south coast. It is an immense territory, and at the present time it is clothed with very valuable karri forests. As these are cut out, and in the swamp country which exists right round the southern coast, there will be very valuable areas for settlement, and I venture to think that it will not be many years, if we are going to have a proper scheme energetically carried out for the peopling of that district, before we are supplying nearly the whole of the two million pounds worth of foodstuffs which we are now importing from the Eastern States. That is a very desirable position to attain. I notice that the rental is very moderate for the three years which have been allowed for the completion of the

purchase. I am not quite sure what the object of the Government is in postponing the fatal day of payment, whether it be through stress of finances, or merely a desire to get this railway at a cheap rental for a few years before finding the capital with which to pay for it. I think it would have been better if the Government had driven a harder bargain with regard to the amount to be paid, and either stipulated that the amount should be paid in bonds or else in cash down. As it appears here it looks as if they had purchased the line and were going to pass the task of raising the necessary funds for liquidating the liability on to their successors. Their successors will have plenty to do in squaring up the deficit, and in otherwise financing necessary reforms without having to raise the purchase money for this line.

Mr. Thomas: We will put it off then for another five years.

Hon. FRANK WILSON: The hon. member would put off having successors if he was able to.

Mr. Thomas: I am afraid someone else will have a say since you do not approve of it.

Hon. FRANK WILSON: I have not said that I do not approve of successors taking charge of the Treasury benches, but that I disapprove of the methods of finance which will rush into liabilities which the present Government's successors will have to liquidate, just as the hon. member would disapprove if anyone committed him in his private affairs to a large liability which he would have to take the responsibility of perhaps in the near future.

Mr. Thomas: I quite agree they are foolish in taking on this responsibility.

Hon. FRANK WILSON: Then I suppose the hon. member will oppose this Bill. The other terms in connection with the purchase appear to be reasonable so far as we can gather by hastily reading through the clauses of the Bill. I notice, however, one omission which appears to be serious, and it is that in the case of a dispute the matter ought to be settled by arbitration.

The Minister for Works: Dispute on what?

Hon. FRANK WILSON: In connection with the carrying out of the agreement. All sorts of differences arise in carrying out agreements of this sort and then litigation follows.

The Minister for Works: Not when you fix a price.

Hon. FRANK WILSON: Oh yes, it is just as well to have a provision in the contract that disputes shall be settled by arbitration. With regard to the jetty at Flinders Bay I have not seen it for several years. The last time I was down there it was in full swing and was being utilised for the shipment of timber which was being exported from Karridale and the surrounding districts. At that time it was in a fair state of repair and I presume it is still in that condition. It was a very sound jetty; it was a good wharf for its purpose, going into a fair depth of water. It is a jetty which could be utilised successfully all the year round though at certain periods of the year it is subject to the inroads of southerly gales, otherwise I believe it is a work of good value. However, it is no use having either the jetty or the railway if we are to sit back and be satisfied with having completed the purchase of this railway, and nothing else. The purchase itself will not be worth entering into unless we immediately go on to construct the railway which will enable that line to be coupled up with the system of the State at Busselton and take steps also to settle the lands adjacent to the line. If this be done I know of my own knowledge there will be many thousands of acres not only of karri, but of jarrah country which, although it has been cut over for mill purposes, will still provide plenty of work for hewers, and I am satisfied if the Government have the line constructed from Busselton to the Margaret River; they will be able to get several mills going which will help to meet their own requirements and possibly assist also in carrying out the contract for providing sleepers for the Trans-Australian railway, a contract which has been taken at a price which is not too good, so far as the State is concerned. The ultimate tapping of this country by a railway as suggested by the Minister for Works from

Big Brook to Flinders Bay may possibly be a proposition which will meet with the recommendation of the responsible officers of the department and the opinions of members of this House. At the present time I think we can safely say that all the timber that is to be cut in that district behind Nannup can be conveyed over the Nannup line and brought into Busselton for shipment. At Busselton, as the Minister has admitted, we have a jetty which although very long, perhaps the longest in the Commonwealth at the present time, has justified its existence, and I venture to say that with some additional facilities, the extension of the head in order to give another berth, and a little dredging, we will have ample facilities to handle all the timber that will be produced in and about Nannup and the country extending beyond it to the Warren River.

Mr. E. B. Johnston: If we can open up another port so much the better.

Hon. FRANK WILSON: The other port is opened up, but the unfortunate part about it is that the timber has been cut out in the immediate neighbourhood to a large extent, and we will have to bridge over a big tract of country before we can tap the big belt of timber country that is necessary to supply an export trade. We will have to build a railway of 60 or 70 miles in length, and with the Nannup railway already constructed extended 15 or 20 miles we will have all that is required, and we have Busselton at the other end, which gives the facilities necessary for the export trade. I do not know that I can say any more in regard to the Bill. Of course, I am favourably disposed towards it and support it. I would like to know from the Minister the extent of freehold land held by the company, and some idea of what they ask for that freehold estate, also whether it is not possible that an option can be taken over it in order that if settlement is to proceed apace, the State may get the advantage of the increment which will take place in the land when it is cut up and settled, instead of that increment going into the coffers of the company. I support the second reading of the measure.

Mr. MULLANY (Menzies): It is somewhat interesting to notice the entirely different reception afforded this measure by the leader of the Opposition and the members of his party from that which was given a similar proposition recently put forward in this House; I refer to the Esperance northward railway.

Hon. Frank Wilson: There is no analogy between the two.

Mr. MULLANY: I have my own opinion on that, and the leader of the Opposition is entitled to his. I, too, say there is no analogy, for the claims of Esperance were more worthy of consideration than this measure now before this House. The Minister for Works, in introducing the Bill, pointed out that this 31 miles of railway, which it is proposed to purchase from the timber company, is at present serving a total of 70 settlers, and I believe that some of those settlers have been in that portion of the State for 30 or 40 years past. Although the district has had the advantage, if it can be so termed, of a privately owned railway, that line is to-day serving only 70 settlers. In contrast to that we have in the district proposed to be served by the Esperance northward railway a total at present of 81 settlers; those people are entirely isolated from the railway system of the State. They have not had the advantage of even a privately-owned railway in their district, and yet to-day there are 81 settlers there who are prepared to do their part, and some of them have already done their part, to add a new province to the agricultural areas of the State. In spite of that, the legislature of the country will not give those people the consideration they are entitled to. I believe the railway which is the subject of this Bill has been built for some 15 years.

Mr. Moore: More than that.

Mr. MULLANY: I am not sure of the exact period, but I hear members say it is much nearer 30 years. We will take it at 20 years, and we find that this district, which the leader of the Opposition says is possessed of such great possibilities, to-day only supports some 70 settlers. They also have had the advantage of a local market, for there have been some hun-

dreds of timber workers in that area, and still there is that extremely limited number of settlers. Either there must be something wrong with the land or the settlers must be devoid of energy, or perhaps, and this is probably the most likely explanation, they have been hampered by a private enterprise railway, that private enterprise which our friends oppose so often laud to the sky. The price proposed to be paid for the railway is £34,000, and for the jetty in connection with it an extra £4,000. I do not intend to go into any details as to whether the railway is worth the proposed purchase money. I must admit I have no knowledge of what the railway is worth, but if it has been built 20 years I think it is extremely unlikely that the rails, fastenings, sleepers, and other parts of the railway, are to-day in a very good condition. The line was built to serve a timber mill, and the owners of the mill and the railway knew perfectly well what the life of the mill was to be; they could see from year to year that the life of the mill was shortening and forecast to a nicety when it would be necessary to cease operations, so that I think it is extremely unlikely that the railway has been kept in a very good state of repair. I rose to protest against any money being spent on railway construction or purchase while the construction of the Esperance railway is denied the settlers in that district. Many members in the Legislative Council stated as their reason for voting against the Esperance line that the present financial stringency would not permit of the construction of that line. If that be so, the same stringency exists and will prevent the construction or purchase of a line in another portion of the State. Therefore, I intend to vote against the second reading of the Bill, and until a measure of justice has been given to the settlers in the Esperance district, I for one will refuse to vote for the construction of any railway in the more favoured portions of the South-West. I believe that the case made out for the Esperance railway was far and away better than that made out for this line, and the leader of the Op-

position in his speech pointed out that to go on with the purchase of this piece of railway would in itself be entirely useless. The line would be of no value unless the Government were prepared to go further and construct another piece of railway to connect with the present railway system; therefore, I would ask members to consider that if they vote in favour of the purchase of this railway they are committing the present Government, or some other Government, to the expenditure of further moneys; yet we find members of the Legislative Council saying that owing to the financial stringency we cannot afford to spend money on railway construction. For those reasons, which I think are sound ones, I refuse to support a Bill for the purchase of a railway in this extremely fortunate South-Western portion of the State.

Mr. GILL (Leederville): Generally speaking I feel disposed to support railways that will open up the country, more particularly if the railway is likely to open up a new port. The case made out for this railway does not appeal to me in that way by any means. The Minister in introducing the Bill did not put a case before the House that appealed to me as offering sufficient ground for the expenditure of £34,000 on the railway. In the first place, I would like to have seen a map so that hon. members would have some idea where the railway is actually situated. Those who knew the geography of the country will get some idea from the First Schedule, but what information is that to hon. members on which to sanction the expenditure of £31,000 for the purchase of an obsolete railway? It is not sufficient for anyone. The position is that we do not know where the railway is, where it starts or where it finishes. I have an idea it finishes against a karri stump somewhere, but where it is is hard to find on the map.

Hon. Frank Wilson: It finishes at Flinders Bay.

Mr. GILL: That is the beginning, and it finishes 30 miles away at a karri stump; that is all the information we have now as to the locality of the railway.

Mr. Male: The Minister tells you it is a good proposition, so why worry?

Mr. GILL: I am not convinced of it. It has been mentioned that the railway has been constructed at least 20 years; I think 30 years would be nearer the mark than 20, and if that railway was constructed 30 years ago and the rails are of different weights, and different dates, it is a job lot from beginning to end; in fact, the whole thing seems to be patchwork. A line 30 years old does not appeal to me as being a payable proposition at £31,000.

Hon. Frank Wilson: What price would make it a payable proposition?

Mr. Thomas: About £15,000.

Mr. GILL: I do not believe there is any necessity for that railway at all, even to suit the few settlers living in that district. If there were a railway to be extended to-morrow from Busselton, in the event of this line having been pulled up by the company, I do not think that any Government would extend the line to Flinders Bay. One fatal objection is the fact that we are proposing to purchase a railway that has no connection with the main lines of the State and there is no proposal before this House to connect it up with the main lines of the State.

Hon. Frank Wilson: An absolute promise by the Government. It is part of their policy.

Mr. GILL: Even if it is there is no necessity for us to spend £31,000 on the present proposition, because we would have to spend another £40,000 to link it up with the rest of the State. The fact that this railway is not connected with the main lines of the State will mean expensive working, and I would like to know what we are going to do with it when we get it. If the people have any produce they are not going to send it to Flinders Bay, that is a certainty. We will not get steamboats to call in at Flinders Bay for a few bags of potatoes. Is there likely to be any produce sent along that railway to Flinders Bay? Are there likely to be any passengers going on the railway to Flinders Bay?

Hon. Frank Wilson: Yes, certainly.

Mr. GILL: And if they are going to Flinders Bay where are they going to then? If we take over the railway we must draw up a time-table and run trains according to it. But what are we going to run the trains for? People are not going to send their produce to the end of the railway and then send a horse and cart to take it to Busselton. I cannot see why Cabinet decided to purchase this railway.

The Minister for Works: They have consideration for the settlers.

Mr. GILL: I am pleased to hear the Minister say they have consideration for the settlers. If the thing were worthy of consideration, the company would never offer it to the Government. If there was anything whatever in favour of the proposition that appealed to the company they would have still maintained the railway and worked it. But seeing that there is no work to do on the railway they graciously offered it to the Government at £31,000 or something more. I am against it. To show how careful the company are, we have only to look at the second schedule. We see there how extremely careful they are in regard to the goods they are selling to the Government. I even noticed a grindstone and a couple of little signal flags are enumerated. I never saw such a list. The position I take up is that I see no necessity for the railway and it would be no use to the Government if they get it; that it will be a millstone around the neck of the people of this State in providing interest for it, when we could put the £31,000 to much better use in other parts of the State.

Mr. THOMAS (Bunbury): I had been somewhat favourably impressed with the idea of this line until I heard the speech of the Minister in introducing it. The hon. gentleman almost seemed to blush when he put the subject forward. Whatever lingering doubts I might have had about the advisability of the railway disappeared when I heard the member for the district, the leader of the Opposition, more than damn the proposition with faint praise. He said that possibly if certain conditions happened that the thing might be a fair proposition to purchase.

In any case he said it was bad financing and a much better bargain should have been obtained.

Hon. Frank Wilson: You are putting words into my mouth that I did not use.

Mr. THOMAS: Hon. members need no better advice than that which could be tendered by the member for the district.

Hon. Frank Wilson: Quite wrong.

Mr. THOMAS: I agree with the hon. member on this occasion as he is the member for the district, and knows precisely what the district requires.

Hon. Frank Wilson: It is not my district.

Mr. THOMAS: It is adjoining the hon. member's district and one of the conditions is that it must be followed by 30 odd miles of railway to connect it up.

Hon. Frank Wilson: That is part of your policy.

Mr. THOMAS: I am inclined to agree with the leader of the Opposition when he speaks of bad financing, as the Minister tells us the original price the company asked was £35,000, and that after a very little preamble we offered them £31,000. I would like to know what is the value of the rails and fastenings in the whole of this line, because if the company decided to remove their line they could not take away the land with them; the sleepers would certainly not be worth removing to anywhere else, and the only value the company could be sure of securing would be the value of the rails, fastenings, and other accoutrements.

Mr. Gill: They would only get a scrap price for them.

Mr. THOMAS: Yes, as they were laid down about 20 or 30 years ago and have been described as a job lot. I do not like the idea of opposing anything that presents a semblance of being an agricultural railway, but it seems to me there is something in the way of frenzied finance when we are going to spend £30,000 to assist 7 settlers. We were informed that when we take the line over I understand we are to build approximately one mile of

railway for every two settlers. I thought there was something in the way of financial stringency in this country and that the London market was tight, but when we have reached that happy financial position when we can purchase a mile of railway for two settlers, the prosperity of Western Australia must be unbounded.

Mr. E. B. Johnston: It will open up Crown lands.

Mr. THOMAS: It will open up the pockets of the taxpayer to a pretty rapid tune. So far as members of this side of the House are concerned, there is one very great benefit about our position, and that is that we are always at liberty to freely and openly express our opinions on these matters and we propose to do so.

Mr. George: I would like to know how it is that the chain is off to-night.

Mr. THOMAS: The hon. member keeps rattling the chains. I believe from the figures quoted some time ago by the Minister for Railways that we have one mile of railway to every 108 of the population. I presume that that is including men, women and children, and it is a rapid descent when we get down from 108 people to the mile to two people to the mile with a railway that commences nowhere and ends nowhere. I believe we have fewer people per mile of railway in Western Australia at the present time than they have in any other part of Australia, and everyone must recognise that there must, by virtue of our limited population, come a time when we must cry a halt. We must cry a halt before it comes to buying a mile of railway for two people. I daresay it may be possible that the Minister has arguments in favour of this Bill of which I have not heard. Perhaps there is something more than appears in this schedule. I see something about 14 1-inch bolts and that grindstone, and there may be something still more valuable. Possibly the Minister has kept a great deal back from us. I hope that in his reply the Minister will show us some additional reasons. One argument has been advanced, if not on the floor of this House, elsewhere, that we need not worry about the purchase of the railway because we will not have to pay for it

for three years, but will only have to pay £200 or £300 a year. That is something like the time-payment business. I have had some little experience of that myself and I know by the time one gets an article on the time-payment system one pays a great deal more than its value. I am satisfied that when Millars' Company offered that line for £35,000 they were expecting to get at most one-half that amount.

Mr. George: I thought your Government was such a business Government.

Mr. THOMAS: I am not reflecting on the Minister or the Government at all. I claim that in this particular instance they made a mistake. It may be the outcome of the tender feeling that the Ministry have towards the leader of the Opposition that they have been so kind and thoughtful as to provide this. I am open to conviction if the Minister can show me where the benefits are.

Hon. Frank Wilson: You are absolutely biased.

Mr. THOMAS: I am not biased and I would be pleased to see a railway constructed there if I saw a reasonable prospect within the near future that this thing would even pay interest, without working expenses or anything else. But when we come to the consideration that it will cost considerably over £1,000 per annum in interest alone, I would like to know whether we intend to get it out of 70 settlers.

The Minister for Works: Do you not think there will be any increase in the next three years?

Mr. THOMAS: I do not think there will be any increase whatever.

The Minister for Works: Then you must have a poor opinion of the South-West.

Mr. THOMAS: I have not a poor opinion of the South-West. Much as we may desire to assist these settlers—and I would like to assist them: if we had a surplus of a million with unlimited credit in London, I would say we could perhaps afford to have a mile of railway for two settlers—I do not think the money lender would regard the proposition very fav-

ourably. It would not look very well in our loan schedule, it would create a bad impression. However, I propose to leave it at that, for I hope the Minister will be able to show us extra reasons for the purchase. I am of the opinion that he did not put before us all the good arguments he had up his sleeve, and I feel sure that when he speaks again he will either show us that there are very excellent reasons for the purchase, or possibly he will suggest a postponement of the Bill.

Hon. J. MITCHELL (Northam): There are one or two points that should be considered in connection with this proposal. The first is as to the value of the land. No hon. member is capable of saying what the land is worth without first making a close inspection. The Minister has told us that his responsible officers report that the deal at the price is a good one, that he is getting value for his money in the line and the jetty. If the value is right, if the Engineer-in-Chief and the engineer who assisted him in connection with the valuing are to be believed, then I think the objection raised on that score by some hon. members must be withdrawn. If the value is right let us see what the country is like. It has been urged that there is very little settlement down there. Can we expect settlement to go on along a line that is not a permanent line, which is a timber tramway subject to removal at any time? It is practically true that there is very little settlement along the line, which as I say was merely a timber tramway, and therefore was liable to be removed. But there is settlement there, settlement that was brought about when there was some market at the timber mill. If the land had belonged to the Government for the last ten years the country would have been very well settled ere this. I have visited the district and can say that there is no better land in Western Australia than some of the land down there. I remember Professor Lowrie reporting to me that he knew of no better land anywhere in Australia than the land in that district. The Minister proposes that our own policy of opening up agricultural

lands shall be continued by the purchase of this line which is no longer used by the timber company. Very few hon. members will oppose a line to open up any of the land in the South-Western district. The line, of course, must be continued to Busselton and connected up with the existing system. In the meantime the Minister has made a very good arrangement in securing the line at a low rental for the next three years. It is a question of saving interest on the loan, which is a very wise move indeed. In the meantime the Minister will get his settlement. He has secured very favourable conditions in that regard at any rate. During the next three years settlement should go on apace. No doubt the quality of the land is all anyone could desire, and I believe dairying and fruit growing can be carried on down there as well as in any other part of the State. I saw the very finest apples growing there that I have seen anywhere. It is a pity that Millars' concession was not considered by the Government, or rather their freehold land. The Government should, I think, take into consideration the question of purchasing this estate. I do not know what the area is, but I believe it is something like 20,000 acres, and some of it is very good land. I think the Government should have a report furnished and take into consideration the question of buying this; because, surely, the freehold will advance in value as a result of the determination of the Government to make the line a permanent one. We have a township at Karridale, which I suppose will be abandoned unless the country is settled. The Minister should have included that township in the purchase, because undoubtedly it ought to be on Government land. No doubt we shall get a good deal of timber between Flinders Bay and Busselton, and this timber will be hauled over the Government line. It is ridiculous to contend that if there is to be no Esperance railway there shall be no Flinders Bay railway. The one proposal has no connection with the other. The proposals are as wide apart as the poles. In one case we have an old settled district, and in the

other it is new and unproved country. The Attorney General will say there should have been a line to Esperance rather than to Flinders Bay but, as I point out, there is no connection whatever between them. Here we have a line already down, a harbour already made and lands situated fairly near to the centre of population, with a good deal of timber country and everything that goes to make a railway successful. The proposal brought down by the Minister is a perfectly reasonable and justifiable one. I do not know how we can find a single hon. member who would oppose such a proposal. I never thought that in this Parliament we should find opposition of this strenuous character to a suggestion to retain an agricultural line through magnificent country.

Mr. Turvey: Your leader said it was a bad deal.

Hon. J. MITCHELL: It is strange to find a split in the Ministerial ranks. We have the Minister for Works giving us his word that the deal is a good one. This is the Minister who controls the office and the experts, and he says that it is right. Then we have those on the other side who know nothing about the country and less about the railway and who have not had the benefit of the advice of the experts. Yet those hon. members condemn the railway. I am glad to support the proposal. I have seen the country in the Esperance district and in this district, and there is no comparison between them.

Mr. Foley: In the Esperance district by moonlight.

Hon. J. MITCHELL: I spent a good deal more time there than any other member of this House. I spent three days driving 126 miles by road, and I saw a good deal of the country. I hope that the Minister will stand by his proposal, although it looks very rocky with all this opposition he is getting from behind.

The Minister for Works: It is the Esperance railway coming home to roost.

Hon. J. MITCHELL: But the Minister supported the Esperance railway. I contend that this new proposal is a good one. I have looked into the matter to a greater extent than most hon. members,

and I think my word should have some weight. A line would have to be built through the district if this line were not purchased. The question is, can we build a line as cheaply as we can purchase this one? I hope we shall find a sufficient number of members to carry the proposal.

On motion by Mr. Turvey debate adjourned.

## BILL—TRAFFIC.

### *Council's Message.*

Message received from the Council pressing all the requested amendments which the Assembly had declined to make.

## RESOLUTION—CAPT. HARE'S RETIREMENT.

A message having been received from the Council that the report of the select committee on the retirement of Capt. Hare had been adopted, and forwarding a copy of the report and the evidence, also asking for the concurrence of the Assembly, the same was now considered.

The ATTORNEY GENERAL (Hon. T. Walker) moved—

*That the Council be notified by message that the Assembly cannot concur in and respectfully repudiates the report covered by Message No. 29, which report reflects upon the members of the Government and the party in power and is not only unfair but unsupported by evidence.*

He said: In dealing with this report I am compelled to say that it is one of the most astounding productions that ever emanated from a deliberative body of law-makers. I do not care what body it may be whether municipal, extraneous body in the country in the shape of a progress association or any other amateur election of men, it could never have been guilty of passing to the world—

Hon. J. Mitchell: It is a fair report on the evidence.

The ATTORNEY GENERAL: If the hon. member will allow me—guilty of passing to the world a production in the



shape of a judicial statement such as that which has emanated from a House of supposed—

Hon. J. Mitchell: It is a reflection upon them.

The ATTORNEY GENERAL: Unfortunately it is, or rather it is a reflection upon the work of that body. But we are right in reflecting upon that work, inasmuch as that work is submitted to us for our judgment and consideration.

Mr. Male: Do you think it is as good as the Chinn report?

The ATTORNEY GENERAL: Well, it may be. I can approve of neither one nor the other. There is a judicial element lacking in both, a lack of calm consideration in both, but it is extraordinary because it seems particularly to savour of party prejudice and spleen, and what is more it is based upon actual untruths, actual misstatements of facts. The report goes on to say—

There was evidence before your committee showing that at least one member of the present Government desired Captain Hare's retirement on party political grounds.

Mr. Male: I wonder who that was.

The ATTORNEY GENERAL: Well, that is what I want to know. I say it is an outrage for a body like the Legislative Council to put their finger on the supposed guilty one and not announce to the world who that guilty one was.

Mr. Elliott: I could do that.

The ATTORNEY GENERAL: I doubt if the hon. member could.

Mr. Elliott: It is in the evidence.

The ATTORNEY GENERAL: It is not clear in the evidence and it is not clear in the report who is guilty, because there are two Ministers charged seriously in the body of the report itself. One is the Honorary Minister, Mr. Angwin, and the other is myself, and it might be either who was guilty of desiring the retirement of Captain Hare on the score of party prejudice against him. That is a very serious accusation. An accusation of that kind ought not to be made by a body of that weight without some very substantial evidence indeed. The inference is apparently that I was the one who was guilty

of the charge of desiring to get rid of Captain Hare.

Mr. George: Would you have given evidence if you had been asked?

The ATTORNEY GENERAL: Undoubtedly.

Mr. George: Then why did not Mr. Angwin?

The ATTORNEY GENERAL: I do not know why Mr. Angwin did not.

Hon. W. C. Angwin (Honorary Minister): I was never asked.

The ATTORNEY GENERAL: In one paragraph it says—

The Hon. J. D. Connolly, under whom Captain Hare had served as Commissioner when the former was Colonial Secretary, was called, and stated that in his opinion Captain Hare's retirement was a mistake; that he was mentally and physically capable of carrying out his duties, and, which is clearly obvious, that his retirement necessitated not only the payment of the Commissioner's salary to his successor, but of the pension to Captain Hare.

Mr. George: That is correct, is it not?

The ATTORNEY GENERAL: No, not exactly. By the change then made in the Police Department money was saved and part of the rearrangement was the removal of Captain Hare. That paragraph goes on to say—

He also detailed an interview which certain members of the Labour party, including at least one member of the present Government, had had with him in the street at the time of the tramway strike, when a member of the present Government spoke in a very derogatory way of the then Commissioner, likening him to the Czar of Russia.

Mr. George: That is nothing, they called me the Czar.

The ATTORNEY GENERAL: Perhaps there was more justification. But here is where the evidence comes in—

saying that he was not fit to govern a body of police in a civilised country, nor to occupy his position, and that he would see that he was put in his place. The inference, and it is not alone con-

veyed in this report but is in Captain Hare's evidence, is that a threat was uttered against him to the effect that as soon as power came to the hands of those threatening, he would have to go.

Mr. Elliott: And he did go.

The ATTORNEY GENERAL: We will see by and by. Captain Hare makes the statement that he was pretty well convinced, and he called Mr. Connolly to support him, that this threat was made, that he would not remain long in his office after the Labour party came into power, and Mr. Connolly in his evidence says—

By the Chairman: Did you hear that said?—Yes, I heard the present Minister for Works and the present Speaker use words to that effect.

By Hon. J. Cornell: Sergeant Smith is wearing the uniform yet, is he not?—Yes. I am giving that only as an instance in support of the statement made by the then Chief Inspector and the Superintendent, that they were being harassed in their duty.

By the Chairman: Did you hear any other member of the present Ministry or Labour party speak of Commissioner Hare himself except in the way you have mentioned?—Not of the Commissioner.

Mr. Johnson and Mr. Troy said nothing about him?—No. I simply walked past and took no notice.

Amongst the eight or nine who saw you on the steps of your office, were there any members of the present Ministry other than the Attorney General, whom you recollect?

And then Mr. Connolly, whose evidence is the evidence relied upon, says—

I believe there were, but I would not like to say.

His is the man whose evidence is to condemn a member of this Ministry.

I believe there were but I would not like to say. It is some years ago and it all happened in a few moments. I remember the Attorney General, because he was very prominent and pronounced.

Now, I want to mark another point of Mr. Connolly's evidence. He was asked the question, "In your opinion was this criticism of the Commissioner by Labour

members justified?" and his answer was "They were only criticising him at that time on the conduct of the police on that particular day." They dragged him back to go on with the Czar story, the story that I had compared Commissioner Hare to the Czar, but, left to himself, he makes a plain admission that the only statements then made were in reference to the conduct of the police on that particular day of the strike. Now that his bad memory is admitted, that he confesses it is years ago and he cannot recollect what happened, let us see how clearly he attempts to define what actually did happen. He was asked in question 96—

It has been suggested by Captain Hare that there was certain ill-feeling towards him, or that friction existed between himself and certain members of the present Ministry, or Labour party, and that on one occasion certain members of the Labour party made a statement to him with regard to the Commissioner's action towards them in connection with the tramway strike?

Did hon. members ever listen to a more leading question than that? He was to be dragged into making a case against the Labour party or the Labour Government, and his answer was naturally "Yes."

Hon. Frank Wilson: That is only a quotation from Captain Hare.

The ATTORNEY GENERAL: I do not care who it is a quotation from, it is an absolute leading question and it is not put as a quotation. "It has been suggested by Captain Hare," and so it goes on. I ask if that is a fair way of getting evidence out of a person in making accusations against others. The chairman goes on—

Can you tell the committee of any statement made to you at the time by any members of the present Government, or the Labour party?

Mr. Connolly's answer was—

The statement was made in a general way.

Observe that palliation!

I cannot remember the exact words—Observe that, his memory is faulty all the way through.

I cannot remember the exact words, or the exact person who used them, but I remember on one occasion, at the time of the tramway strike when I was returning to the office after lunch, there was a good deal of disturbance in Barrack-street. I came up from St. George's-terrace, and I was met on the steps by the present Attorney General, Mr. Walker, and the member for Leed-ersville, Mr. Gill. There were eight or nine of them altogether. I am not quite clear who the others were.

He is clear about nothing apparently except his accusation of me. There is where the spleen and malice come in. "I think Mr. O'Loughlin was one, but I am certain of Mr. Walker and Mr. Gill."

Mr. Holman: Mr. Gill was never near the place.

Mr. Gill: Gill was at home.

The ATTORNEY GENERAL: The one thing he was certain of never happened at all.

The Minister for Mines: As a matter of fact it was I.

The ATTORNEY GENERAL: The Minister for Mines was there, the Chairman of Committees was there, but Mr. Gill was not there. I am just showing the kind of evidence on which they tried to condemn people unheard. Mr. Connolly said—

I am certain of Mr. Walker and Mr. Gill. They complained of the attitude of the police towards the strikers and spoke in a very derogatory way of the Commissioner and likened him to the Czar of Russia—I am speaking now of Mr. Walker—and said the Commissioner was not fit to govern a body of police in a civilised country, that he was not fit to occupy the position, and that he would see that the Commissioner was put in his place, or something to that effect. At any rate I replied that if they had any complaint to make they should send it on to me and I would get a report from the Commissioner, but that I declined to discuss the matter with them in the street like that.

As a matter of fact I never mentioned the Czar of Russia, and I never mentioned the Commissioner. There are gentlemen

who were present with me who will bear out what I said, and will testify on oath that what I did complain of was the conduct of a certain sergeant on horseback who was riding on the footpath and before my eyes—I was a witness to it—endangering the lives of women and little children. I complained of that conduct there was no necessity for it. It was the noon-hour of a certain day; the trams were stopped and a crowd had gathered. The crowd were brought together chiefly by the conduct of the police, the mounted men riding pell mell up and down the thoroughfares and by one man doing circus tricks on a horse on the footpath. It was simply an insult to the good sense of the citizens, an outrage, and I protested against it. I did complain, and I bitterly complained of that conduct, but I never used one word about Captain Hare being a Czar of Russia nor did I go to the extent of saying he would be put in his place. He was not in my mind the immediate object was my concern, the danger to the public, the scenes going on at that very moment, when I saw the Minister. In the presence of the crowd there was no time to go into a calm disquisition upon the qualities of the Commissioner or to liken him to a distant potentate or to reflect upon the possibilities of the future and what would become of him when the Labour party ever did happen—it being at that time problematical—to come into office.

Mr. George: Never in your wildest dreams did you think you would get into power.

The ATTORNEY GENERAL: I did not mention the Commissioner on that occasion. I did not denounce the Commissioner: I showed no ill-feeling of any kind, but I did scornfully allude to the foolish and dangerous conduct of the sergeant on horseback, and I desired that he should be stopped. I was not the only one who spoke. The present Minister for Mines had something to say equally brief, condemning the same man and the same scene. The member for Murchison also had something to say, and I believe he was infinitely stronger in his condemnation of this conduct than I was.

Mr. Holman: I was very mild.

Mr. Allen: Did you say "very wild"?

Mr. Holman: No, mild.

The ATTORNEY GENERAL: I think the member for Murchison will recollect that his language was more poignant, and more cutting quick than my language.

Mr. Taylor: You must have been in bad form.

The ATTORNEY GENERAL: I will admit that I was in no mood for kid-gloved methods; I was in no mood for loitering about what I had to say. It was a case of stopping that kind of conduct as speedily as possible, and I took the constitutional way of doing it. I went to the Ministerial head of the Police Department, not by myself but with some half dozen others, not pre-arranged, but springing out of the occasion. When I went there and I arrived there only because I was going to lunch, and saw the crowd and the scene that was transpiring, I admit that I felt the deepest feelings of indignation. I could not contain my wrath at the conduct which was being displayed. It was an outrage upon commonsense, and it was an incitement to the public. If anything would produce a riot and stir feelings of resentment in a crowd to the extent that they would take the law into their own hands, that conduct was of such a nature. However, I want hon. members to recollect that it is only upon this statement of Mr. Connolly, only upon the statement that he remembers me because I was prominent, and he remembers the hon. member for Leederville (Mr. Gill) because he was with me, when the hon. member was away at home at the time and was not present at all. But he does not remember the present Minister for Mines who is twice as prominent as I am walking in the public street, whose physical features and whose majestic form could not possibly fail to impress the retina of so impressionable a gentleman as the hon. Mr. Connolly. But he is ignored; he is forgotten; he is in oblivion, and my active, energetic, virulent friend, the hon. member for Murchison, is in oblivion. But the member

for Murchison who was the chief factor to approach him, when he could scarcely shape his lips and tongue and teeth into articulate form to utter his words sufficiently quick, he is altogether blotted out; Mr. Connolly has no memory for him. I stand out on the horizon prominent and conspicuous because he supposes I said something about the Czar. It is all so absurd and that is the kind of evidence—

Mr. Elliott: Read question No. 98:

The ATTORNEY GENERAL: I will, certainly, to oblige the hon. member. It starts "subsequently to that"—the same incident when Mr. Connolly forgot everything and remembered nothing except the wrong things and the things which did not happen.

Mr. Elliott: That is not question No. 98.

The ATTORNEY GENERAL: The hon. Mr. Connolly was questioned by the Chairman, and answered as follows—

Subsequently to that certain members of Parliament were prosecuted and fined, were they not?—I may say that ten minutes or a quarter of an hour after that I quietly walked up the street to see what was going on. I did not see Captain Hare there.

Mr. Holman: He got away in a dark corner.

The ATTORNEY GENERAL: No one saw him there. The evidence continues—

But the present Commissioner, who was then Chief Inspector Connell, and Superintendent Lawrence, were there and I spoke to them. I asked them what the trouble was and told them there were complaints that they had been unnecessarily harsh. The then Chief Inspector and Superintendent Lawrence complained very bitterly of the obstruction of certain Labour members in the way of inciting the people. I told them that a complaint had been made and while they must keep law and order, I did not want them to ride people down as Mr. Walker had complained they were doing.

That was my complaint. The evidence goes on—

Then I walked back and saw Mr. W. D. Johnson, the present Minister for Works, in a very excited way threaten a mounted sergeant who was keeping the crowd going, and the present Speaker of the House of Assembly, Mr. Troy, threatened Sergeant John Smith that they would have the uniform off him before long.

Mr. George : Is that correct ?

Mr. Holman : No, absolutely no.

The ATTORNEY GENERAL : I was with the hon. Mr. Troy when he was arrested, and I was disgusted that they would not arrest me too and take me with him. I was proud that he had got into that position for resisting such official insanity as was displayed that dinner time.

Mr. George : You must keep order.

The ATTORNEY GENERAL : It was the absolute provocative to disorder. It was that which always produces the resentment of a crowd and starts rioting. I was so utterly disgusted that I desired to do what I could to let the world know of this folly, and to check this kind of folly in the future. As soon as that state of affairs was stopped, as soon as the horsemen ceased riding down the citizens and the crowd quickly dispersed—in fact it had only gathered to see the fun; it was only amused and entertained by the apparent timidity and fear of the citizens of Perth exhibited by the constables on that occasion. This evidence does not prove anything, but it only shows how unfairly the committee are trying to manufacture a case, how they are using Mr. Connolly for their purposes, how they are striving to make it appear that the present Government were guilty of a virulent prejudice against Captain Hare, and that it was only for this reason he was retired.

Mr. George : Why did you retire him ?

The ATTORNEY GENERAL : I am the one who has been proved to have desired to get rid of Captain Hare for party purposes. Let me tell this House another fact, that the committee might have learned if they had gone to the trouble to ascertain that on the retirement of Captain Hare I was hundreds of miles

away, and beyond the means of communication. I was making my first visit to the Esperance district, and I did not know that Captain Hare had been retired until I returned to Perth.

Mr. George : Had it been discussed before you went away ?

The ATTORNEY GENERAL : It had not been discussed; I had not been asked about it. I had no views, no say, no action whatsoever in it.

Mr. George : And no knowledge of it ?

The ATTORNEY GENERAL : No knowledge of it being done. That is the position, and this is the accusation thrown upon me, who had no more to do with it than hon. members sitting opposite, or the member for Murchison, as an allegation made by Mr. Connolly with his exceedingly bad memory, who is willing to cover the present party in power with opprobrium. I can well understand a man like Mr. Connolly taking the course he has done. We know something of his history; we know how he can desert his old time political friends when it suits him.

Mr. George : Who; when ?

Mr. Male : That is not fair.

Hon. Frank Wilson : What is the charge ?

The ATTORNEY GENERAL : I could tell hon. members, but everyone knows it; the whole world knows it.

Hon. Frank Wilson : Well, make the charge; what is it ?

The ATTORNEY GENERAL : The hon. member knows how two years ago Mr. Connolly supported the Esperance railway.

Mr. Harper : It was a goldfields line then.

The ATTORNEY GENERAL : And he knows how last night Mr. Connolly voted against it.

Mr. George : Well ?

The ATTORNEY GENERAL : Well, is that conduct consistent ? It stands out conspicuous and I leave it to speak for itself; I allow the public to judge it. But at all events members of the Opposition cannot say that I have been treated fairly with regard to this investigation, and yet in this report published to the world

with the stamp of the highest authority apparently of the land, I have been branded as one actuated with a desire to be rid of Captain Hare for party purposes. Let me tell hon. members that I have never, it is true, been impressed with the qualities of Captain Hare. His want of judgment in the Roth case, his want of judgment when I had occasion to speak in the House on one occasion on the management of the police force, when he came upon me with these remarks, "Grossly libellous on the police." This is one utterance he made to an assertion of mine in this House—

I think it is only right that I should take some notice of what has been said by this member of Parliament. During the past six years—the period that I have occupied the position of Commissioner of Police—I have exercised the greatest care in the selection of men for the force, and none but those who have been able to pass a severe educational test and an equally strict physical test have been admitted. . . . The difficult preliminaries that have to be overcome stamp the successful candidate as men who possess more than ordinary ability; and to say that any of them is an ignoramus is mean, and as I have already remarked, a gross libel which I resent very much. There is no sense of fairness in such criticism because, as intelligent men, the police rank higher very often than men in walks of life that might be regarded as superior to the police force.

That is only a sample of his criticism of members of Parliament and their speeches made in this House, given in interviews to the Press immediately anyone spoke, although they did so in the interests of the country, in the interests of the cause they were speaking for at the moment, but he, forsooth, can take them to task in the daily Press.

Mr. George: Do you not believe in freedom of speech?

The ATTORNEY GENERAL: I do believe in freedom of speech, it is true, but a man in that position who takes that method of criticising members, which is not criticism through the ordinary

channel, shows a lack of judgment. I am not complaining of anything in Commissioner Hare's life but absolute want of discretion, lack of that quality which was requisite in him of all men.

Mr. Elliott: You got home on him afterwards; you dismissed him.

The ATTORNEY GENERAL: Has the hon. member no sense of fairness? Have I not shown from that day onward I never lifted hand or moved tongue to get him dismissed from his office. I never in any course of conduct did aught to prepare the step except in my own public criticism in this House, and cannot the Government's word be taken against Connolly's, that he was dismissed, or not dismissed, but retired, because it was part of the retirement scheme that was going on. He was not the only one who was retired from the service at that time. There were others, quite a number of others at that time. It was part of a scheme for bringing into activity, as it were, the younger, more virile life of the State, and for the purpose of making certain adjustments which would be in the direction of economy.

Mr. George: It was a scheme which came into operation very quickly after you got into office.

The ATTORNEY GENERAL: Perhaps so, but I do not suppose Connolly would have ever taken that step.

Mr. George: Your Government are accused, not you personally.

The ATTORNEY GENERAL: I am accused personally. I am singled out as having done something, which I never did, for political purposes and that scandal is at the door of the Legislative Council, whose members are supposed to live in an atmosphere of calm, to be unperturbed by party influences, undisturbed by party matters, a non-party House. It is that party House that brings that charge against me without one scintilla of evidence to support it. That House could have ascertained for itself that I had nothing to do with this dismissal. Not that certainly, if I had been present, I would not have approved of my colleagues's conduct, and I defend it now on the grounds of public policy.

Mr. George: What about Constable Campbell? Read what it says about him in the evidence, and consider what you know about him yourself.

The ATTORNEY GENERAL: The committee simply dismissed Campbell, as they dismissed Hare, from their consideration.

Mr. George: You brought him down and had him here for months.

The ATTORNEY GENERAL: Supposing he was here he had a right to be if he had a good case, but as soon as his case was found to be without foundation which *prima facie* it appeared to have he was not encouraged any more than anyone else was. But Hare was dismissed before this.

Mr. Elliott: I thought you said he was retired.

The ATTORNEY GENERAL: I am using the language that is used here in the report, retired, if you like, a mild dismissal with a pension.

Mr. Holman: He should have been dismissed without a pension if he got his dues, a parasite on the State.

The ATTORNEY GENERAL: If I had been present, I would have joined with my colleagues in retiring Hare because I was convinced, not on political grounds, without any reference whatsoever to party, but on the grounds of expediency, on the grounds of my knowledge that the man was not of the temperament, not of the quality, not of the judgment to be a Commissioner of Police, that he was indiscreet.

Mr. Male: Why evade it by putting it down to his age?

The ATTORNEY GENERAL: Because one desires to be charitable, to let people down lightly, even Commissioner Hare, but we get no credit for wanting to be just and for doing things honourably and rightly. It is one characteristic of our opponents to impute to us corruption, to impute to us every species of mean and sordid motive, to charge us with everything that is dishonourable from beginning to end.

Mr. Elliott: This report is not from your opponents; it is from a select committee.

The ATTORNEY GENERAL: The hon. member knows it is from those who are traditionally our opponents. Is it an evidence of justice, of judgment, of judicial qualities?

Mr. Male: The minority report agrees.

The ATTORNEY GENERAL: The minority report in the points I am raising absolutely condemns it. A select committee are a body who, I admit, ought to be judicial, untrammelled in their judgment, ought to be able to obtain evidence and sift evidence, ought to be able to take evidence fairly, but the evidence they have taken is an evidence of their manifest unfairness from beginning to end, of their desire to build up a case, manufacture a case against the Labour party, against the Labour Government. It was not a case of seeking for the truth, of obtaining information, and getting all possible light on the subject under inquiry. It was a case of blackening the characters of those who retired Captain Hare.

Mr. Elliott: What about the Chinn inquiry?

The ATTORNEY GENERAL: Two wrongs do not make a right. If the hon. member condemns that can he approve of this? I believe the hon. member knows in his heart of hearts that this is not fair, it is the equivalent of what a gentleman would never do in the ordinary affairs of life, in his club life. Under ordinary social conditions no set of men would ever seek to get the better of their opponents or rivals by methods such as this.

Mr. Holman: They would not do it in a nigger's camp.

The ATTORNEY GENERAL: Yet, in a place where men are supposed to be elevated above the storms and passions of political life, in an atmosphere of their own, of calm deliberation, these men so misuse the power the citizens have trusted them with, so pollute the halls that shelter them that they are guilty of manufacturing evidence and creating prejudice against those who sit upon these Ministerial benches. It has come to a low pass when our public life is thus discredited. It is something that makes one feel

humiliated to be in public life. Under circumstances of this kind one is not safe, one does not know what issues are to be dragged in, where one has not a chance of answering, where one is not considered, where one is condemned on *ex parte* statements of a man who says, "I cannot remember, it is years ago." "I do not know, it may be so, or it may not be so, at any rate it is so and so." He gave his assurance that Mr. Gill was there when Mr. Gill was not near the spot. He knows nothing of those who were present and accused me of saying things that were never in my mind, that never occurred to me. Yet on this evidence, this body of men, our highest public legislative functionaries, use these methods for party ends.

Mr. Monger: This House would not allow members from here to give evidence.

The ATTORNEY GENERAL: Did they send for me, the only one they fancied they could get a charge of a serious character against, the only one who would help them if it was actually true that I had said that Hare was like the Czar of Russia, unfit to rule the police in a civilised country, and that he should be put in his place. If that could be proved there would be some grounds for calling me in reply. It would be an accusation against me of a serious character, although considering the circumstances under which even these alleged charges were made, considering the time, the excitement of the hour, there would be no proof of political malice.

Mr. Harper: Captain Hare was very popular with his men.

Mr. Holman: He was nothing of the sort.

The ATTORNEY GENERAL: That does not touch the point at all. I am dealing now with the committee's treatment of the Government. Whatever Captain Hare was, whether rightly or wrongly retired, does not affect the point that I was accused of charging him with being like the Czar and being unfit for his position. I say, supposing I had said these things, surely calm-minded men

would consider the circumstances under which things of that kind were said.

Mr. George: You might have said that under excitement.

The ATTORNEY GENERAL: Precisely; if I had said that and more, considering the provocation I had, considering I saw the danger that women and children were in—there is no fancy in that, no dream about it—actual danger was there, and the crowd were enraged to that extent that had one desired to set them against the police it would have been the easiest thing in the world to do it.

Hon. J. Mitchell: It would have been very wrong.

The ATTORNEY GENERAL: I am not questioning whether it would have been right or wrong. I say the provocation was such that supposing I said these things, what proof is that that I said them for party purposes? I would have said them in indignation at the facts that were occurring there and then. But because this Government must be tabooed, Mr. Gawler and the members of his committee aided by Mr. Connolly, a political opponent, must forsooth damn us by this evidence, with these innuendoes, and conclude that we had only one motive in retiring Captain Hare, and that was to wreak political vengeance, to do it for party motives. Only stained hearts could be guilty of such emotions as are displayed in this report, only poisoned brains could show our conduct in that pernicious light, and when they speak about the purity of our political life in future, hold up this report as evidence of it! Men capable of producing that kind of evidence and basing on it reports to go forth to the wide world to blacken the characters of those who cannot politically agree with them, indeed need our pity; they are gone in the core, they are disreputable men.

Mr. Holman: Hear, hear; absolutely.

The ATTORNEY GENERAL: It cannot be said that this evidence is worthy—

Mr. Holman: Rotten and corrupt.

The ATTORNEY GENERAL: That it is worthy of the applause and the



appreciation of mankind. Such conduct would be condemned in any age of the world, and even in a savage community it would be considered disreputable. It cannot be called manly in any sense of the word, and yet it is palmed off on to the public as evidence of the character of the Government. I shall not enter into a defence of my colleagues; they can defend themselves, but perhaps the Honorary Minister will permit me to draw attention to another species of the evidence on which the select committee levelled their specific charges. When Captain Hare was giving his evidence, he said that within two hours after my honorary colleague was sworn in, my colleague sent for the file relating to certain matters.

Hon. Frank Wilson: How many hours was it?

The ATTORNEY GENERAL: Mr. Kelly was the man who was called upon to testify on that point, and I think his evidence is very interesting. On page 14 of the select committee's report, when Mr. Kelly, who is the secretary of the Police Department was examined, this question was put to him—

A statement has been made to the committee that two hours after the Government were sworn in, Mr. Angwin (the Honorary Minister) sent for all the papers relating to the charges made by Constable Campbell against Captain Hare.

What does Mr. Kelly say to that? His answer is—

I could not say whether it was two hours. I know it was shortly after the Government came into power.

Then in another place Mr. Kelly says that if it was not within two hours, at any rate it was within two days after the time the Government were sworn in. I would ask hon. members to note how the committee tried to make it two hours, as if this one individual had filled the whole scope of the vision of Ministers, who thought of nothing else but rushing for the file of Captain Hare. It is so ridiculous to try and make it appear that there was a conspiracy, a wild delirious excitement to get hold of Captain Hare and

sack him straight away, and then when the only witness the select committee can call declares that he cannot say whether it was two hours after Ministers were sworn in, that they sent for the file, they got him at last to say that it might have been two days, and I suppose if he had gone a little further, if the committee had had this man under a thoroughly trained cross-examiner, he could have been induced to say it was two weeks afterwards.

Mr. Holman: Or two years.

The ATTORNEY GENERAL: Or even two years. As a matter of fact the Honorary Minister has never seen the file to this hour.

Mr. George: What day were you sworn in?

The ATTORNEY GENERAL: I believe it was a Thursday or a Friday night.

Hon. Frank Wilson: It was on a Saturday.

The ATTORNEY GENERAL: Yes. I believe it was on a Saturday.

Mr. George: Yes, and on Monday morning you asked for that file.

The ATTORNEY GENERAL: I do not know what the hour was, but it does not matter, even if it was within two hours. I want to say that not only is it a fact that the evidence is not just and is not fair to the Honorary Minister, but that there is a certain minute on the file which the Honorary Minister requires for his defence or explanation in the matter, and that minute is no longer to be found. It has disappeared. It is material and it affects the character of the Minister. It was on the file so long as the file was in our custody, but it has disappeared since.

Mr. George: Do you charge anyone with having taken it?

The ATTORNEY GENERAL: I charge no one: I am stating a fact.

Hon. W. C. Angwin (Honorary Minister): The minute has gone.

Mr. Holman: And they would not stop at that.

The ATTORNEY GENERAL: That would not be a justification for my accusing them of all kinds of crimes, but I ask those who are exciting the sus-

picious not to throw stones, not to try to make it appear that hon. members on this side of the House are guilty of all kinds of attempts to poison—

Mr. George: Why not make a straight out charge that the minute has been extracted from the file?

The ATTORNEY GENERAL: I am stating straight facts, I am stating the truth, and I will go no further. I am not going to fall into the tactics of hon. members opposite. I am not going to say that because that occurs they are fraudulent thieves and dishonourable conspirators. No: I am stating a fact.

Mr. George: The minute has gone and you do not know who has taken it. It might be one of your own party.

Mr. Swan: Just what you would think. It shows the clean mind you have.

The ATTORNEY GENERAL: I am not going to fall into the hon. member's line of conduct. I am content to state facts and to allow the public to draw their inferences from them. I do not care about hon. member's comments upon the facts which I am stating. If hon. members will state the truth, I will freely forgive them for drawing the inferences which the truth may support.

Mr. George: What was the minute?

The ATTORNEY GENERAL: I will leave the Honorary Minister to speak for himself in regard to that minute.

Mr. George: Let him make a charge.

The ATTORNEY GENERAL: He will make a charge as it affects him, but is the hon. member by his interruptions defending the conduct which has been displayed in the report of the select committee. Is he defending the conduct of those people who got evidence which is not true, which was not sifted and which was not permitted to be rebutted; all this evidence, which is purely *ex parte*. Is the hon. member defending the basing of charges upon such feeble evidence as that?

Mr. George: I am asking you to prove your facts.

The ATTORNEY GENERAL: Let the hon. member if he wants to, defend the Council in their conduct.

Mr. George: Give us your facts.

The ATTORNEY GENERAL: I have stated my facts and everybody is free to draw his own inference. The facts have justified what I have said, and had the other party done the same thing I should not have had a chance to speak in this House.

Mr. Elliott: Do you say that the file has been tampered with?

The ATTORNEY GENERAL: I say that the minute is missing.

Mr. George: Whom do you suspect?

Mr. Carpenter: Ask your own friends where it is.

The ATTORNEY GENERAL: I cannot tell where it is.

Mr. Elliott: Will you have inquiries made?

Mr. Gill: How can you have an inquiry made?

The ATTORNEY GENERAL: I regret that hon. members opposite have not taken a manly stand and looked upon the charges of this gravamen with disapproval. Does not the member for Geraldton disapprove of this report?

Mr. Elliott: I have not read it yet.

The Minister for Mines: That is why you are commenting on it.

Hon. J. Mitchell: The report of the committee is based on the evidence.

The ATTORNEY GENERAL: There is no evidence. Would you allow one person to accuse another, to damage his character, to take from him what he may consider most dear in his life, to take from him the good esteem of his fellow men; would any court in this land permit that to be done without asking the other side to answer?

Mr. George: I thought they did ask you.

The ATTORNEY GENERAL: I am the one who is accused. There is not a scintilla of evidence that Captain Hare's services were dispensed with for political reasons, and no accusation can be made against anyone except it be me, for having called him a czar and declared that he was not fit to govern the police force in a civilised community.

Mr. George: You have denied that.

The ATTORNEY GENERAL: I have to deny it now unfortunately when it is

printed and published to the world. I have to deny it here where I cannot confront the witnesses and face my accuser. I have to deny it now that I am facing those who sympathise with those who rob men of their character so unscrupulously and with so little regard for honour and feelings of good sense. The member for Murray-Wellington ought to be sorry. I give him credit if left free from party influence, for exercising the natural instincts which are within him, and if he did that he would strongly, as I am doing, condemn conduct of this kind. He would never support this inference of dishonour and corruption against others who were unheard and not allowed to reply. The hon. member, in spite of his party tactics occasionally—which unfortunately one cannot help regretting—in spite of that, I know his heart would never tolerate conduct of that kind in the ordinary affairs of life. Unfortunately nothing appears sacred in the Assembly. We talk about both Houses respecting each other, but nothing appears to be too much on the high level of political rectitude for the other Chamber, in the persons of this select committee, to attack, from the Speaker in the Chair to the Chairman of Committees, and to the gentleman who was absent on the occasion, Mr. Gill—all are brought under their censure and contempt.

Mr. George: And the Attorney General; do not forget him.

The ATTORNEY GENERAL: I am not forgetting him. If public life is coming to so low an ebb that conduct such as perpetrated by that select committee is only a matter for jests and smiles—if public life is coming to that low ebb, it is time these institutions vanished and we asked the outside world to take charge of the government of the country. We are not elevating our position, we are not dignifying these Chambers by conduct of that kind. There have been times in these institutions when if the character of an hon. member was attacked, although he were a political foe, his greatest political opponent would come to the defence of his character. All history is full of pleas-

ant instances of times when, because their colleagues were charged, all members of the House on both sides came together when every particle of political strife was dropped, when separate parties disappeared, when every line of demarcation between the position of benches was wiped out, and the Assembly or the Commons became one body or one man in the defence of the rights and character of the humblest member of that body. But now there appears to be a species of rejoicing in the character of that which traduces the Attorney General: in his humiliation; that he could be accused of political partisanship and party bias; that he would deliberately ruin the life of a man in order to carry out his party schemes. Think of the gravity of it—for the sake of mere party politics, I would reduce a man to ruin. That is not my character; none can accuse me of a degrading malice of that sort.

Mr. Elliott: You are only accused of calling him the Czar of Russia; that is not serious.

The ATTORNEY GENERAL: I am accused of more. The hon. member admits he has not read the report, yet he makes these interjections. Will he learn to be wise and keep his tongue still until he knows? There is a species of modesty in young members which is becoming; and even those much older in political life than he hold their tongue when they know ignorance is behind it, and do not, like fools, rush in where angels fear to tread. This is the statement—

There was evidence before your committee showing that at least one member of the present Government desired Captain Hare's retirement on party political grounds.

That is a serious charge—"on party political grounds."

Mr. Elliott: It does not mention your name.

The ATTORNEY GENERAL: That is only one example of the cowardly terms in which this document is couched. I am accused of trying to ruin a fellow mortal, because of party purposes. Hon. members even on that side know

different from that. I fight politically all I know for what I believe to be true and right. I use every power that skill or knowledge or training or Nature have endowed me with, for the purpose of advocating my cause and making it acceptable to my fellow men, for the purpose of making converts. I may humiliate those who assume proud distinctions for the purpose of asserting powers they do not rightly use or possess. I fight them on the floor of the House by every weapon that is just, in the way of speech; but I trust the hour will never come when, for the sake of party triumph, I will try to injure my fellows-beings' lives and homes. I will work for the cause I sincerely accept, and to the dethronement of that cause which I believe to be pernicious to the public weal and welfare, with all the zeal, the energy and the powers I may possess: but, having done that, there is no malice, no spleen, not even against Captain Hare nor any other of those who are seeking to traduce me and my colleagues by methods so despicably mean as this report.

Mr. HOLMAN (Murchison): As one whose name is mentioned more often in this evidence than that of any other member, I will be justified in saying a few words. Let us look back upon Captain Hare's own statement and find out where he bases his first charge. I was always under the impression that members returned to the House had a perfect right to criticise any department and endeavour to bring about reforms in any branch of the Public Service. I have yet to learn that Captain Hare, as Commissioner of Police, could hold malice against any hon. member for doing what he thought right in the public interest. I am prepared to make the statement here that Captain Hare has been full of bias ever since certain statements were made in the House, and that he has treasured up that bias until the opportunity occurred; that presumably, from the evidence before us and from information which I gathered and which I spoke of during the tramway trouble, it has been on his mind to discredit Labour members in the eyes of the country

at the first opportunity. Captain Hare in replying to question No. 23 said there had been four debates in Parliament to which he would like to refer the committee. His first reference was to *Hansard*, Volume XXX., page 3075. This was his reference—

Item. Commissioner, £750. Mr. Holman: As it was intended to increase the salary of the superintendent, who did most of the work which the Commissioner was paid to do, he moved—

*That the amount be reduced by £50.* Was the position of Commissioner warranted at all? The work was carried out mostly by the superintendent. Salaries in this department were creeping up, therefore we should reduce the expenditure as much as possible. He remembered the time when the superintendent was Acting Commissioner and the police work went on just as well as now.

That is the evidence brought before the committee to show why Captain Hare should not have been dismissed; that is one of the charges on which he bases his statement. I am prepared to say, and I say it knowing exactly what I am saying, and in one of my calmest moments that the evidence which Captain Hare gave to that committee was absolutely false, and that by endeavouring to cast a slur upon members of this Chamber he has led that committee to bring in a report which would suit him and be favorable to him. I say the members of that committee who were led by Captain Hare without making proper enquiries are men absolutely not to be trusted by the public at all, men not fitted to hold any public position; because they have handed in a report founded on absolute falsehood, and they never thought of justice for one moment. They are not worthy of the slightest consideration; they are not fit to hold any honorable position in the country, because they allowed charges to be made against men without giving those men opportunity of refuting the charges. I have been mentioned very strongly in this report. In answer to question No. 19 Captain Hare said this—

From that I will pass on to the tramway strike. As is well known, I took strong action, an action which I thought was correct, and which I thought I was quite justified in taking. The members of the committee will remember that the other side also took very determined action at that time. Dynamite was picked up on the tram lines.

When Captain Hare took the action which brought about a debate in this Chamber there was no talk of dynamite, and I am satisfied that no dynamite was ever placed on the tramlines by any of those men in the trouble or any of their sympathisers, either. The dynamite episode occurred weeks after the trouble in Barrack-street; yet he tried to get the committee to believe that he had taken that strong action because dynamite had been placed on the tramlines and they were going to blow Perth to smithereens. His evidence continues:—

And I considered that I was justified in adopting drastic measures. This, of course, did not please the party who are now in power, but who were then in Opposition, and, in the course of my duties, I had to issue summonses against the present Speaker (Mr. Troy), the present Chairman of Committees (Mr. Holman), and Mr. O'Loughlen, for disorderly conduct.

I desire to state that when Captain Hare made that statement he made an absolutely false statement. I have never had a summons issued against me for disorderly conduct in my life. I was never proceeded against during the tramway trouble, nor ever for disorderly conduct in my life. So Captain Hare, when he made that statement, must have known it was false, because he said he issued the summonses himself. It bears out what I have said in the House before, namely, that instructions were issued to try to get as many Labour members as they could, in order to discredit them in the eyes of the country. When a man gives evidence like that he is not fit, he is not a man at all, he has nothing manly about him, and when members of that committee allow themselves to be swayed by evidence such

as that they are not worthy of one moment's thought from any honest man, this place or outside. Captain Hare continued—

I thought it my duty then to nip in the bud what might have developed into a serious matter, and I can only point out now that action of a similar nature was subsequently taken by the Commissioner of Police in Brisbane, and is being taken to-day by the Commissioner of Police in New Zealand.

Here in Western Australia the tramway trouble was a mere bagatelle; there was absolutely no trouble to speak of at all; the only trouble that took place was the trouble caused by the police galloping up and down the street on horseback, knocking women and children about. Mr. Speaker will know that so far as disorderly conduct was concerned, or any fighting or inciting men to fight, he would be the last man to do it. Then we have the member for Forrest (Mr. O'Loughlen), another man charged. Anyone knowing Mr. O'Loughlen and hearing him accused of inciting to trouble, or of being disorderly, would know that it was a wrong accusation. Take all the members of the House and you could not get two more quiet or orderly members than Mr. Speaker and the member for Forrest. I have been associated with them for some time and I know. When a charge is made against a man of having been summoned for disorderly conduct, they ought to give the evidence to show what was the result of those charges; the result was that those men were discharged without practically any evidence being heard against them. Mr. O'Loughlen was speaking to a farmer friend of his who had just come down, and who was asking for information, and while he stood there for two or three moments speaking in the street, a policeman came up and took his name, and he was summoned. I was not summoned, and it is an absolute lie to say that I was.

Hon. Frank Wilson: You deserved it.

Mr. HOLMAN: I will say this, that the same gentleman who gave this rickety-rockety evidence, Mr. Connolly, who did not know anything about it, but thought

such a thing might have occurred, prostituted his position when he was Colonial Secretary to have a summons issued against me on a previous occasion and faked the files.

Hon. Frank Wilson: You did have a summons?

Mr. HOLMAN: On a previous occasion, years ago. It only goes to show what evidence these men are prepared to give in order to condemn hon. members. When a report like this goes out, showing that the Speaker, the Chairman of Committees, and the member for Forrest were summoned for disorderly conduct, people will ask, "What sort of men are these?" I ask the hon. member for Murray-Wellington if that is a fair thing?

Mr. George: I should like to have it proved.

Mr. HOLMAN: This can be proved at a moment's notice.

Mr. George: But what about the faking of the files you spoke about?

Mr. HOLMAN: Absolutely. I went and saw the files when I was summoned and afterwards minutes were placed on the file and dated back.

Mr. George: Do you know that they were placed there by the order of the Minister, or by himself personally?

Mr. HOLMAN: I know that it was in the friendly societies file because I had a record of it.

Hon. Frank Wilson: But you said he did it.

Mr. HOLMAN: He was Colonial Secretary, the file was in his department, and it was done.

Mr. George: That does not prove he did it.

Mr. HOLMAN: From my knowledge of that gentleman I know he would not be afraid to do it, or refrain from doing it. So far as my actions in that strike were concerned. I did not get into that trouble at all until my wife came into my office and said she had been driven off the footpath and almost knocked down with the children she had with her by mounted police between Washington's corner and the Shamrock hotel. She told me that I had better go into the street and see what was occurring. I did so and within 10 min-

utes of my getting into the street I picked up Mr. Walker and said to him, "The best thing we can do is to try to get the police taken off the street and so prevent further trouble." I spoke to Inspector or Sub-Inspector Lappin and said to him "You are doing the worst thing that can be done at a time like this. The police will only incite the people. The best thing to be done is to take the police off the street and there will be no trouble." Inspector Lappin said "I wish to God, Mr. Holman, you could get withdrawn the orders I have received and I would be only too pleased to take the police away." With Mr. Walker I went towards the Colonial Secretary's office. We met the Colonial Secretary and I think Superintendent Lawrence was with him. I said to Mr. Connolly, "If you allow these police to continue riding up and down the street as they are doing somebody will be getting hurt and they will be causing a great deal of trouble." I admit I was heated at the time, because if a man's wife and family, on coming into town on a peaceable errand—we were about to leave for Meekatharra with a Ministerial party and she was purchasing a few things in order to take one of the children with her—is to be galloped over by mad-brained policemen, it is time for some action to be taken. Mr. Connolly promised to make inquiries and to see what could be done, and it is a marvellous thing that shortly afterwards the police were withdrawn and there was no further trouble.

Mr. Harper: So Mr. Connolly did not do so badly after all.

Mr. HOLMAN: But who was to blame for causing the trouble? Commissioner Hare. And that same Commissioner not only had the police galloping up and down the streets, but had a large body of mounted police armed with swords lined up in the police yard ready to charge down on innocent people in the streets of Perth.

Mr. George: You must be ready to keep order.

Mr. HOLMAN: I thought the police force of this State or any other State was to keep order and not to make disorder. And the whole of the people who were in the City on that day will bear me out in

saying that the whole of the disorder, if there was any, was caused by the police themselves, absolutely irresponsible persons acting in all probability on the instructions of Commissioner Hare. His Honour the Speaker stood on a corner of the street and his name was taken for disorderly conduct. Mr. O'Loughlen was speaking to a farmer friend and he was summoned.

Mr. George: It was in the newspapers.

Mr. HOLMAN: Yes, and why was it not brought out in the evidence before the committee? And why was evidence given that I made a statement at that time when I made the statement in the House afterwards? Why was a report brought down on absolutely false evidence? It only goes to show that, although a summons was not issued against me, a summons was ready for issue, and they were waiting to get me, because I, as a member of this Chamber, had the temerity to move a reduction of £50 in the salary of the person, with whom to compare the Czar is a libel on the Czar. I say that the Government have treated Captain Hare too well. He was a parasite on this State for many years, and the only thing I regret is that the present Government, although they did good work in getting rid of him, did not do as well as they ought to have done by allowing him to remain a parasite on the State and draw a pension he is not worthy of.

Mr. George: That is part of their good work.

Mr. HOLMAN: One would think the hon. member would feel some qualms of conscience when he remembers how he was treated when he was dismissed, and draw a comparison between his dismissal and that of Captain Hare.

Mr. George: My agreement was kept. I was not dismissed.

Mr. HOLMAN: The hon. member knows he was not treated fairly. For their action in getting rid of that person Hare, the Government have received the approbation of the whole of the people of this country, and the only thing we have to regret is that they have allowed him to be a parasite on the State as long as he lives.

Mr. Harper: He was a good warden.

Mr. HOLMAN: Gentlemen of his kidney are apt to be good wardens when mine owners and tramway proprietors are concerned, and when they are trying to turn public feeling against men who are standing up for their just rights.

Mr. Harper: He had the respect of all sections of the community.

Mr. HOLMAN: Yes, and we have had evidence of where he was not respected. When they were trying to get a committee to administer the police fund, although Captain Hare was not a candidate, things were fixed up in his favour so that he was returned. So we know he must have been very popular amongst a certain section.

Hon. Frank Wilson: Why was he dismissed, that is the question?

Hon. W. C. Angwin (Honorary Minister): Because he was over 60 years of age.

Mr. HOLMAN: It has already been said why he was dismissed.

Mr. Elliott: The Attorney General said he was retired.

Mr. HOLMAN: I thought that after the little bit of tickling up the hon. member received he would have got a little sense, but apparently he is looking for another opportunity to rush in. The hon. member is quibbling between the words dismiss and retire. In speaking on a matter like this one is liable to use the word dismissal when he means retirement.

Mr. George: That is why you say I was dismissed when you know I was not. You do not mean to reflect on me.

Mr. HOLMAN: I maintain that the hon. member was not treated fairly. But the question under consideration is not the retirement of Hare but the fact that members of this Chamber have been traduced by a committee, of whom, to be charitable, the least we can say is that they are not responsible for their actions. So far as the motion is concerned, I think the Minister has shown a great deal of charity in framing it, and I do not think it is a fair expression of the opinion of this Chamber. It now reads "That the Legislative Council be informed by Message that the Legislative As-

sembly cannot concur in and respectfully repudiates the report covered by Message No. 29, which report reflects upon members of the Government and the party in power, and is not only unfair but unsupported by evidence." The last few words should be deleted and after "unfair" the following words should be added:—"But supported by false and unreliable evidence." I proved where it was false in my own case, and one could go right through the evidence and show its falsity.

Hon. J. Mitchell: Why not proceed against them for perjury?

Mr. HOLMAN: The hon. member knows I was never summoned.

Hon. J. Mitchell: I am not questioning what you say.

Mr. HOLMAN: Then the hon. member must admit that evidence is false.

Mr. Male: No.

Mr. HOLMAN: The hon. member for Kimberley knows that the evidence is false.

Mr. Male: I do not.

Mr. HOLMAN: But the hon. member knows I was not summoned.

Mr. Male: I do not know that the evidence said you were.

Mr. HOLMAN: Well the hon. member can take my word for it. Captain Hare says "I had to issue summonses against the present Speaker and the Chairman of Committees."

Hon. Frank Wilson: You say that summonses were prepared and not issued.

Mr. HOLMAN: I say that in all probability they were rigged up to catch us if they possibly could, the same as they were on other occasions. The evidence reads—

By the Hon. J. Cornell: Mr. Troy, Mr. O'Loughlen and Mr. Holman were summoned at your instigation for their attitude in respect to the tramway strike?—Yes.

The hon. member cannot have anything plainer than that. I do not think there is a member on the Opposition side, prejudiced though he may be, who could justify the action taken up by the committee. When the characters of members of this Chamber were impugned, why were

they not given an opportunity of tendering evidence?

Hon. Frank Wilson: Why did not Mr. Taylor and Mr. Angwin go?

Mr. HOLMAN: I do not know, but I certainly would have given evidence if it was necessary.

Mr. George: You could have volunteered evidence.

Mr. HOLMAN: I did not know what was going on. I did not know that a man who once held a responsible position in the State would perjure himself by giving false evidence, in order to gain a favourable report. I even was charitable enough to think that Captain Hare would not stoop to that.

Mr. George: Are there any other inaccuracies in his evidence besides this?

The Minister for Lands: There are those which the Attorney General pointed out.

Mr. HOLMAN: I think the Attorney General mentioned many instances. I mention only a case which affects myself. In all probability other matters can be brought forward which are equally inaccurate. I would like to ask the hon. member for Murray-Wellington is it necessary considering that throughout the evidence my name is mentioned, perhaps five times as often as that of any other member, to prove that the whole of the evidence is wrong, when the material point is proved to be false. Members of the Opposition indicate that this does not affect the question. It affects my character. This report may be published far and wide. It is in print and it will be accepted as true, because people outside will think, greatly mistaken as they may be, that the men who took this evidence are just and honourable. They will not know as much about them as we do. They will not know that the men were blindly prejudiced against the party in power and were prepared to prostitute their power to get home on them if they could.

Mr. George interjected.

Mr. HOLMAN: The hon. member can read in the evidence time after time where it was mentioned.



Mr. George: No, I can only read questions 18, 19, and 21.

Mr. HOLMAN: I have already quoted extracts from *Hansard* to show that we spoke in this House on matters which the hon. member for Murray-Wellington will agree we had a perfect right to speak on—the question of the finances of this State—and who was Captain Hare that he should take some strong stand because an hon. member had dared to move that his salary be reduced?

Mr. George: You know he was pestered by newspaper people the same as you and I used to be.

Mr. HOLMAN: I do not know that. If any man has been treated most reasonably so far as members of this House are concerned, that man is Captain Hare. I think if the Press published what they could about this gentleman, even his firmest friends would not associate with him.

Mr. George: That is pretty strong.

Hon. J. Mitchell: There were other things said in the House.

Mr. HOLMAN: I am prepared to stand by everything I said about Captain Hare and his under-strappers. I say, as I mentioned before, that a few of the police on that occasion were causing a great deal of trouble and the whole of the disorder. Many of the police on that occasion acted with discretion and acted like men, and prevented the serious disturbance which otherwise would have been caused by the other policemen. Passing on to question No. 21, the hon. Mr. Connolly asked "Mr. Holman was fined?" and the answer was—"I am only speaking from memory, I do not correctly remember what happened." The man does not know what happened; yet he is prepared to give evidence and the committee were prepared to take his evidence. The Attorney General mentioned that in regard to the evidence given by Mr. Connolly, he did not know what he was saying, but the committee were prepared to accept such statements when the witnesses admitted they did not know what had happened and could not remember anything about it. Yet the committee were prepared to bring in a report condemning the

present Government and members of this House on evidence regarding which the witnesses could not remember anything. Captain Hare also said—

I hope to be able to bring evidence to show that two members of Parliament approached Mr. Connolly, who was then Colonial Secretary—I do not know whether I am right in mentioning this—and complained of my action, and they asked Mr. Connolly whether he was going to uphold what I had done. He replied that he was going to do so, and the members of Parliament told him that as soon as they got into power the Czar of Russia, meaning me, would not remain long in his office.

So far as I am personally concerned I believe I was with the members who saw the Colonial Secretary and I am certain that on no occasion was the term Czar of Russia mentioned.

Mr. George: This was told to Captain Hare by Mr. Connolly.

[*The Deputy Speaker (Mr. McDowall) took the Chair.*]

Mr. Underwood: There is about the same percentage of truth as there usually is in his remarks.

Mr. HOLMAN: Mr. Connolly stated he did not remember it being said.

Mr. George: You cannot blame Captain Hare for saying what he was told.

Mr. HOLMAN: I blame any man for giving evidence which is absolutely untrue and which he cannot definitely swear to, but I blame more a committee of imbeciles who would take notice of such evidence, men who are neither honourable nor just, men who are prepared to take false evidence—

Mr. Male: On a point of order, is the hon. member justified or in order in referring to hon. members of another place as being dishonourable?

Mr. Underwood: Yes.

The DEPUTY SPEAKER: The hon. member is discussing the report now; it is not like an ordinary debate.

Mr. Male: But the hon. member is saying that members of that committee from another place are dishonourable.

Mr. Dwyer: Only in that capacity.

Mr. HOLMAN: I am stating that the committee have condemned the Government and myself as being unfair and dishonest, and have done that on false evidence, and men who will do that are dishonourable and are not just.

Mr. George: I do not think you are in order in reflecting upon hon. members of the other Chamber like that.

The DEPUTY SPEAKER: The Speaker has been in the Chair for some time and he has not taken exception to remarks much stronger than the remarks which have just passed. I want to know why hon. members are so anxious to raise this point the moment that I enter the Chair.

Mr. George: The answer is clear: the Speaker was in a very invidious position and retired. He is referred to in the evidence. If he took any action—

Hon. W. C. Angwin (Honorary Minister): You insinuate that he has done that because he is mentioned?

Mr. George: You, Sir, have taken the Chair. You are a person who is not charged at all, and surely it is competent to appeal to you as to whether the hon. member's remarks are in order.

The DEPUTY SPEAKER: I have ruled that the hon. member is in order.

Mr. Male: In reply to your reference I would like to point out that I have not been in the House during the whole of this debate, and it is only since the Speaker left the Chair that we have heard such a reference to hon. members of another place as being imbeciles, dishonourable and unjust.

Mr. Underwood: So they are.

Mr. Male: Am I not justified in rising to a point of order to know if the hon. member is in order in referring to hon. members of another place as being imbeciles, dishonourable and unjust?

Mr. Underwood: It is a fact.

Mr. HOLMAN: So far as this report is concerned they have proved it beyond the shadow of a doubt.

Hon. J. Mitchell: Why not let the report speak for itself?

Mr. HOLMAN: If I allowed the statement to remain that I was summonsed for disorderly conduct without

stating that it is a lie hon. members would believe it. The statements made are absolutely false and the report is founded on false evidence.

Mr. George: Since this point of order has been raised, I can quite understand the feelings of the hon. member, but I would like to refer you, Sir, to Standing Order 129, which reads—

No member shall use offensive words against either House of Parliament, or against any statute, unless for the purpose of moving for its repeal.

Mr. HOLMAN: I am not using it against another place.

Mr. George: It can be argued that the hon. member is referring to individual members of Parliament, but the lesser is certainly included in the whole. The reference to members of another place certainly comes within this rule.

Mr. Dwyer: The hon. member is only referring to this wonderful production.

The DEPUTY SPEAKER: This Standing Order deals with motions by another place and ordinary debates, and when debates have taken place in the same session, but on this occasion there is a report before the House and it is competent to discuss that report fully. If I hear any very offensive remarks I shall certainly ask that they be withdrawn, but at the same time I must allow the fullest latitude in discussing the report. It would be utterly unfair if I did not. It is an entirely different thing from what this rule was framed for.

Mr. HOLMAN: So far as the question of the report is concerned, it has gone forth to the world that the present Government are corrupt and that they have got rid of a certain person for party purposes. No greater charge could be made against them, and surely members on that side of the House will be prepared to support and stand by any member of the House who is falsely accused. If they are not prepared to do that they must line themselves up along side the committee who made this report. It appears to me that—while statements can be and are made as strong and far-reaching as can be made against anyone in this evidence and report—we are not

allowed to defend ourselves. So far as I am personally concerned I want to take the opportunity to say that this report is not justified or correct. On looking at questions 49 and 52 we see that Hare said I was one of those who saw Mr. Connolly, and that he knew I had some feeling against him the whole of the time simply because I had moved to reduce his salary. Although we find Mr. Connolly gives evidence nothing is said about myself, but Mr. Connolly is prepared to say that Mr. Gill came along and saw him. Mr. Gill has already made the statement that he was not there at all, and that he can bring absolute proof. I know as one present that Mr. Gill was not there. Still, that is the class of evidence upon which this report is founded. It would be useless going further into the debates which took place and which were mentioned by Hare when he was giving evidence, but almost the whole of the statements dealt with the question because the administration of the police force was criticised by members of this House. Members were under the impression that the police force was not being administered to the best possible advantage, and that action had taken place which was detrimental to the discipline of the force. It has been proved since that, whatever may have been the statements of members in another place or here, the action taken by the present Government has been instrumental in saving a great deal of money to this State and bringing about a great reform in the police force. I merely got up to say that so far as I am personally concerned, I am satisfied that the report of the select committee is biased, unfair, and incorrect, and not worthy of emanating from men who hold the high and honourable position which members of that committee hold at the present time. A greater investigation was necessary into the whole of the actions which took place during the tramway trouble as there, in my opinion, was the cause of the whole of the trouble which arose. So far as the tramway employees and those who sympathised with them are concerned, there was no trouble of any description.

In connection with industrial troubles in Western Australia we had 3,000 timber workers locked out for 14 weeks and it was not necessary to send a policeman into the part where these men were congregated. In Day Dawn we had a strike which lasted for 10 or 11 weeks and it was not necessary to send a police officer at all. But here in Perth among a number of inoffensive tramway men, about 120, we find it was necessary for Captain Hare to have men armed with swords ready to swoop down upon innocent people, so as to try and bring public opinion against that body of men, and had the Government dismissed him immediately they got into office without a pension at all, they would have done greater justice to the people of this State and taken a more correct course.

Hon. W. C. ANGWIN (Honorary Minister): I suppose that if this report is unfair to anyone it is unfair to myself because of the insinuations cast out in this report. I want to say that it is only the report that was printed in the Press and not the evidence, and therefore from the insinuations cast out in the report no person can come to any other conclusion but that I was concerned from a political point of view with the removal of Captain Hare from his position. If one reads the evidence, however, it will be seen that I was exonerated so far as political influence was concerned. The report goes on to say that the committee took evidence from the hon. Mr. Connolly, and in the evidence that gentleman detailed an interview with certain members of the Labour party "including at least one member of the present Government," and said that one member of the present Government spoke in a very derogatory way of the Commissioner of Police, likening him to the Czar of Russia, and as not being fit to govern the police force in a civilised country, and that he would see he was put in his place. If we follow the report through we find that of members of the present Ministry my name was the only one used because the committee find—

8. That one of the first, if not the first, Ministerial act of the Honorary

Minister, Mr. Angwin, performed within a few hours of his having been sworn in, was to call for all files relating to Constable Campbell, and while there may or may not have been significance in the action of the Honorary Minister, your Committee regret that in spite of their request for his attendance, they were not placed in a position to ascertain whether any and if so what important reason existed for such precipitancy on the part of the Honorary Minister.

Any person reading that report could come to only one conclusion and that was that I was the one who spoke to Mr. Connolly. I want to say that I never spoke to Mr. Connolly, and I want to ask what was the reason for the last paragraph at all.

Hon. Frank Wilson: Your action.

Hon. W. C. ANGWIN (Honorary Minister): It could not have been my action. It was done for one special purpose, and it is the second time during the present session of Parliament that some of the members of the Legislative Council have tried in some way or another to injure me, but I am too well known to my electors to be injured by any member of the Legislative Council. I want to know why there was any necessity for that last paragraph, because paragraph 6 states that Constable Campbell's charges had nothing to do with Captain Hare's retirement. Yet the charge is made against me that because I asked for the papers dealing with Campbell—

Hon. Frank Wilson: What did you want them for?

Hon. W. C. ANGWIN (Honorary Minister): Hon members are aware that immediately the Government took office the members of the Ministry had to go before their electors, and Mr. Drew, who was appointed Colonial Secretary found it necessary to visit his constituency, which was a very large one, and prior to going away he asked me to assist him in his office. I carried on the work during his absence from the City. A complaint came in from Constable Campbell about the unfairness he had received at the hands of the Commissioner of Police.

That complaint came in before I sent out for any files.

Hon. Frank Wilson: How did it come about, how did you know about it at the time?

Hon. W. C. ANGWIN (Honorary Minister): Because I was in Mr. Drew's office.

Hon. Frank Wilson: Did you see the letter within two hours of going into the office?

Hon. W. C. ANGWIN (Honorary Minister): I saw the letter when it came in, but I never asked for the papers within two hours of going into the office.

Hon. Frank Wilson: When did you ask for them?

Hon. W. C. ANGWIN (Honorary Minister): I will tell the hon. member if he will wait. Constable Campbell sent in a complaint that he had been unfairly treated by the Commissioner and he pointed out that other police constables had been promoted over his head when he himself was entitled to promotion. I asked for Constable Campbell's file for the purpose of ascertaining whether that officer had been unfairly treated. I might state that I did not know Constable Campbell personally.

Mr. E. B. Johnston: He is a very good man, anyway.

Hon. W. C. ANGWIN (Honorary Minister): The select committee has reported in regard to that matter, "The Government was sworn in on Saturday, 7th October, at about 6 p.m., and from a memo. on the file addressed by Mr. Angwin to the Colonial Secretary dated 26th October, 1911, it would appear that he had perused this with other additional papers." Let me put the position as it stands. I requested on behalf of the Colonial Secretary to see the files relating to Constable Campbell, and I got a portion of the files and a portion only; his record sheet I did not get. I then pointed out to the Colonial Secretary that I only had a portion of the file, and I made a request again that I should have the whole file so as to go thoroughly into the question and investigate the charges of unfair treatment. I then got a few more of the papers relating to Constable Campbell, and for the third

time I had to ask for all the papers relating to this officer, and on that third time I wrote a minute and pointed out that the action of the department had a tendency to make one suspicious, for the reason that it looked as if there was something behind the scenes which it was desired to keep back, so that Constable Campbell should not have fair play.

Hon. Frank Wilson: Did you get the private file as well?

Hon. W. C. ANGWIN (Honorary Minister): Yes.

Hon. Frank Wilson: Did you see what was in it?

Hon. W. C. ANGWIN (Honorary Minister): Yes, I saw what was there. To-day I wanted the minute that I wrote, because if I had been able to get it I could have told exactly when I asked for the papers. I went carefully through the file twice and discovered that the minute had been removed. I do not say that the minute was removed after the papers were laid on the Table of the Legislative Council. Unfortunately, however, the minute has gone, and I am not in a position to prove whether the statement made by Captain Hare that I sent for those papers two hours after I went into Mr. Drew's office, is correct or not. Seeing that Constable Campbell's charges have nothing to do with Captain Hare's retirement, I do not know why there should have been any necessity for the Commissioner to have associated his retirement with Constable Campbell's charges. The Commissioner went on to say that certain papers were placed before me. I do not wish to use the statement made by him, but after I had made a report in regard to Constable Campbell that I considered he had not had fair treatment, I was under the impression then that I had had all the papers relating to that officer, because on the third time of asking I thought that if the Commissioner had been fair he would have supplied all the papers in regard to Constable Campbell. On the 26th February, 1912, the Commissioner came to see me. I was then acting for the Colonial Secretary. The Commissioner brought with him a file and he showed me a photograph and said "This is a photograph of Constable Campbell." I said "It looks like

him." If I said he was the man, I should not have written this minute to the Commissioner and put it on the file, "It appears by the file that the officials who had previously made inquiries must have had such doubts that they ceased going any further; see instructions to Detective Lessey, dated 8/9/99, on previous page; the matter is entirely with you regarding any inquiry you may desire to make." This is dated 26th February, 1912. The instruction to Detective Lessey was penned on the 8th September, 1899, and it was for him to make quiet inquiry and was signed by Inspector Farley. While the Commissioner had stated definitely, and it was stated in another place, and here by the leader of the Opposition, that he (the Commissioner) did not know anything about his retirement until he saw it in the Press, Captain Hare declared in his evidence that I told him of it exactly one month before he received the notification. The evidence of Captain Hare on this matter reads—

The first notification shown on this file was on the 22nd March, from the Acting Under Secretary, who said that Cabinet had decided to retire you?—A short letter . . . . It was before that that Mr. Angwin informed me verbally of this.

I informed him on the 26th February, and he was retired on the 22nd March.

Hon. Frank Wilson: How did you know so early?

Hon. W. C. ANGWIN (Honorary Minister): Because Cabinet had decided it.

Hon. Frank Wilson: Did it take a month to put it through?

Hon. W. C. ANGWIN (Honorary Minister): Captain Hare was notified in due course after the Executive Council minute went through.

Hon. Frank Wilson: Why did you keep it back a month?

Hon. W. C. ANGWIN (Honorary Minister): I am not prepared to say just now. It might have been on account of holidays or something like that. I only mention this to show what hon. members will stoop to for the express purpose of hitting below the belt. It is here proved that, acting on behalf of the Colonial Secretary, I verbally in-

formed Captain Hare at the first opportunity of what action was going to be taken; and I informed him, as stated in his evidence, that he was going to be retired on account of age. That is his own evidence. It has also been stated that Constable Campbell was brought from Norseman without the consent of the Commissioner of Police. Just listen to this—

Inspector Brophy, Kalgoorlie. It has been decided that Constable Campbell is to come to Perth for the purpose of having his alleged grievances inquired into. Let him be instructed to report himself at the central station without delay. (Signed) Fred Hare.

I took that to-day from the files in the Council. Then the Commissioner goes on to say that I told him the charges by Constable Campbell were withdrawn by the Government. Any person who gave it two minutes' consideration could only come to one conclusion, namely that Constable Campbell laid charges—which was proved in the evidence—and that the Government made no charges whatever. How was it possible I could tell Captain Hare that the Government were going to withdraw charges which the Government had never made?

Mr. George: Cabinet did make charges against Captain Hare.

Hon. W. C. ANGWIN (Honorary Minister): That I said the Government were going to withdraw their charges. To show there is no truth in the statement: I was speaking to him on the 26th February and on the 4th March Cabinet decided that unless a board be appointed to hear the charges made by Campbell before Monday the 18th the matter would not be persisted with. On the 9th March this letter was written to be sent to the Commissioner of Police, and I will presently explain why it was not sent—

Commissioner of Police. Campbell *versus* Commissioner—The Government are desirous that finality should be reached in connection with the above inquiry. It is proposed that a board of three persons be appointed, one to be selected by yourself, one by Constable Campbell, and the chairman to

be chosen by Cabinet. I have, therefore, to inform you that in the event of one or both parties to the issue failing by the 18th March instant to nominate a representative, the Government will consider the question of bringing the proceedings to a close, or appointing a board of its own choice.

That letter was written, and there is a foot-note showing that it was not sent out, because on the 9th March Constable Campbell sent in a letter desiring to withdraw the charges which had been made.

Mr. George: What does he say in the letter of withdrawal?

Hon. W. C. ANGWIN (Honorary Minister): I did not copy the letter, I had not the time. I had to go to a Cabinet meeting to-day. Let us lead up to this: Campbell sent several letters in during the *regime* of the late Colonial Secretary, and the late Colonial Secretary in his evidence stated that if Campbell had laid charges the inquiry would have been held. But the whole of these charges laid by Campbell were sent in during the regime of the late Colonial Secretary, and therefore they were all on the file when we took office. If there was not something in the charges laid by Constable Campbell would not Captain Hare have got rid of him long before we came into office? There is *prima facie* evidence that if Campbell had not truth to back him up the Commissioner of Police was not fit for his office in keeping such a man in the position.

The Minister for Mines: When he was asked by the committee, did he want Campbell called, he said "No."

Hon. W. C. ANGWIN (Honorary Minister): I know I would not stand such letters from any man if I was in charge of a department, unless there was something I was afraid to speak about. The action of the Commissioner condemned him himself.

Mr. George: What were the charges?

Hon. W. C. ANGWIN (Honorary Minister): They were too many to be specified here. As soon as the Commissioner found that I was making some inquiry and looking into the papers, he

came along and said he had decided to lay a charge of insubordination against Campbell. And then he was not plucky enough to do it, not man enough to make the charge. He went to the Crown Solicitor to ascertain his position, how he should carry out his duty as Commissioner of Police, a man in charge of several hundred policemen, in a position where discipline was of the utmost necessity. But he was afraid for some reason or other to lay the charge against Constable Campbell, and he went to the Crown Solicitor, who told him, "You cannot lay a charge of insubordination; Constable Campbell has only been a little indiscreet." And Captain Hare dropped the charge like hot lead. He knew there was something Campbell had, and he did not wish to take it further. The position is that the Commissioner dropped his charge of insubordination, but Campbell laid charges himself. That was the position, and that is as far as it had gone. When he found out that the Commissioner was being honourably retired he withdrew the charges.

Mr. George: On what date did he withdraw the charges?

Hon. W. C. ANGWIN (Honorary Minister): The 9th March.

Mr. George: And when was the Commissioner retired?

Hon. W. C. ANGWIN (Honorary Minister): Prior to the 26th February. In proof of my statement let me read a question put to the Commissioner by the select committee, "Would you like Constable Campbell called?" The Commissioner replied: "So far as I am concerned, if the committee are not going into the charges at all there is no necessity to have him called." There was no necessity to ask the Commissioner whether he should be called, because they had full power to summon him to give evidence. It proves clearly that, as far as even the committee were concerned, they were not anxious to bring any evidence which would assist them in arriving at a conclusion. They decided that as far as Campbell was concerned he had nothing to do with the retirement of Captain Hare. In

dealing with Constable Campbell's papers, the charges laid in regard to the Commissioner were all they had to do with.

Hon. Frank Wilson: Did he not serve three years for perjury in New South Wales?

Hon. W. C. ANGWIN (Honorary Minister): I say this: the Police Department has never been able to prove it, and this minute was dated the 8th September, 1899. I put a minute on and said, "The matter is entirely with you in regard to any inquiry you may desire to make." The Department had, previous to that, been making inquiries, and Detective Lessey was instructed on that date to make a quiet inquiry in regard to the matter. At that time they were never able to actually prove that Campbell was convicted. It was a scandal for the ex-commissioner to give that in evidence, when he could not prove it.

Hon. Frank Wilson: Why did you not put in the file so that the committee could see it?

Hon. W. C. ANGWIN (Honorary Minister): It was no surprise to me to find my name brought into this report, because in giving evidence before the last select committee that the Legislative Council appointed I made certain statements against one of the members, based on his own evidence given before a previous select committee on railway construction, and that gentleman was a member of this committee. I ask members to form their own conclusion as to whether I was not drawn into this for the special purpose of covering up their own evil deeds.

Hon. Frank Wilson: What are their evil deeds?

Hon. W. C. ANGWIN (Honorary Minister): Lending £50 to a surveyor on proved evidence.

Hon. Frank Wilson: Who gave the £50?

Hon. W. C. ANGWIN (Honorary Minister): If the Deputy Speaker will allow me, I will read the report of the evidence.

Mr. Underwood: Sommers lent it to Muir.

Hon. Frank Wilson : Well, what about it ?

The Minister for Mines : Muir was to take the railway through Sommers' property—absolute corruption.

The Premier : Is that the sort of thing you encourage ?

Hon. W. C. ANGWIN (Honorary Minister) : If the Speaker will allow me, I will read the evidence given in connection with the transaction.

The DEPUTY SPEAKER : The hon. member can read any report of 'a previous session.

Hon. W. C. ANGWIN (Honorary Minister) : This is an extract from the report of the evidence before the select committee of the Legislative Council on the Wongan Hills-Mullewa railway. Mr. Sommers was giving evidence, and he was asked by the Hon. J. E. Dodd—

What was Mr. Muir's object in going to you in the first instance. You say he came to you. Was that before he went up there ?—Yes, just before he went up. I was pressing him for the payment of some money which he had been owing me for two years. That is how the conversation arose.

Hon. Frank Wilson : Then he did owe him the money ?

Hon. W. C. ANGWIN (Honorary Minister) : That was two years after the railway survey had been made. The evidence continues—

He went and saw you again when he came back ?—Yes, a writ was being issued for the recovery of the money, and he came in to see if he could stop the writ. With some difficulty, my solicitor stopped it. Mr. Muir said he would be back in a fortnight, when he would see what he could do in the way of payment. He came back in a fortnight, and I insisted upon this money being paid. Then it was that I learnt of this deviation.

He said the deviation would go east ?—Yes, he blamed the Government. He said he was under instructions, and he had to do what he was told.

That report was dated after the 10th May. At any rate this would

be after the date of that report ?—On the 14th June of this year, he made the first payment of this money, owing for two years, so it was between May and June. Having said so much, I think I may as well put in these letters. Mr. Muir incurred a debt of £50 to me, in April, 1910.

That was just before the Leader of the Opposition brought in his Bill for the construction of the railway, just after the Advisory Board had been up there.

Repeated applications were made for payment, but no notice was taken until about May, 1912.

Two years went by and there was on pressure for payment.

When he came to see me in response to a notification that a writ was being issued against him. I have here letters of August, 1911, November 1911, December 15th, 1911, and March 5th of this year. In consequence of these letters, or of the last one, Mr. Muir came to me just on the eve of his departure to make the alteration eastwards.

Mr. George : Whose evidence is that ?

Hon. W. C. ANGWIN (Honorary Minister) : Mr. Sommers, a man who sat on this committee and who tried to condemn me. I will give more of it in a minute. This is the evidence of Mr. Muir—

I owed Mr. Sommers £50 for work done, and he could always take what action he considered necessary to recover that money. As a matter of fact, it seems to me that Mr. Sommers has rather disproved his case. If I had not been an honest servant of the State, I could have compromised with Mr. Sommers.

That is evidence given before the select committee.

Mr. George : That is a very serious charge to make.

Hon. W. C. ANGWIN (Honorary Minister) : Because I referred to that incident I was not surprised that something was brought into this report to try to condemn me on an action of mine in regard to this matter, but I am not afraid for any person to inquire into it. I was not present when the vote was



taken in regard to giving me permission to give evidence before the committee, and I was very much surprised that I did not have an opportunity to give evidence. It was not my fault. The papers will prove conclusively to any unbiassed person who will look at them, that any action I took was fair and above-board to all concerned. I repeat again if the late commissioner had not done anything previously, his action in regard to the Campbell case alone was quite sufficient for his dismissal.

Hon. Frank Wilson: Why?

Hon. W. C. ANGWIN (Honorary Minister): Because it shows he was not fit to hold the position, when he allowed a man in the force to write such letters unless he had some justification for doing so.

Mr. George: Suppose he had sacked Campbell?

Hon. W. C. ANGWIN (Honorary Minister): Then there would have been an inquiry. I made a statement the other night that some 20 officers had been under consideration for retirement on account of age, and for the express purpose of re-organisation. At that time there was no intention to appoint another Commissioner of Police. The idea then was to appoint a chief inspector of police, but that would have meant an alteration of the Act, and consequently a commissioner was again appointed. Not only that, but it is open for every officer under the Public Service Act to demand his retirement at 60 years of age. There are no questions asked if he wishes to retire, and why should questions be asked when he is retired? Captain Hare is in a splendid position, drawing a pension of £468 18s. per annum as long as he lives. Here is a list of a number of officers who came under the sections providing for retirement on account of age: J. J. Walton, chief inspector of schools—did he kick up a row about it? He was over the age, and he has gone.

Hon. Frank Wilson: But he asked to be retired.

Hon. W. C. ANGWIN (Honorary Minister): I do not know that he did.

Hon. Frank Wilson: If you look up the files you will see that is so.

Hon. W. C. ANGWIN (Honorary Minister): Then there is J. T. Barrow, gone; J. Routledge, gone; W. F. Stevens, Chief Inspector of Health, gone; J. C. Edmundson, gone; Captain Hare, who is kicking up all the row, gone. Superintendent Lawrence has gone, H. McIlwaine, J. C. Sipple; O. Burt—he is gone and there is no row about it. He is over age and he has got what he is entitled to, having served his proper time in the service. G. G. Black, G. E. Farrar, D. Murcott, J. Ross, J. B. Ross, W. Bowie, P. G. Booty. There is another name, but the poor fellow died before the time was up, A. J. Lewis; F. J. Lander, J. Faulkner. So Captain Hare was not the only one. Then there are Messrs. Elliott, Fry, and Gell. There are several others whose retirement we are trying to arrange for as soon as suitable to the department.

Hon. Frank Wilson: Are you firing them all out?

Hon. W. C. ANGWIN (Honorary Minister): No. I told the hon. member that the Principal Medical Officer of Health is not going yet; not only is it not convenient, but he is a young man for his years. He is a young man compared with Captain Hare.

Hon. Frank Wilson: You did not say so when he was appointed. A nice old row you kicked up.

Hon. W. C. ANGWIN (Honorary Minister): If I had not voted for the hon. member at the time, he would have lost on the question. Some of the hon. member's party were against him, and it was my vote which saved the position.

Hon. Frank Wilson: I could not have had my side here that night.

Hon. W. C. ANGWIN (Honorary Minister): Yes, the hon. member did, and some of them crossed the floor. The list of names I just read proves conclusively that there was no political bias, and Captain Hare's own words prove conclusively that there was no political bias. If there was political bias would not Inspector Holmes and Sergeant Smith have gone too as they

are given prominence in Captain Hare's evidence. So far as these officers are concerned, so long as they are doing their duty, and are competent for their work, there is no chance of them being removed with pensions, but when officers are in such a position that it is in the best interests of the State that they should be removed, then they will be removed.

Mr. GILL (Leederville): As my name has been mentioned in connection with this matter I wish to confirm the statement made by the Attorney General and the Hon. W. C. Angwin (Honorary Minister) that this report, to some extent at any rate, is founded on absolute untruths. Seeing that that is so, I think this Chamber should do what is fair and do justice to the Ministry and the party sitting on this side of the House. To do that, they can only take one course, and that is condemn the report. The Attorney General has pointed out many directions in which the report is untrue, and I want to say the reference to myself is absolutely untrue, and without foundation, as I was more than a mile away from the centre of the City when the disturbance in question happened. On the day of the trouble in the streets of Perth in connection with the tramway strike, I was in the City early in the morning in company with Mr. Heitmann. We came in at about 7 o'clock, as we had interested ourselves in the matter of the tramway trouble. Up to 11 o'clock I was in the main part of the City, and as things were absolutely quiet at that time I went home to my lunch. I live more than a mile away from the centre of the City, and the first intimation of any trouble I had was when my boy came home and said that there was some great sport, as he termed it, in the City, that the police were galloping about, and that there was considerable disturbance. I reached the scene at about 2 o'clock, and things had quietened down by then, and I have no hesitation in saying that the statement that I, with the Attorney General and others, met Mr. Connolly on the steps of the Treasury

building is absolutely untrue and without foundation.

Hon. FRANK WILSON (Sussex): I have listened with some degree of interest to the heated remarks that have fallen from hon. members opposite in connection with this report of the select committee which has been sent on to us from another place. I have also been remarkably struck and impressed by the interjections which have been fired across the floor of this Chamber from time to time during the speeches which have been made, and I must say that if there is one thing which would make me object to the motion which has been moved by the Attorney General it is the unworthy accusations made by members opposite in their anxiety to prove everyone else liars and themselves paragons of truth. Unworthy accusations have been cast not only against members who occupy these benches in Opposition, but also against hon. members belonging to the Legislative Council.

Mr. Swan: They rightly deserve it too.

Hon. FRANK WILSON: That is on a par with what I complain about. There is nothing too bad, but everything in the way of punishment which the hon. member can think of we are led to believe those who sat on this committee richly deserve. One is even accused of being corrupt by the Minister for Mines. The Minister gets up and reads from some ancient report because this gentleman, in a moment of charity, when perhaps his heart got the better of his judgment and commercial instincts, lent some poor impecunious civil servant £50 in order to tide him over a hard time, and because of this it is insinuated that it was done with a sinister purpose, with the intention of altering the survey of a railway which had not then been considered, and which had not been before the House. The £50 was lent by the hon. Mr. Sommers, according to the honorary Minister, some two years before the time that he referred to when the question of the survey of this railway came up. It was in April, 1910, and there was no suggestion of a survey of a rail-

way at that time which could be affected by an action of this description. Yet the Minister for Railways, occupying as he does a dignified and honourable position, says "corrupt." I challenge him to make the charge outside this Chamber and I challenge the Premier to do the same.

The Premier: Why does not Captain Hare make his charges outside?

Hon. FRANK WILSON: I challenge the Minister for Railways or the Premier to make their charges outside the Chamber where they will not be under the cover of privilege.

The Premier: That is what Sommers said once before.

Hon. FRANK WILSON: And the Premier, before he knows where he is, will find himself in the Supreme Court, and probably relieved of some of the enormous emoluments of office which he has been drawing.

The Premier: I heard the same tale before and I repeated outside the Chamber what I said in the Chamber. Where was the writ then?

Hon. FRANK WILSON: Why do not Ministers protect their own honours instead of casting aspersions on other men? Really, Mr. Deputy Speaker, my indignation prevents me from finding adequate language with which to express my disgust at the conduct of Ministers opposite. What are we asked to consider here?

The Premier interjected.

Hon. FRANK WILSON: Keep quiet. Why cannot you behave yourself? Do not be a larrikin.

The DEPUTY SPEAKER: Order!

Hon. FRANK WILSON: How can I be expected to go on with these continued interjections from the Premier.

The DEPUTY SPEAKER: Order!

Hon. FRANK WILSON: Will you kindly call the Premier to order?

The DEPUTY SPEAKER: Order!

Hon. FRANK WILSON: I am in order; it is the Premier who is out of order.

The DEPUTY SPEAKER: Order, order! I must ask the leader of the Opposition to withdraw the expression, "Do not be a larrikin."

Hon. FRANK WILSON: I do not know what there is offensive in that term.

The DEPUTY SPEAKER: The hon. member knows well that the term "larrikin," is offensive.

Hon. FRANK WILSON: I have yet to learn that, but if you say so, Mr. Deputy Speaker, I will withdraw the expression.

The DEPUTY SPEAKER: I trust hon. members will not interject so much. All these interjections tend to disorderly behaviour.

Hon. FRANK WILSON: This motion which we are asked to consider and, by the way, I understand it has not yet been read from the Chair—

The DEPUTY SPEAKER: I think the Speaker read it out.

Hon. FRANK WILSON: No, Sir.

The DEPUTY SPEAKER: Then I will read it. The motion is "That the Legislative Council be notified by Message that the Legislative Assembly cannot concur in and respectfully repudiates the report covered by Message No. 29, which report reflects upon the members of the Government and the party in power and is not only unfair, but unsupported by evidence."

Mr. Elliott: There has been an amendment moved to that.

The DEPUTY SPEAKER: Not since I have been in the Chair.

Mr. Elliott: The member for Murchison (Mr. Holman) moved an amendment, I think.

Hon. FRANK WILSON: I do not think the hon. member moved an amendment.

The DEPUTY SPEAKER: I think he only suggested it.

Hon. FRANK WILSON: What then is the motion we are asked to agree to. We are asked to state that the finding of this select committee, which is based on evidence taken by them, is unfair and is unsupported by the evidence. Well, I say at once, that I am not prepared to endorse a motion of this description. To my mind, so far as I have been able to read the report, it is supported by the evidence, whether that evidence be true or untrue, correct or incorrect. In some

instances hon. members have complained, and the member for Leederville (Mr. Gill) has denied that he was in the City at a certain hour upon a certain date.

Mr. Swan: And do you not believe him?

[*The Speaker resumed the Chair.*]

Hon. FRANK WILSON: I am prepared to accept the statement, but at an earlier period of the day he had been in the town and in conjunction with some other person had taken an active part in that unfortunate tramway difficulty. Members, including the Attorney General have complained that they were not called to give evidence before this Committee, but did we not receive a courteous request from another place that the Honorary Minister (Mr. Angwin) and the member for Mount Margaret (Mr. Taylor) should be given permission by this House to appear before that select committee and give evidence. That request was sent to us and it ought to have been complied with immediately. Instead of that it was treated discourteously by being shelved, and the Premier on two occasions absolutely declined to give the House an opportunity of granting the request.

The Premier: Because I knew what they were up to. I knew their devious ways.

Mr. Foley: On a point of order, was the leader of the Opposition in order in saying that this House was discourteous to the other place by the manner in which we received their Message.

Mr. SPEAKER: Certainly. The leader of the Opposition is in order. That is his opinion.

Hon. FRANK WILSON: On one occasion the member for York (Mr. Monger) asked the Premier without notice, whether he would afford the House an early opportunity of considering the request from the Legislative Council that these two hon. members should be granted permission to give evidence, and the Premier said he did not propose to give an early opportunity of dealing with the matter because there was other business of more importance before the House. A little later in the session, on the 25th November, I also

asked the Premier, in view of the statement that the Honorary Minister had made that he was quite prepared to give evidence, and that I presumed the member for Mount Margaret was also desirous of giving evidence, whether he would give the House the opportunity of considering the request of the Legislative Council. Then the Premier again, in his off-hand, brusque, uncouth, flip-pant and discourteous manner, said he had already told the member for York that there was more important business to be considered.

*Member suspended.*

Mr. SPEAKER: Order! The hon. member must withdraw the word "uncouth." It is most discourteous to the Premier and it is most offensive.

Hon. FRANK WILSON: The word "uncouth" is an everyday expression and it only means clumsy.

Mr. SPEAKER: I do not care what it means; I say the word is offensive.

Hon. FRANK WILSON: I did not say it in an offensive way.

Mr. SPEAKER: Will the hon. member please take his seat?

Hon. FRANK WILSON: Let us send for a dictionary then and see what the meaning of the word is.

Mr. SPEAKER: Order! I am going to ask the hon. member to withdraw the word "uncouth."

Hon. FRANK WILSON: I refuse to withdraw it and I shall dispute your ruling. Let us get Webster's dictionary, and see what the meaning is.

Mr. SPEAKER: Order! I want to give the hon. member an opportunity to withdraw the remark.

Hon. FRANK WILSON: I refuse to withdraw it.

Mr. SPEAKER: I am going to make the hon. member withdraw it. If he does not withdraw it I shall name him.

Hon. FRANK WILSON: Name me then. I refuse to withdraw it.

Mr. SPEAKER: If the hon. member persists in refusing I shall name him.

Hon. FRANK WILSON: Well, name me.

Mr. SPEAKER: I want the hon. member to withdraw.

Hon. FRANK WILSON: I refuse to withdraw.

Mr. SPEAKER: If the hon. member refuses to withdraw I am going to name him.

Hon. FRANK WILSON: You can name me.

Mr. SPEAKER: I am not afraid to name the hon. member.

Hon. FRANK WILSON: Well name me, name me.

Mr. SPEAKER: The hon. member is not in the habit of defying the Chair. I know he is heated, but I do not want to take drastic action. I want him to withdraw.

Hon. FRANK WILSON: Mr. Speaker, I presume you are calling me to order under rule of debate 131, that no member shall use offensive or unbecoming words in reference to any member of the House.

Mr. SPEAKER: That is correct.

Hon. FRANK WILSON: I used the word "uncouth" as applicable to the action of the Premier, and I still maintain here that the word is applicable, and is not offensive nor unbecoming. The word "uncouth" means awkward, strange.

Mr. SPEAKER: Order! The hon. member will take his seat. The hon. member stated that when asked to give opportunity to the House to consider the request by the Legislative Council, "The Premier again, in his off-hand, brusque, uncouth, flippant, and discourteous manner said he had already told the member for York that there was more important business to be considered." I am not concerned with what the dictionary says about the word "uncouth." I am interpreting the word as applied to the Premier, and I consider the remark offensive. I ask that it be withdrawn.

Hon. FRANK WILSON: Well, I regret more than I can say that you deem it necessary to ask me to withdraw the word "uncouth." I used it with the full knowledge of its meaning, that it means awkward, strange, clumsy, and these were the terms I applied to the Premier's action in connection with this matter, in refusing to give another place

the opportunity of calling certain hon. members as witnesses, in refusing to give us an opportunity of considering that request. I feel that if I am to accede to your request to withdraw the word "uncouth," there is no word in the English language which I can freely use in this Chamber, and I must, therefore, respectfully, with all due deference, refuse to withdraw the expression.

Mr. SPEAKER: Then I am in the same position as the hon. member. I cannot and will not allow him, or anybody else, to flout my authority, and therefore with great reluctance I have to name him. I ask the House to take the action necessary in the circumstances.

The PREMIER: Mr. Speaker, as leader of the House, I am called upon to support the Chair. In doing so I have to move—

*That the hon. member, having defied the Chair, be suspended for the balance of the sitting.*

Mr. George: Before you take action on this matter, may I be permitted to say a few words.

The Attorney General: On a point of order, the position is this: the hon. member for Sussex having been named and the motion stated, the only course now is for the hon. member to make any explanation he has to offer, and immediately withdraw from the House, and then the House can debate the question.

Hon. Frank Wilson: Under what Standing Order?

The Attorney General: Standing Order 72.

Mr. SPEAKER: The question is that the hon. member for Sussex be suspended from the service of the House.

Hon. Frank Wilson: You cannot do it; that motion cannot be moved under the Standing Orders.

Mr. George: Sir—

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

Mr. Elliott: Would I be in order—

Mr. SPEAKER: Certainly not.

Mr. George: Is it not competent for us to discuss the motion?

Mr. SPEAKER: No.

Mr. George: Well, what is the necessity for putting it?

Mr. SPEAKER: The hon. member will resume his seat. The Premier has moved that the member for Sussex be suspended from the service of the House.

Mr. McDowall: Does that mean a week?

Mr. SPEAKER: Standing Order 72 reads—

Whenever any member shall have been named by the Speaker, or by the Chairman of the Committee of the whole House, immediately after the commission of the offence or disregarding the authority of the Chair, or of abusing the rules of the House, by persistently and wilfully obstructing the business of the House, or otherwise, then, if the offence has been committed by such member in the House, the Speaker shall forthwith put the question, on the motion being made—no amendment, adjournment or debate being allowed—"That such member be suspended from the service of the House;" and if the offence has been committed in a Committee of the whole House, the Chairman shall put the same question in a similar way, and, if the motion is carried, shall forthwith suspend the proceedings of the Committee, and report the circumstances to the House, and the Speaker shall thereupon put the same question, without amendment, adjournment or debate, as if the offence had been committed in the House itself. If any member be suspended under this order his suspension on the first occasion, shall continue for one week; on the second occasion, for a fortnight; and on the third, or any subsequent occasion, for a month; provided always, that suspension from the service of the House shall not exempt the member so suspended from serving on any Committee for the consideration of a private Bill to which he may have been appointed before his suspension.

The Premier has moved the motion, and I will put it to the House. The motion is that the hon. member for Sussex be suspended from the service of the House.

Mr. Elliott: For how long?

Mr. SPEAKER: If the hon. member will read the Standing Orders he will

find out. I do not intend to depart from the position I have taken up, that the authority of the Chair must be upheld. I put this motion with the greatest reluctance; I have given the hon. member for Sussex an honourable opportunity of retracting and he has not done so. Therefore I shall put the motion.

Motion (Suspension) put and a division called for.

Mr. George: If that rule had been applied to you, Walker, you would have gone out long ago.

Mr. Elliott: Contrast that with what the Attorney General said to-night.

Mr. SPEAKER: Order! If the hon. member for Geraldton does not keep order he will go out also.

Division resulted as follows:—  
12 o'clock, midnight.

Ayes .. .. .	21
Noes .. .. .	11

Majority for .. 10

#### AYES.

Mr. Bath	Mr. McDowall
Mr. Chesson	Mr. Mullany
Mr. Collier	Mr. Scaddan
Mr. Foley	Mr. B. J. Stubbs
Mr. Gardiner	Mr. Swan
Mr. Gill	Mr. Thomas
Mr. Holman	Mr. Turvey
Mr. E. B. Johnston	Mr. Walker
Mr. Lander	Mr. A. A. Wilson
Mr. Lewis	Mr. Underwood
Mr. McDonald	(Teller).

#### NOES.

Mr. Allen	Mr. Monger
Mr. Broun	Mr. A. E. Plesse
Mr. Elliott	Mr. F. Wilson
Mr. George	Mr. Wisdom
Mr. Harper	Mr. Layman
Mr. Mitchell	(Teller).

Motion thus passed.

[Hon. Frank Wilson left the Chamber, followed by the other members of the Opposition.]

On the motion by the Premier debate adjourned.

*House adjourned at 12.2 a.m. Thursday.*