

And it goes on to say that whoever makes a bet shall be liable to penalty of not more than £100. It seems to me that the introduction of the word "bookmaker" weakens the whole clause because it is shown in the definition that bookmaker may be a person who only partly gains his livelihood by making bets. However, if the Government are satisfied that it covers the whole position I shall not complain; but I would like to see the clauses gambler-proof, to quote an expression used by Mr. Cullen, because we have some very clever gentlemen to contend with in connection with the gambling evil. I have read the different clauses of the Bill and they are certainly very drastic, but in my opinion they require to be drastic in order to meet the situation. I think the House should consider carefully every clause, give close attention to them, and see that every provision is made in the direction of preventing any loophole being availed of for the purpose of evading the law. I have much pleasure in supporting the second reading of the Bill.

On motion by Hon. W. Kingsmill, debate adjourned.

#### BILLS (3)—FIRST READING.

1. Special Lease (Stirling Estate).
2. Treasury Bills Act Amendment.
3. Kingia Grass Tree Concession.

Received from the Legislative Assembly.

#### BILLS (2)—RETURNED FROM LEGISLATIVE ASSEMBLY.

1. Zoological Gardens Act Amendment.
  2. Execution of Instruments.
- Without amendment.

*House adjourned at 6.18 p.m.*

## Legislative Assembly,

*Wednesday, 8th November, 1916.*

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

#### PAPER PRESENTED.

By the Premier: Commissioner of Taxation, report for year ended 30th June, 1916.

#### QUESTION—RESIDENT MAGISTRATE, WYNDHAM.

Mr. W. D. JOHNSON (without notice) asked the Premier: As telegrams are being received, from public meetings at Wyndham, seriously reflecting on the integrity and general administration of the local Resident Magistrate, will the Premier take an early opportunity to explain to the Legislative Assembly what action the Government contemplate taking to protect public rights and liberties?

The PREMIER replied: This is a matter under the control of the Attorney General. I will confer with my colleague, and take an opportunity of making a statement to the House.

#### QUESTION—FINANCES, ADVISORY COMMITTEE'S REPORT.

Mr. SCADDAN asked the Treasurer: Will he make available the report of the advisory committee, consisting of the Auditor General, the Under Treasurer, and the

Commissioner of Taxation, referred to by him as having reported on the financial position as at 30th June last?

The TREASURER replied: Yes. The report will be made available.

#### QUESTION—EDUCATION DEPARTMENT OFFICES.

Mr. MUNSIE asked the Premier: 1 When were the buildings now occupied by the Education Department acquired? Are they being leased, and, if so, what rent is being paid? 2, If the Government have obtained the freehold, from whom was the purchase made, and what was the cost to the State? 3, What use, if any, do the Government intend to make of the buildings vacated by the Education Department at the corner of Hay and George-streets?

The PREMIER replied: 1, Lease commenced on 21st October, 1916. The premises are being leased for a term of three years. The rent is £550 per annum, the landlord paying rates and taxes, except excess water. 2, The Government have not obtained the freehold, nor is this under contemplation. 3, Alternative proposals are under consideration.

#### QUESTION—POISON LANDS, REPRICING.

Mr. GRIFFITHS asked the Minister for Lands: 1, Is he aware that applications for repricing of poison lands, as formulated in the Repricing Bill, are being refused on account of non-payment of back rents? 2, Why are not these rents being paid by the Industries Assistance Board, as was intended when the Bill was passed? 3, Will he see that where application is made settlers are assisted in this direction?

The MINISTER FOR LANDS replied: 1, Applications for reduction of price are not being refused, but the reductions cannot be carried into effect until rents are paid at the original rate to 31st December, 1915, as provided in the Land Act Amendment Act, 1915. 2, Rents are being paid by the Industries Assistance Board in the case of selectors who have had advances under Clauses

(a) and (b) of Section 9 of the Industries Assistance Act. 3, Every assistance is given to settlers applying for reduction of prices of poison lands.

#### QUESTION — AGRICULTURAL PRODUCE, MARKETING FACILITIES.

Mr. GRIFFITHS asked the Minister for Agriculture: If the Government cannot provide better marketing accommodation for produce; or, as an alternative temporary proposal, will they run in temporary sidings to the Roe-street and Marquis-street markets?

The MINISTER FOR AGRICULTURE replied: It is not considered advisable at the present time to put in temporary sidings at the Roe-street and Marquis-street markets.

#### QUESTIONS (3)—RAILWAY FARES AND FREIGHTS.

##### *Goods Classification.*

Mr. SCADDAN asked the Honorary Minister: What goods are classed in the Railway Rate Book under Classes 1, 2, and 3?

The HONORARY MINISTER (Hon. J. D. Connolly) replied: Reference to the classification rates for merchandise and livestock will afford the hon. gentleman the fullest information at a glance.

##### *Increases in Fares.*

Mr. CARPENTER asked the Honorary Minister: 1, What is the total sum, approximately, which the Government expect to receive from the recently increased railway fares? 2, Is he correctly reported by the *West Australian* in saying that this new impost is not for taxation purposes? 3, Will railway passengers receive any additional or extra services in return for the increased payments demanded of them? 4, If the increased levy upon the travelling public is made without giving extra services of equal value, on what grounds does he contend that the increased revenue so obtained is not taxation?

The HONORARY MINISTER (Hon. J. D. Connolly) replied: 1, For the financial year, £30,000. 2, Yes. 3, No. 4, Because this is an increased charge for services ren-

dered, and not taxation in the usual acceptance of the term.

Mr. MALE, for Mr. Veryard, asked the Honorary Minister: 1, As the passenger fares have been increased on the railways within the coastal areas, is it the intention of the Government to increase the railway fares throughout the railway system of the State? 2, If not, why are the electors of the coastal areas selected for further charges?

The HONORARY MINISTER (Hon. J. D. Connolly) replied: 1, No, not beyond the increase on through fares, which naturally follows from the increase on suburban fares. 2, The electors of the coastal areas are not selected for further charges as all country people travelling through the suburban area pay the same increase. In any case the suburban fares are on a much cheaper basis than country fares.

#### QUESTION — GEOLOGICAL SURVEY BRANCH, PARTICULARS.

Mr. ALLEN, for Mr. Smith, asked the Minister for Mines: 1, What is the amount expended annually in the upkeep of the Geological Survey branch? 2, How much has this branch cost the State during the past 10 years? 3, How many officials are at present employed in the Mines Department, Perth, and what is the aggregate sum paid them in the form of salary per annum? 4, What practical advantage has the mining industry derived from the reports and researches of geologists?

The PREMIER, for the Minister for Mines, replied: 1, The average annual expenditure for the past 10 years has been £8,384. 2, £83,847. 3, Eleven officers are constantly employed, whose salaries total £2,582 per annum, and two are partially employed, whose salaries total £1,356. 4, It is impossible to put a money value on scientific research, though it is usually admitted by all civilised nations that such is essential for the advancement of national industries.

#### BILLS (5)—THIRD READING.

- 1, Special Lease (Stirling Estate).
- 2, Treasury Bills Act Amendment.

3, Kingia Grass Tree Concession.

Transmitted to the Council.

4, Execution of Instruments.

5, Zoological Gardens Act Amendment.

Passed.

#### MOTION—BILLS INVOLVING EXPENDITURE.

*Proposed New Standing Order.*

Mr. CARPENTER (Fremantle) [4.48]: I move—

*1, That in the opinion of this House no Bill should be introduced or considered if it contains any provision which is an evasion of Standing Order No. 387. 2, That the Standing Orders Committee be requested to prepare a new Standing Order in accordance with the foregoing resolution.*

I have submitted this motion on account of what occurred in connection with a certain measure discussed by the House last week. Most hon. members are familiar with the Standing Order, which reads as follows:—

It shall not be competent for a private member to move the House into a Committee of Supply or of Ways and Means, nor into a Committee of the whole House for imposing any tax, indent, or impost, nor shall it be competent for a private member in any such Committee to propose increases on the amounts proposed therein.

That Standing Order lays down a principle which has been thoroughly established, not only in this Parliament but in all British Parliaments. It has been the practice of the mother of Parliaments for many years past. It has come into being on account of the necessity which was found to exist in the House of Commons for making the Government of the day solely responsible for the expenditure of public money. The principle is so vital that one scarcely needs to spend time in arguing for it or stressing its importance. It has remained for the Government of this State to do violence to that established principle, and in so doing to lay open themselves and succeeding Governments to very grave difficulties and dangers unless something be done to prevent a repetition of what took place here recently. The Bill to which I refer was introduced by the

member for Katanning (Mr. Thomson). The invariable custom has been that when a private member introduced a Bill which created a new impost or made a charge upon the people, no consideration was given to the measure unless the Government signified to the House that they would make themselves responsible for the expenditure which the Bill involved. In this case, however, instead of doing what has always been done hitherto, the Government put into that Bill a new proviso, which stated that the Bill should operate only if provision were made in the Estimates at some subsequent time for the expenditure involved. You, Sir, were called upon to rule whether or not the Bill was in order, and you informed the House that while you recognised that the proviso to which I have referred was a subtle evasion of Standing Order 387, you could not see your way clear to rule that the Bill was out of order on that account. Your remarks, Sir, should have served to emphasise to members just what a glaring departure that proviso was from the ordinary and accepted practice, not only of this House but of every other British Parliament. As bearing upon the subject, and as seeking to emphasise the importance of what you recognised, I would like to quote a few words from the eleventh edition of *May*, page 558, as follows—

The Commons have faithfully maintained the duty and responsibility of the Sovereign and their own regarding the custody of public money and the imposition of charges upon the people by Standing Orders framed specially for that purpose.

It was in accordance with that practice of the House of Commons that we framed similar Standing Orders to give ourselves and the people, and the Government also, the same protection, and one cannot help wondering what could have led the Government of the day to depart from an established constitutional practice and introduce into a Bill a proviso which did violence to a principle which had been laid down by so eminent an authority, and which, so far as I can gather, has never been attacked in this way before. *May* then proceeds—

Under the practice thus established every motion which in any way creates a charge upon the public revenue or upon the rev-

enues of India, must receive the recommendation of the Crown before it can be entertained by the House.

Proceeding, in the next paragraph, *May* says—

Unless the recommendation of the Sovereign enjoined by the Standing Orders be signified in the manner mentioned in the next paragraph, the Speaker cannot put the question on a motion which comes within the scope of the Standing Order.

I am not going to say anything against your ruling, Sir, but I would like to point out that so high an authority as *May* has laid it down definitely that the Speaker would have been quite within his rights in refusing to allow that Bill to be introduced or considered at all. One further short quotation from *May*. This is in support of my own contention when speaking on the second reading of that Bill, namely, that had the Government at any time during the second reading signified their intention of bringing down the necessary Message from the Governor sanctioning that expenditure it would have been all that was necessary. This is *May's* statement—

If satisfied that the motion will receive the Royal recommendation the Speaker proposes the motion as a question from the Chair, and thereupon a Minister of the Crown or a Privy Councillor signifies to the Speaker of the House that the motion is recommended by the Crown.

But instead of doing this, as should have been done, the Government of the day not only put in a proviso to evade the Standing Orders contrary to all previous practice, but individual Ministers actually boasted of their cleverness in so doing.

The Premier: No.

The Minister for Works: There was no boast.

Mr. CARPENTER: I ask the Minister to look up *Hansard* of last week. When I asked who was responsible for putting that in he said—"Pretty clever is it not?"

The Minister for Works: That was only sarcasm.

Mr. CARPENTER: The Minister interjected seriously in a boastful spirit about how clever he and his colleagues had been to put in this evasive proviso. The words are there in black and white. On a pre-

vious occasion the Attorney General himself, when I asked who was responsible for the framing of this provision said—"I saw it was all right." We have, therefore, a confession on the part of two of the Ministers at least.

The Minister for Works: Who said that?

Mr. CARPENTER: We have a confession that they were in full accord with this evasive proviso, and the Attorney General boasted that he had a hand in it, saying that it was all right.

The Minister for Works: What an imagination you have.

Mr. Hudson: That is an absolute fact; the Attorney General did say so.

Mr. Thomson: Not in the way you say he did.

Mr. CARPENTER: Then, the Attorney General having made that admission, tried to do what the Minister for Works is doing now, to disavow his own words not knowing that they were down against him in black and white.

The Minister for Works: You read things into it which are not there.

Mr. CARPENTER: I can read the hon. member pretty clearly. The Government of the day having been responsible for this, are doing something which will merely react upon their own heads. It is surely up to the Government, no matter to which party they may belong, to preserve intact all the rights and privileges of this House. It is due to the House that the Government of the day should hold themselves responsible, and continue to hold such responsibility, for the expenditure of public moneys. If that Bill had passed which contained this dangerous innovation it would have created a precedent which might have reacted upon the head of the Government. If one private member, because he happens to be on the side of the Government, and can receive the connivance of the Government in what he is doing, can bring in a Bill with this dangerous proviso in it, then it may happen that some other member who is not on the Government side of the House, but who is an opponent of the Government, may bring in a similar Bill.

Mr. Thomson: So he should.

Mr. CARPENTER: And if he can get a majority of the House to pass that Bill against the Government—

The Minister for Works: The Government would resign, of course.

Mr. CARPENTER: Then, of course, the Government would be in an awkward position. Although this question is of great importance from the public point of view, the Government have allowed themselves to be misled into an action of this sort, and now we have it from the Minister himself, who recognises that if someone on this side of the House had done it, it might have become a matter of life and death to the Government. That ought to convince the Minister, if not the whole of the Government, of the extreme danger of what they have been trying to do. I want to put it beyond the power of any Government to make a repetition of this dangerous practice. I believe that Ministers themselves, if they would disregard this matter altogether from the point of view of how it affects the Bill which we had before us last week and consider it purely as a constitutional matter, must agree with me that it ought not to be within the power of any Government to contravene the Standing Orders and to break away from the established principle and practice, which have been observed almost for all time for the preservation not only of the people's rights, but the rights of this House and the rights of the Government. I am, therefore, asking the House to express an opinion on the question, not as to how it affected that Bill, which was introduced by the member for Katanning (Mr. Thomson), but purely as a matter for the protection of the House and to prevent a repetition of what has taken place upon any other future Bill that may be brought down. I take it that an expression by the House upon this question would be an instruction to the Standing Orders Committee to frame a new Standing Order, laying it down that if any Bill introduced by any member in future contained a proviso of this sort, Mr. Speaker should have no doubt whatever in ruling that the Bill was a contravention of the Standing Orders, and therefore rule it out of order. For this purpose I have much

pleasure in moving the motion standing in my name.

Mr. THOMSON (Katanning) [5.7]: As the one who is partly responsible for this alleged evasion of the Standing Orders, concerning which the member for Fremantle (Mr. Carpenter) professes to be so anxious, I think that so far as our general Standing Orders are concerned, the members themselves are particularly anxious regarding them only when it suits them to be so.

Mr. Taylor: That is the position you take up.

Mr. THOMSON: That is possibly the position I would take up. If members will turn to No. 148 of the Rules of Debate, they will find that no noise or interjection is allowed during a debate.

Mr. Taylor: Why do you not stick to the Standing Orders?

Mr. THOMSON: Whilst the established principles of the House may have been very good, I wonder if the hon. member is prepared to go back to the olden days when the doctors, if anyone had anything the matter with him, used to bleed him.

Mr. Taylor: That must have been in your mind when you tried to fleece the Treasury with your Bill.

Mr. THOMSON: Is the hon. member prepared to stand by that principle, that we should have no alteration because of some custom laid down away in the hoary past?

Mr. Carpenter: What you refer to was not an established practice.

Mr. THOMSON: It was an established custom and just as foolish as the stand adopted by the honorary member. He states that he is anxious to preserve the rights of the people. I maintain that the rights of the people should be preserved. If the hon. member has his wish carried out, there is absolutely no need to have a House of Parliament at all. Let six Ministers be appointed and let them do just as they like. If any private member of this House is desirous of bringing a motion before the House for its consideration, even though it does involve expenditure, I think this House should have an opportunity of

voicing its opinion and that the responsibility should then rest upon the Government of saying whether they will carry out the wish of the House. We claim that the majority should rule, and I maintain that if a majority of the House is desirous of having any motion brought before it and the majority passes any motion, a private member has just as much right to have his motion carried into effect as a motion which is brought down by the Government.

Mr. Carpenter: We are not dealing with the motion.

Mr. THOMSON: I consider that we are sent by the people here to deliberate upon matters which affect the welfare of the country. I maintain it is time we should alter some of the old established principles and get down to a little bit of commonsense.

Mr. SPEAKER: The hon. member is not justified in saying that what has taken place is not commonsense.

The PREMIER (Hon. Frank Wilson—Sussex) [5.13]: Looking upon this as an abstract motion, that in the opinion of this House there should be no evasion of our Standing Orders or the Constitution Act, of course I could take no exception to the motion which has been proposed by the member for Fremantle (Mr. Carpenter). I do, however, take strong exception to the manner in which he proposed his motion, and the evident blame which he attaches to the present Government on account of a Bill which was introduced by the member for Katanning (Mr. Thomson) last week. I wish to point out that if the hon. member has any quarrel at all it is not with the Government upon which he wishes to saddle that responsibility, but with the member for Katanning who introduced the Bill. He goes further, however, in his utterances this afternoon and implies that his complaint is against Mr. Speaker himself for having permitted the Bill to be discussed.

Mr. Taylor: Do not start off on a side track.

Mr. Carpenter: I complained against the Government.

The PREMIER: I am just showing how foolish the hon. member is. His quarrel is

with the member for Katanning for introducing the Bill, and subsequently his complaint was against Mr. Speaker for having permitted the Bill to be discussed.

Mr. Carpenter: I made no charge against Mr. Speaker.

The PREMIER: Of course the hon. member said he would not dispute any rule given by Mr. Speaker, but nevertheless the gravamen of his charge was against the manner of the introduction of the Bill, and Mr. Speaker for having permitted it to be discussed. As head of the Government we had no concern in this measure at all, yet it has raised the ire of the hon. member. I never had the slightest concern about it.

Mr. Heitmann: You invited a private member to move it.

The PREMIER: I declined to be connected with the Bill in any shape or form.

Mr. Carpenter: The Attorney General had a hand in it.

The PREMIER: Never mind what an individual member of the Government had to do with it; I declined to have any association with it.

Mr. Taylor: You are responsible for what a Minister does. Your reply to the deputation holds you responsible for the Bill coming down. You promised that a private member should have all facilities.

Mr. SPEAKER: Order! That is not the question before the House.

The PREMIER: I only desire to make my position clear. The member for Fremantle (Mr. Carpenter) wants to saddle the responsibility on the Government.

Mr. Taylor: You are girthed up as tightly as possible and ready for the track.

The PREMIER: The member for Fremantle has inferred and the member for Mt. Margaret has also inferred that the Government were responsible in regard to what took place in connection with the measure. The Government are accused of having evaded the Standing Orders. I think I have proved successfully that if there was an evasion the Government had nothing to do with it.

Mr. Scaddan: The Attorney General had; he said so.

The PREMIER: The Attorney General gave facilities for the drafting of the Bill.

Mr. Scaddan: No, no.

The PREMIER: The Attorney General would give facilities to any hon. member who wished to introduce a Bill to this House.

Mr. Scaddan: But he said he drafted that clause.

The PREMIER: Our Standing Orders are very clear. No. 387 reads—

It shall not be competent for a Private Member to move the House into a Committee of Supply, or of Ways and Means, nor into a Committee of the whole House, for imposing any tax, indent, or impost, nor shall it be competent for a private Member in any such Committee to propose increases on the amounts proposed therein.

I do not see that there has been any evasion of that Standing Order at all. In this I am supported strongly by the fact that the Bill was permitted to go on the Notice Paper and to be moved and it was dealt with by the House as the wisdom of members thought fit and proper. The argument has been adduced by the member for Fremantle that such a thing would not occur in the British House of Commons; that there they are jealous of the right of the Crown to protect the revenue of the State. I am equally jealous as the hon. member can possibly be that we should protect the revenue of the State, and that the finances should be absolutely controlled by Parliament. The hon. member I think ought to give me credit for the expression of opinion I have just given voice to, and also admit that I have always backed it up by actions during my long Parliamentary career. The hon. member is misleading the House in regard to the House of Commons in that procedure, for they have much more stringent Standing Orders than we have, and this will easily be realised when I read a couple of them with regard to public money. No. 66 reads—

This House will receive no petition for any sum relating to public service, or proceed upon any motion for a grant or charge upon the public revenue, whether payable out of the Consolidated Fund or out of money to be provided by Parliament unless recommended from the Crown.

That is very explicit.

This House will not proceed with any petition, motion, or bill for granting any money or for releasing or compounding any sum of money owing to the Crown, but in a Committee of the whole House.

There we have the Standing Orders which one would think could not possibly be got over in any circumstances and one would think from the hon. member's attitude, from his accusation against the present Government, which I am sorry to think is somewhat biassed, that the immaculate Mother of Parliaments had never been encroached upon in the direction he insinuates the member for Katanning (Mr. Thomson) encroached upon the privileges of this House.

Mr. Scaddan: It was the Attorney General.

The PREMIER: The leader of the Opposition knows he is saying something which is absolutely incorrect.

Mr. Scaddan: *Hansard* shows otherwise. We have the Attorney General's own words.

The PREMIER: The hon. member can have all those words and the construction he can put upon them.

Mr. Scaddan: He said he instructed the Parliamentary draftsman to put those words in.

The PREMIER: In the plainest English, to prevent it becoming a Money Bill.

The Minister for Works: What is wrong with it?

Mr. Scaddan: That shows that he did it.

The PREMIER: The Attorney General protected the privileges of this House.

Mr. Taylor: He evaded the privileges of this House and he was successful in his evasion. The Speaker pointed that out.

The PREMIER: The Speaker ruled that the Bill was absolutely in order. The hon. member for Fremantle said that no such thing could possibly happen in the House of Commons. I have their Standing Orders and I find that after many pages which deal with money Bills and the expenditure of money, *Todd* says—

Whatever may be the precise object of these bills inasmuch as they establish grounds of expense they are an evasion of the constitutional rule which forbids the grant of money by Parliament except on the application of the Crown. In order to admit of the proposed grant without

a direct violation of constitutional practice, bills of this description invariably contain a clause to the effect that the necessary expenses to be incurred thereby should be "defrayed out of moneys hereafter voted by Parliament." The facilities attending the introduction of such bills has frequently induced ministers themselves to take advantage of this mode of obtaining the sanction of Parliament to their legislative measures. Moreover in certain circumstances, and with a view to facilitate the progress of public business, Bills of this class have even been permitted to originate in the House of Lords.

That is a complete answer to the hon. member's charges.

Mr. Taylor: Which volume are you quoting from?

The PREMIER: Volume 2. I have not had any time to read this up. It has just been put into my hands.

Mr. Taylor: What pages are you quoting from?

The PREMIER: Pages 186 to 189. I have quoted an extract from page 189 which, I submit, takes the wind out of the sails of the member for Fremantle and takes all the bitterness out of the extravagant charge that the Government is responsible to-day for an evasion of our Standing Orders. There has been no evasion. I agree with the Speaker's ruling, that the Bill was in order and even though the member for Katanning asked the advice of the Crown Law authorities in connection with it, it was following out the established practice as laid down by *Todd* which takes place in the House of Commons where measures which may possibly result in the expenditure of public money are introduced with the proviso that Parliament must eventually vote the money that may be necessary. I do not think there is any need for us to labour the question at all. I agree that we may make our Standing Orders more stringent, and if the hon. member for Fremantle will amend his motion in that direction I will not have the slightest objection to it, but I do not propose to accept his charge that this Government are to blame. I am just as anxious as the hon. member to conserve the rights of Parliament. I hope it will never be laid at my door that I encouraged anything that



would endanger the finances of the State through a private member having the right to come here and plunge the country into an expenditure without following the proper constitutional course.

Mr. Carpenter: Your action would have made it possible.

The PREMIER: Not at all. The Government of the day ought of necessity to control the expenditure as directed by Parliament and, therefore, so far as the principle of the thing is concerned, I am certainly in favour of it, but so far as the charge of the hon. member is made in respect of his motion, I am opposed to it, and I hope that after consideration he will withdraw it. I would not mind, however, taking a hand in the framing of a motion to bring about an amendment of the Standing Orders because, as head of the Government, I recognise the necessity for preserving the power of the Government over the finances.

Mr. Seaddan: You should not allow your Attorney General to run amuck.

Mr. TAYLOR (Mt. Margaret) [5.28]: I have listened with great attention to the Premier in his reply to the remarks of the member for Fremantle (Mr. Carpenter). I realise that those remarks were prompted by the attitude the hon. member took in this Chamber quite recently. I do not desire to discuss that because it is past. The Premier knows as well as I do, and I have been in this House for 16 years, that never before has a private member of this House seen the necessity for a motion of this character, in order to protect the privileges of the House. Will the Premier deny that? And the necessity is only with us to-day owing to the subtlety of the present Attorney General in evading the Standing Orders.

The Premier: Nothing of the kind.

Mr. TAYLOR: Standing Order 387 does not provide sufficient safeguard and the Attorney General, with his legal knowledge, recognised that. He told this House that he himself had instructed the Parliamentary draftsman to put a clause in the Bill by which it was not a money Bill. Standing Order 387 tells us that any money Bill may come down only under certain conditions. We have never dealt with a Bill under that Standing Order which has practically become a dead letter as it is never carried out.

The practice always is that when the Minister brings down a money Bill it is always accompanied by a Message from His Excellency the Governor and on that we proceed to deal with the Bill. There is in the Standing Orders of the British House of Commons one which, if it were embodied in our Standing Orders, would absolutely prohibit any private member for doing what it was desired should be done the other day. The Premier has read from the *Manual of Procedure of Public Business*, page 275, Standing Order No. 66, as follows—

This House will receive no petition for any sum relating to public service, or proceed upon any motion for a grant or charge upon the public revenue, whether payable out of the consolidated fund or out of money to be provided by Parliament, unless recommended from the Crown.

"Provided by Parliament." The hon. member's difficulty the other day arose because that Bill did provide for expenditure; that was the trouble. Were this Standing Order adopted by us it would absolutely prohibit such a matter being discussed in this House on the introduction of a private member. The responsibility then would be on the Government. So far back as over a century ago this practice was so common in the House of Commons that a private member moved on one occasion, when it was known there was money in the Treasury, that certain money should be expended. I wish to place this on record as a justification for the carrying of this motion. This House should be safeguarded and the method should not be used of permitting private members to bring down Bills incurring expenditure of public funds. No private member of the House of Commons would have introduced a Bill on all fours with that dealt with by this House last week. What happened as the result of this motion I have referred to in the House of Commons so long ago? We find the following quotation in *Todd*, vol. 2, page 187—

The Premier: Read page 189.

Mr. TAYLOR: No; I will read page 187. We have already heard read the other. The quotation from *Todd* is as follows:—

According to ancient constitutional doctrine and practice, no moneys can be voted by Parliament for any purpose whatso-

ever, except at the demand and upon the responsibility of Ministers of the Crown. In former times, when any aids and supplies were required for the public service the Crown made known its wants to the House of Commons by Message; this Message was taken into consideration by the Commons, and the necessary supplies were voted by that House, according to its discretion. This mode of procedure in obtaining grants of money admitted of no exception. It therefore left no opportunity to any private member to introduce any scheme of his own whereby any charges would be made upon the people. But in the beginning of the last century a specious evasion of this constitutional rule crept in.

And it has crept in here, 100 years later.

The wholesome system of exchequer control in the custody of public moneys—which afford protection alike to the Crown and to Parliament against illegal appropriations—was made the occasion of attempts to induce the Crown, by the exercise of Parliamentary influence, to sanction expenditures that were extravagant and unjustifiable. Finding that there was generally a balance of public money remaining in the exchequer, as yet unappropriated to any specific service, there was a growing disposition on the part of private members to regard this money as available for any purpose they might be disposed to favour. Petitions were presented to the House from various persons claiming pecuniary assistance or relief; which being often promoted by members who were friends to the parties, and carrying with them the appearance of justice or of charity, induced the House to approve, or at utmost to be indifferent to, their success. By this means large sums were granted to private persons improvidently and sometimes upon insufficient grounds. In the year 1705 this abuse became so notorious that, early in the next session, on December 11, 1706, before any petitions of this sort could be again offered, the House resolved, "That they would receive no petition for any sum of money relating to public service, but what is recommended from the Crown." This resolution was made a Standing Order on

June 11, 1713, and amended June 25th, 1852, to bring it into conformity with existing practice, by the substitution of a new order to declare, "That this House will receive no petition for any sum of money relating to public service, or proceed upon any motion for granting any money, but what is recommended from the Crown. The uniform practice of the House has construed this rule to extend to any motion which involves the expenditure of public money, even though it may not directly propose a grant.

Member: Where is the point?

Mr. TAYLOR: The point is this: we know that this practice had crept in to such a notorious degree in the House of Commons that it became necessary to make stringent Standing Orders to prevent it. That was done many years ago.

Mr. Heitmann: That cannot be done here without Parliament passing it.

Mr. TAYLOR: Members in Parliament may be expected to do their duty and to safeguard the public funds. That is the only justification for the existence of this House, and that is why Parliament has been placed above all other authority. Parliament should safeguard its privileges. This abuse crept in years ago in England but it has been stopped there. We thought in the early days of Responsible Government, when we framed our Standing Orders, that Standing Order 387 would have safeguarded the position, and we continued to think the interests of Parliament were safeguarded until last week. Last week, for the first time, under the present Government, was evasion sanctioned. That brought the matter prominently before Parliament and the people of the country. The Premier may say that he declines to accept any responsibility and may accuse the member for Fremantle of making reflections upon him. In doing so he has merely tried to draw a red herring across the track. During my 16 years experience in this House I have never before seen necessity for amending that Standing Order or making it more rigid. But when the present Government came into office, aided by the subtlety of the Attorney General, an attempt is made to evade the Standing Order. The motion is not a challenge to the Government. The member for

Fremantle (Mr. Carpenter) in his remarks may have accused the Government of allowing certain members to bring forward a Bill involving expenditure. But that does not alter the fact that we must have a Standing Order which will prevent it being done in the future. We have at last discovered that there are people who will occupy the Treasury benches and who, if I may say so, are unscrupulous so far as Parliamentary practice is concerned. They will do anything to save themselves. I have sat under all the Premiers of this State with the single exception of Sir John Forrest, and never before has any Government allowed a private member to bring down a Bill of that character, and say, "If this Bill passes we will bring down an appropriation." That measure was of the class in respect of which the House of Commons passed a Standing Order to clinch and prevent it cropping up. If the Premier will accept the resolution and it is carried, it will be instruction to the Standing Orders Committee to insert a Standing Order similar to No. 66 which I have quoted, and then it will be beyond the power of the Speaker, or anybody else, to permit the bringing down of a Bill similar to the one referred to. The hon. member for Kataning (Mr. Thomson) put forward the argument in support of his Bill that we should not carry out ancient customs, and he quoted in support medical and surgical operations by way of bleeding. He did this, I suppose, because he realised that his Bill was a bleeding of the Government inasmuch as it involved the expenditure of money to carry out the proposed referendum. This practice is not an ancient custom. It was tried years ago and had to be stopped, and to-day an attempt is being made to introduce it into a Parliament where it never was introduced before. It is, therefore, our duty to prevent that practice being adopted again in this House.

On motion by Mr. E. B. Johnston debate adjourned.

#### BILL—PERMANENT RESERVE (No. 1.)

Returned from the Council without amendment.

#### PAPERS—REMISSION OF SENTENCE, CASE OF MARIE GUIDOTTI.

Mr. GRIFFITHS (York) [5.47]: I move—

*That all papers in connection with the case of Marie Guidotti be laid upon the Table of the House.*

The readiest means of justifying my claim for the production of these papers is to read some correspondence with the Under Secretary for Law. On the 8th August last a letter was addressed to the Under Secretary in the following terms:

I am instructed by my committee to draw your attention to a paragraph in the *Sunday Times* of 23rd July, respecting the release from prison of Marie Guidotti, who was undergoing a sentence of three months, and I am to ask you to kindly inform us why the prisoner was released before the expiration of her sentence. Would it be permissible for a member of this committee to have access to the record of the proceedings, which are stated to have been heard *in camera*.

The reply from the Under Secretary for Law reads as follows:—

I have the honour to acknowledge the receipt of your letter of the 11th inst. forwarding cutting from the *Sunday Times* of 23rd July dealing with the case of one Marie Guidotti. In reply I beg to inform you that the *Sunday Times* was wrongly informed. Prisoner Guidotti was not, as stated therein, brought before Mr. Davies, the Police Magistrate, a second time, nor was the sentence imposed revoked by the Police Magistrate, nor did the prisoner Guidotti appear before him *in camera*. A petition that a fine be substituted in place of imprisonment was duly received, and it was ascertained that in a number of similar cases defendants had been fined; and, moreover, the Health Department had expressed no desire that this prisoner should be dealt with in a different manner to other defendants in similar actions. Action in accordance with these views was consequently taken upon the advice of the Hon. T. Walker, then Attorney General, and the sentence was remitted upon certain conditions and un-

dertakings, which I may say are being duly complied with.

On the 9th September the following communication was sent to the Under Secretary for Law:—

I beg to acknowledge your letter of the 18th ult., which was placed before my committee, and I am instructed to ask you to kindly grant information on the following points:—1, Who presented the petition referred to in your letter? 2, How many signatures thereon? 3, What are the conditions and undertakings referred to in your letter? 4, Have the fines in the previous convictions been paid? In consideration of the fact that the woman Marie Guidotti was again brought before the court on the 29th ult. on a similar charge, my committee are of the opinion that the matter is unsatisfactory and not in accord with the public welfare.

Mr. Collier: Who wrote that?

Mr. Scaddan: What committee is that you refer to? You must know the author of the letter.

Mr. GRIFFITHS: The Under Secretary for Law on the 21st September replied as follows:—

I regret that, owing to the absence of the file dealing with Marie Guidotti, an acknowledgment of your communication of the 9th inst. has been somewhat delayed. With reference to the specific questions asked in your letter, you will, I am sure, realise that, action having been taken by the Governor in Council, I am not as a State civil servant in a position to comment thereon or supply facts to enable your committee to criticise action taken in the exercise of the prerogative of the Crown. In your previous letter some misunderstanding was apparent as to the nature of the action taken, and an impression appeared to have been created that such action had been taken by the Police Magistrate, and therefore it was sought to remove same. This was, however, a very different matter to the supplying of information to any public body or semi-public body with regard to the action of the Governor in Council.

Opposition Members: Who wrote those letters to the Under Secretary for Law?

Mr. GRIFFITHS: The Secretary of the Citizens' Vigilance Committee.

Opposition Members: Who are they?

Mr. GRIFFITHS: The Citizens' Vigilance Committee consider that in the past there has been too much remitting of sentences, greatly to the alarm of many persons.

Mr. Walker: There is no remission of sentence in this case.

Mr. GRIFFITHS: The facts are that part of the sentence was served, and the woman again brought up for sentence a few days later, when, instead of the proper punishment being inflicted, a fine was imposed. We want to know, who were the people that presented the petition?

Mr. Collier: May I ask, Mr. Speaker, whether the member for York (Mr. Griffiths) will put in the documents which he has read, whether he will lay them on the Table? I understand that is in accordance with the Standing Orders.

Mr. SPEAKER: The hon. member should put in the documents which he has read. If they are private letters he will not be required to put them in, but if they are public property he must put them in. (Documents submitted to Mr. Speaker.) Some of these letters are unsigned, and, that being so, I do not think they should have been read to the House at all. What purports to be a public document, having been quoted from, should be laid on the Table of the House. Papers which are not signed are not public documents. I ask the member for York not to adopt this practice for the future. Is there any seconder to the motion?

Mr. GRIFFITHS: I have not yet finished my remarks. I have been asked what the charge against the woman was. I thought the House was well informed on the point. The charge was that of keeping a brothel. The repeated flouting of the law has brought about this demand for inquiry, and has caused this movement to obtain information as to whether or not the law is being carried out.

Mr. SPEAKER: Is there any seconder to the motion?

Mr. WILLMOTT (Nelson) [5.59]: I have pleasure in seconding the motion. I am not personally acquainted with the facts of the case, nor with the person whose name ap-

pears in the motion; but I have such confidence in the member for York, and so thoroughly believe that he would not bring before the House anything of a trivial nature, as to be prepared to second the motion. I trust the House will treat the matter seriously, and give it the consideration which I feel sure is its due.

The PREMIER (Hon. Frank Wilson—Sussex) [6.0]: I have not had much time to inquire into the case. It is a matter for the Attorney General. Unfortunately, he is absent from his place this afternoon, and the papers have been sent on to me. I have glanced through them, and I must confess as a general principle it would be unwise to make public papers of this description. In such cases it would be very much better if hon. members would call at the office to peruse the papers themselves. The Government will give every facility for such perusal. In this case I have the file here and the hon. member can see it at once.

Mr. Griffiths: That is all I want.

The PREMIER: The matter came up during the regime of the ex-Attorney General, and, as far as I can see from the file, that gentleman acted in perfect good faith in deciding that this woman should be treated in the same manner as other women guilty of similar offences. The hon. member can see the whole of the papers but I think it undesirable to place them on the Table.

Mr. Griffiths: In view of the Premier's statement, I ask leave to withdraw the motion.

Motion by leave withdrawn.

#### MOTION — RAILWAY IRREGULARITIES. CASE OF HUGH McLEOD, TO INQUIRE.

Debate resumed from the 4th October on the following motion by Mr. Munsie (Hannans):—"That a select committee be appointed to inquire into (a) the circumstances leading up to the suspension and subsequent dismissal of Hugh McLeod, station-master at Torbay Junction, and (b) his subsequent treatment by the Railway Department."

Hon. J. D. CONNOLLY (Honorary Minister—Perth) [6.3]: This question is somewhat familiar to the House inasmuch as the papers were laid on the Table two years ago

on a motion by the member for Albany (Mr. Price). I do not pretend to have a grasp of the subject, because hitherto I have not given it any very close attention. Even now I am simply dealing with it on behalf of my colleague, the Minister for Railways, for whom I am acting. Briefly the case is this: On the 14th March, 1914, two men were discovered travelling on the Great Southern Railway on the returned portions of second class tickets, Nos. 394 and 399, which had been altered after issue. No. 394, originally issued for a journey between Albany and Young's Siding, was dated 6th February, 1914. The fare was 3s. 2d. It was altered to read "Cottesloe to Albany"; the date was altered to the 7th February, and the fare to £2 3s. 11d. Ticket No. 399 was issued for a journey between Albany and Torbay Junction. It was dated 21st February, and the fare was 1s. 4d. It had been altered to read "Fremantle to Albany," the date altered to the 7th and the fare to £2 4s. 3d. The men were prosecuted on two charges, first of altering tickets and secondly of using altered tickets. The first charge was not proved, but on the second a conviction was obtained. In following up the case—and this is the whole point in respect to McLeod—further irregularities were discovered in connection with the return portion of ticket No. 467, originally issued as between Torbay Junction and Cranbrook and dated 26th January, 1914, with a fare of 18s. 11d. This was altered to Torbay Junction—West Leederville, and the fare altered to £2 2s. 10d. On this being discovered suspicion pointed to McLeod, who was then station-master at Torbay Junction. The matter was placed in the hands of the Criminal Investigation Department, and the forged tickets were submitted to a handwriting expert who declared that the alterations on the tickets had been done by one and the same person. McLeod was charged and found guilty. Later on he appealed against that decision. At this appeal he was found not guilty, or, rather, as the chairman afterwards remarked, the verdict should have been "not proven," and the grievance he now has is on the question of costs, the Appeal Board having refused to allow his costs.

Mr. Scaddan: That is not his grievance. He insists on some inquiry in order to re-establish his character.

Hon. J. D. CONNOLLY (Honorary Minister): Two previous Ministers have dealt with this matter and refused to interfere with the finding of the board, as is shown by their minutes on the files. Mr. Collier has dealt with it, both as Minister for Railways and, later, as Acting Premier. Mr. Scaddan, as Minister for Railways, also went thoroughly into the question.

Mr. Scaddan: I made him a very fair offer.

Hon. J. D. CONNOLLY (Honorary Minister): Yes, the hon. member told McLeod that he could submit any further evidence of fact which he might have to the Appeal Board under a new chairman, but McLeod did not see fit to accept this essentially fair offer. The then Premier further undertook to pay the reasonable cost of such hearing if the Appeal Board decided to that effect. However, McLeod did not agree to this. McLeod, in his defence, accused another officer at Denmark of having forged the tickets, but he did not succeed in proving anything at all against that officer. As I have said, McLeod appealed against his dismissal and the appeal was allowed. It was ruled that he should receive his salary from the date of his suspension, but no order was made in respect of costs, and that is the whole of the trouble. The board was asked by McLeod to grant costs against the department, but the board refused to make any order.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. J. D. CONNOLLY (Honorary Minister) [7.30]: I stated before tea that after McLeod had been dismissed he availed himself of the privilege of appealing and the Appeal Board allowed his appeal but did not allow costs. They allowed him salary for the time he was under suspension. The Secretary of the Association subsequently saw the Deputy Commissioner in regard to this case and the Deputy Commissioner pointed out that while he had no objection to McLeod going back, expenses

were not allowed by the Appeal Board. An account made up to £95 2s. 7d. appears on this file. This account was placed before the Deputy Commissioner and he unhesitatingly refused to consider the item for Sunday time. That is, McLeod was paid for all week days but he wanted also to be paid for Sundays. The total of the expenses referred to amount to £17 15s. He was allowed certain witnesses' expenses, and the railway officials were paid for their time. Mr. Roe saw the Secretary of the Association and told him that had he been in Scotland the verdict would have been not proven, not not guilty. I want members to appreciate that point. The verdict of the Appeal Board was not guilty, but the Deputy Commissioner thought there must be something wrong since the Appeal Board would not allow expenses; and subsequently the Chairman, Mr. Roe, said that if he had been in Scotland he would have given a verdict of not proven. The next item appearing on the file is the report of a conference held on the 17th July, 1914, between the Deputy Commissioner and Mr. Bryan, Secretary of the Railway Officers' Association, in regard to the payment of expenses. The report of the conference is as follows:—

As directed I saw Mr. Roe with Mr. Bryan and submitted the attached letter and account to him, intimating that the Deputy Commissioner would be glad if he would go through the items and advise whether any of them might be claimed against the Department. This he did, and heard Mr. Bryan in support of the claim. Mr. Roe unhesitatingly refused to consider the items for Sunday time, inquiry agent, legal expenses and Casey, and refused to consider expenses for McLeod; but he thinks that all railway employees called as witnesses should be paid for their loss of time with the usual railway departmental travelling allowances, according to scale, and the copyist, £2 2s., and no other expenses. I told him the item for fares would be refunded. Mr. Roe told Mr. Bryan he had been very much exercised over this case and had he been sitting in Scotland, the verdict he would have given would have been "not proven," instead of "not guilty"; and

when we were leaving he made a remark to Mr. Bryan to the effect that it would be better if Mr. McLeod did not pose as a martyr.

That is the case so far as it appears from the papers. McLeod was charged with forging and uttering certain departmental papers; he was dismissed and availed himself of the right of all railway officers to appeal to the board composed of a representative of the Commissioner and an employee of the service. That board found that the case was not proven, or that he was not guilty; but would not allow expenses. At the instance of the late Minister for Railways, Mr. Scaddan, McLeod was allowed to go with the secretary of the Association to Mr. Roe, the Chairman, to discuss the question of expenses. I have already pointed out the attitude taken by Mr. Collier who had no reason to be prejudiced. Later on, about the beginning of 1915, when Mr. Scaddan took over the portfolio of Railways, while he refused to go into his predecessor's findings, he suggested to McLeod that he submit any further evidence or facts he might have. These would be laid again before the Appeal Board, the Chairman of which had in the meantime been changed. The board would therefore be entirely unprejudiced, and the matter could be reheard. McLeod did not agree to this. I submit that after he has had the benefit of all the machinery in the Railway Department and Mr. Scaddan having given him an opportunity of a second appeal which he refused, a committee of this House could not find out much more on this question than has already been ascertained. What purpose could such a committee serve?

Mr. Munsie: It would clear the man's character.

Hon. J. D. CONNOLLY (Honorary Minister): He had an opportunity of clearing his character when the offer of a second appeal was given to him which he refused. I understand McLeod has another grievance, that he is a marked person in the Railway Department. Such is not the case at all. He was originally at Torbay Junction and it was proposed that he should be transferred to Mount Morgans. He demurred, and he was not sent there. The Commissioner's statement on this aspect is that McLeod has not been in any way singled out for differen-

tial treatment from any other officer. It was proposed that he should be transferred to Mount Morgans, but this was not carried out, and he remained at Torbay Junction. He was subsequently sent to Dumbleyung and it was the intention of the department to increase his salary from £160 per annum plus £26 allowance to £170 plus £20 if he accepted; but he declined.

Mr. Munsie: The Commissioner contradicted that on another occasion. He said the man must give satisfaction before he could get a rise.

Hon. J. D. CONNOLLY (Honorary Minister): It is only reasonable that the man should prove satisfactory: any man would have to do that. He had the option of the position. I must say in justice to McLeod, however, that he was not informed at the time that his transfer to Dumbleyung would carry with it an increase of salary from £160 to £170.

Mr. Munsie: It was stated he was not to get the £170 unless he gave satisfaction.

Hon. J. D. CONNOLLY (Honorary Minister): But it was the intention of the department to increase his previous salary to £170. McLeod has since been shifted to Doodlakine where the salary is the same as at Torbay Junction. That goes to show that he has not been penalised in any way. It was from purely departmental reasons that he was transferred and not at all with a view to penalising him. The point raised by the member for Hannans (Mr. Munsie) does not touch on the case at all. I regret to say that he has cast slurs on some officer—I do not know whom he intended—which I do not think were altogether right or just.

Mr. E. B. Johnston: It was a most unwarranted reflection.

Hon. J. D. CONNOLLY (Honorary Minister): I quite agree with that. There is no officer so far as these files show—I am perfectly unbiassed in the matter for this did not happen in our time, but in the time of a former Government—who was prejudiced against this man. He got the fullest consideration from both the Ministers and his superior officers. The only way that he seems to have tried to defend himself was by casting slurs on other people, for instance against the school teacher at Denmark and his superior offi-

cers in the railway. The hon. member says that the Appeal Board did not give McLeod justice because the witness he desired refused to give evidence.

Mr. Munsie: That was a fact, too.

Hon. J. D. CONNOLLY (Honorary Minister): No one knows what his evidence would have been. Doc. Boardman was the only person of whom this could have been said, but I do not think he carries very much weight in any part of the case.

Mr. Munsie: Boardman never refused to give evidence and was never called for either side.

Hon. J. D. CONNOLLY (Honorary Minister): The hon. member stated that there was a suspicion that McLeod's superior officer was in some way implicated in the forgery. This, no doubt, was a reference to the district superintendent, and was wholly unwarranted. Mr. Davis, the officer in question, did nothing but his duty in calling attention to the forgery of these tickets. They were very serious forgeries. The hon. members says, in respect to ticket No. 467, which was the very ticket in respect to which McLeod was on his trial, that the late Minister for Railways (Mr. Collier) made an indirect statement in writing to McLeod that the ticket was not used in evidence against him, that ticket No. 467 was handed in by a person who was promised that his name should not be divulged in order to draw the department's attention to the illegal trafficking in tickets, that this person knew nothing of McLeod that he did not put in the ticket as evidence against McLeod, but that subsequent investigations of the department connected McLeod with it. This man put in the ticket long before McLeod was suspected. The statement regarding the late Minister for Railways (Mr. Collier) saying that the ticket was not put in in evidence against him was incorrect. That hon. gentleman's letter written at the time shows that he had inquired into the matter on more than one occasion and that he could not entertain further correspondence. The hon. member, however, states that it has been further said that McLeod was not tried. This statement is absolutely unfair. The verdict of the Appeal Board was "Not

guilty," but subsequently Mr. Roe stated definitely that he would have given a verdict of "not proven." That is exactly what took place. The hon. member says that McLeod is absolutely innocent and wants satisfaction. What he wants to find out is who handed in ticket 467 to the department. I think that is what he wants more than anything else, because he fancies that Mr. Davis—

Mr. Munsie: I did not fancy anything of the kind and did not say so.

Hon. J. D. CONNOLLY (Honorary Minister): I say that McLeod evidently wants to find out who gave the information about this particular ticket, because he seems to fancy that Mr. Davis conspired with this person and he wants to get even with him. He wants to get his expenses. That has already been fully dealt with. He has had an offer of submitting to a new board the question of expenses, but he refused to accept this offer. I do not think it will be at all a wise thing to give this officer any further select committee to inquire into his case. It would establish a very dangerous, costly, and improper precedent altogether. The officer has had justice from everyone as far as the files show, and no one seems to have been prejudiced against him at all. He got full justice from the Minister and his superior officers, and was offered more than the ordinary officer gets, because he was offered a second inquiry by the late Minister for Railways (Mr. Scaddan), but refused to accept it. I therefore ask the House not to pass this motion.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [7.52]: I hope the House will not pass this motion. I express that hope in fairness to all persons connected with the railway service, from the Commissioner downwards. The management and working of the railways is by Statute placed in the hands of the Commissioner of Railways; and in order that the men may have a fair deal and a fair chance of complaining if they think they are not being fairly dealt with, an appeal court was constituted, I think, in the year 1903. The then Premier (Sir Walter James)—I was Commissioner of Railways at the time—asked me to act as a court of appeal at the start, and



this I did. I found that when the cases which came before me went in favour of the men, the court of appeal was perfectly satisfactory, but that when I had to give the cases against the men they were not satisfied with the court of appeal. It was then decided that there should be a court of appeal, which should be constituted as it is to-day. There was to be a resident magistrate to act as arbitrator, a representative of the men and a representative of the officers, and their action and their inquiries were to be entirely final. One would think that this was as far as it was necessary to go. I know that there were scores of occasions when attempts were made by the men, who were dissatisfied by the appeal board, to get me to re-try their cases. My answer was the answer which I think would be given to-day, namely, "If you have an appeal board that should be the end of the matter. You have a representative there, and there is a representative of the Commissioner, and also a man, who has no interest whatever, to act as umpire. What more do you want?" It seems to me that this motion—I am not going to express an opinion on the case—is intended to override the Railway Act, to override the powers that this Act confers upon the Commissioner of Railways, namely, the management of the railways, and to override the appeal board, which was asked for by the men, which was constituted in the way I have shown, and to absolutely avoid having finality in any shape or form. From the statements which have been made here there can be no doubt that even if we had a select committee to inquire into the matter, and it did not give McLeod what he wanted, there would still be the question of the bona fides or fairness of the business. I want hon. members to consider, if we are going to admit, when we have an appeal board, that the verdict is not to be final, that it must go from Minister to Minister and then to the Premier, and finally to this House of Assembly, what we are going to drift into. We are going to drift into a state of chaos so far as the management of any of our works is concerned, which will absolutely defeat the objects for which the works were established. There is no man who would fight more than I would for fair play for the officers and men of the railways or any other

part of the Government departments, but there must be some stage at which finality can be reached, and if the verdict of a court of appeal such as I have indicated is not to be taken, we are simply drifting into a lack of finality. Of what use would the court of appeal therefore be? I have heard hon. members outside their places in this House say in connection with Government enterprises that there is not going to be thoroughly good work done in the Government service until the power of the sack is re-established. I believe in direct action every time.

Mr. Heitmann: What about direct action towards the head?

The MINISTER FOR WORKS: Here is a huge concern, the railways, employing some 7,000 men, or doing so not very long ago, and unless hon. members have had anything to do with managing a body of men such as this, how on earth can the work of that great department be carried on if its authority is to be restricted by a series of eternal appeals to this Chamber? It is also easy enough to put forward fictitious cases. I remember the case of a locomotive driver on the Great Southern railway, whom I had to sack and refused to put back. His case was strongly fought. He made several affidavits and other people did likewise. He had only robbed the train, and when he thought he was being found out he took the stuff and burnt it in his firebox, and I sacked him. Some years afterwards, when I was in Ceylon, a train came running into the place and a man came towards me from the engine wiping his hands and asking me to shake hands with him. I did not know him, but he told me that he was the same engine-driver whom I had sacked. I said, "You are the man that I put off for burning the stuff in your firebox. Did you do it?" He admitted having done so and I said to him, "You lied to me." He replied, "A man must do that if he is going for his billet."

Mr. Munsie: What has that to do with the McLeod case?

The MINISTER FOR WORKS: I will tell the hon. member. Men, if they are trying for their billets, without, perhaps, absolutely lying every time, will try to put forward what they think is the best evidence for the information of the judges who are

hearing the case to influence them in favour of the applicant. If we once admit that we will go past the appeal board established for the protection of the men, and which does protect them and the department as well, we will get no finality whatever. The House should never attempt to deal with cases of this sort. The House is not the proper tribunal for such cases. I ask hon. members to view the motion from the standpoint of general utility, and not allow themselves to be blinded by specious arguments put forward, on *ex parte* statements, to boost up a case which has been already tried and in which a decision has been given.

Mr. Thomas: Do not you think the evidence seems to indicate the possibility of a grave injustice having been done?

The MINISTER FOR WORKS: I am not going on the evidence, because I do not think the House has a right to deal with a matter of this sort at all. If the appeal board is not properly constituted, then let us endeavour to have it re-constituted, until we have something that we feel will do justice. The appeal board has been established, and has stood the test of a number of years. I believe the board was necessary. I believe it has done a great amount of good. But whatever good it may have done is going to be severely discounted unless that board is allowed to remain a final court of appeal.

Mr. Thomas: But do not litigants sometimes appeal from one court of appeal to a higher court of appeal and obtain a different verdict?

The MINISTER FOR WORKS: Yes.

Mr. Thomas: And could not that happen in this case?

The MINISTER FOR WORKS: No. If appeal upon appeal is to be allowed, the expert officers, whose services are required for the carrying on of the railway system, will be constantly taken away from their duties in order to defend such cases as this. At times, possibly, a man may not get a full measure of justice.

Mr. Carpenter: That is the whole case here.

The MINISTER FOR WORKS: But we must take things as we find them. We cannot carry on the business of the railways if authority is to be undermined right from the very jump. When there exists an ap-

peal board established with the co-operation of the men, what more is wanted? To my mind, it would be ridiculous to appoint a select committee which would call witnesses and disorganise the railway service. By doing so the House would be striking a heavier blow against the interests of the men themselves than hon. members think. I am speaking, not as a politician, but as a manager of men; and I have a right to treat the subject on those lines.

M.R. MUNSTIE (Hannans—in reply) [8.4]: I wish to answer certain statements which have been made in the course of the debate. At the outset, a point which the Honorary Minister (Hon. J. D. Connolly) endeavoured to make related to the offer by the late Premier and Minister for Railways (Mr. Seaddan) to Mr. McLeod of the chance of going again before the Appeal Board. After hearing the whole of Mr. McLeod's statement, after seeing the file, after discussing with the late Premier the advisability of Mr. McLeod's again approaching the appeal board, I formed the opinion, which I expressed to the late Premier, that I personally, in Mr. McLeod's place, would not be prepared to go before that body again under those conditions. That attitude, in my opinion, is only a reasonable one for Mr. McLeod to adopt. The position, as I said in moving the motion, was that Mr. McLeod had practically been branded as a robber, a thief, and a liar; and that he had also been put out of pocket to the extent of £60 or £70. The late Premier's offer was that Mr. McLeod should again appear before the appeal board, when, if the board decided in his favour, they were to grant him what they might consider reasonable out of pocket expenses. That represented a lot of satisfaction to a man who had been treated thus. Had I known Mr. McLeod earlier, or been in his confidence earlier, I would have advised him, knowing what I did, not to approach the appeal board again under such conditions. The next point I wish to make relates to a remark of the Honorary Minister regarding the chairman of the appeal board. The Honorary Minister quoted from the file that the chairman had stated that, had he been in Scotland and trying the case on his own, the verdict would have been what

is known as the Scottish verdict of "not proven." The Honorary Minister proceeded to point out that this statement had been brought under the notice of the Commissioner of Railways, who naturally believed that the chairman of the appeal board could not have been too sympathetic or too favourable to McLeod. However, in moving the motion I quoted a letter written by Mr. Roe himself, and signed by Mr. Roe, distinctly stating that he did not, when hearing the appeal, think Mr. McLeod a guilty man. I do not know why Mr. Roe should make the two statements, but he certainly has informed Mr. McLeod in black and white that he thought him an innocent man. However, I do not see that this has any bearing whatever on the question. As regards the offer to Mr. McLeod of a transfer from Torbay Junction to Dumbleyung, the Honorary Minister said that McLeod was offered Dumbleyung at a salary of £170 per annum, representing an increase of £10 on his salary at Torbay Junction. I dispute that statement. I say McLeod was offered nothing of the kind. I have read the telegram sent to him in this connection, and also the letter confirming it. I read them before moving my motion. He was offered a transfer from Torbay Junction to Dumbleyung, it is true; but the Commissioner of Railways, in a minute to the late Minister for Railways, admitted that McLeod was going to be paid only £160 per annum until he had proved himself satisfactory.

Hon. J. D. Connolly (Honorary Minister): There is nothing unreasonable about that.

Mr. MUNSIE: I wish to point out that McLeod had never asked for a transfer. Negotiations were in progress to afford McLeod an opportunity of meeting the liabilities which he had incurred, and somebody suggested to the then Minister for Railways that if he could induce the Commissioner—assuming the Commissioner had nothing against McLeod—to give him some promotion in the service which would afford him a chance of paying off his liabilities, it would probably close the affair. To that end, the Commissioner offered McLeod Dumbleyung, which, as I stated in my

opening remarks, represented a reduction of 4s. per week. At Torbay Junction McLeod was receiving £160, plus house allowance, and 4s. per week for working two Sunday trains. At Dumbleyung he would receive the same house allowance, and £160 without the 4s. per week for Sunday work. Thus the transfer would represent a great help towards meeting his liabilities. I wish also to refer to the slur which I am alleged to have cast on some of Mr. McLeod's superior officers. I contend right here that if there was any slur cast by me, it was practically drawn from me by the Minister for Works. I am not going to admit that I cast a slur on anybody, but I say now that, when the Minister for Works drew from me a certain remark to which the member for Williams-Narrogin (Mr. E. B. Johnston) took exception, I refrained from stating the strongest of my reasons for contending that this inquiry should be held in the interest of Mr. Davies. I intend to give that strongest one of my reasons now.

Mr. E. B. Johnston: You cannot be replied to now.

Mr. MUNSIE: Hon. members should not look for these things. I want this inquiry for the purpose of clearing the character of Mr. Davies. I do not know Mr. Davies even by sight. But I will say that one need only go down the Great Southern railway to find dozens of officers of the Railway Department who hold a certain suspicion and talk it over amongst themselves. I have not mentioned this matter previously, but I will mention it now. At the hearing before the appeal board Mr. Davies, when giving evidence, was asked this question—

It is common rumour in Albany that you have made a common practice of giving exhibitions of how easy it is to forge these railway tickets?

Mr. Davies contradicted the statement, and said it was untrue. Then he was asked this point blank question—

Will you swear that you have never given an exhibition of how easy it was? And Mr. Davies replied—

No; I will not.

That is a pretty serious statement; and that statement has gone out in the evidence pub-

lished by the *Railway Officers' Association Guide*, which is distributed to railway officers throughout the State. Probably all of them have read that statement; and I say that if Mr. Davies is absolutely free from blame—I do not know whether he is or not—the committee should be appointed to afford him an opportunity of clearing his character from that aspersion. I say that that aspersion has been printed in black and white. Whether it is true or not, I am not prepared to say; but it has gone out in the *Guide* to all members of the Railway Officers' Association.

The Minister for Works: Where, and under what circumstances, did Mr. Davies make the statement?

Mr. MUNSIE: In the course of the inquiry as to the question of reinstating Mr. McLeod or otherwise. On that occasion Mr. Davies denied that he had made a practice of demonstrating how easy it was to forge railway tickets, but he would not deny that he had ever given an exhibition of how easy it was.

Mr. S. Stubbs: What harm is there in that?

Mr. MUNSIE: I want the select committee appointed so that they can inquire into the matter. One of my chief reasons for desiring the appointment is founded on the evidence relating to the ticket which brought about Mr. McLeod's dismissal. That ticket was numbered 467. The statement has repeatedly been made that that ticket was handed in to Mr. Neil Douglas, the late Chief Traffic Manager, subject to a distinct promise from him that the name of the person who handed the ticket in would not be divulged. Mr. O'Connor, who was secretary to the late Chief Traffic Manager, in giving evidence before the appeal board distinctly stated that the ticket was handed in to him. When asked to divulge the name of the person who handed it in, Mr. O'Connor point blank refused to do so. I ask, is that a fair thing? This is, practically, the sole consideration which has caused Mr. McLeod to incur such an expense. The man is accused of forging a ticket, and then the authorities refuse to let him know who handed the ticket in.

Hon. J. D. Connolly (Honorary Minister): But that ticket was handed in long before McLeod was suspected.

Mr. MUNSIE: Let me say that the evidence before the appeal board does not bear out that statement. Mr. Davies himself, when before the Appeal Board, pointed out that he had drawn the attention of the conductor on the train to the two men who were travelling on tickets the genuineness of which he suspected. Those two men were tried and fined £10 each. And Mr. Davies, in the course of a written reply to Mr. McLeod, said he had not suspected Mr. McLeod until he got hold of ticket No. 467, which, of course, was after the two men had been fined and Mr. McLeod accused of forging the tickets. It will be seen therefore that it could not have been very long before. In any case I maintain that the accused has a perfect right to know who put that ticket in. If we could get hold of that man we would probably get from him some information as to where he got it from, and so we might discover the guilty man. However there is not much hope of this until we secure from the department the information they refused to give the Appeal Board. Irrespective of how the board is constituted, it should have the right to insist upon answers to questions asked, and not be bamboozled as it was by officers of the department when the inquiry was held.

The Minister for Works: That is a question for the association.

Mr. MUNSIE: The association has endeavoured to put it right, but has failed. In justice to Mr. McLeod the select committee should be appointed; also in justice to other officers on whom suspicion falls and in the interests of the working of the railways. I appeal to hon. members to grant this committee so that we may see if we cannot get justice for Mr. McLeod and, for that matter, justice also for the person who forged that ticket. It has been suggested by several that in the interests of Mr. McLeod it is to be hoped this committee will not be appointed, that it will be a bad job for Mr. McLeod if it is appointed. The inference is that the committee will probably sheet home the charge to Mr. McLeod. Although I am moving for the committee on behalf of Mr. McLeod, I agree that if the suspicion which has fallen upon him is justified, he should not be in the railway service to-day. On the other hand, if he is not guilty, he certainly de-

serves some compensation for the injustice done him. I trust the House will grant the select committee.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	15

Majority against .. 1

#### AYES.

Mr. Angwin	Mr. O'Loghlen
Mr. Carpenter	Mr. Thomas
Mr. Chesson	Mr. Walker
Mr. Green	Mr. Wansbrough
Mr. Harrison	Mr. A. A. Wilson
Mr. Heltmann	Mr. Bolton
Mr. E. B. Johnston	(Teller.)
Mr. Munsie	

#### NOES.

Mr. Allen	Mr. Nairn
Mr. Butcher	Mr. Plesse
Mr. Connolly	Mr. S. Stubbs
Mr. Cunningham	Mr. Veryard
Mr. Gardner	Mr. Willmott
Mr. George	Mr. F. Wilson
Mr. Hickmott	Mr. Male
Mr. Lefroy	(Teller.)

Question thus negatived.

#### Question of Pairs.

Mr. Munsie: I should like to explain that, just before I rose to reply, the member for Pilbara (Mr. Underwood) informed me that he had paired on this question with the member for Kimberley (Mr. Male).

Mr. Bolton: May I explain that the member for Pilbara asked me to arrange a pair for him, and I told him to see the member for Kimberley. He replied that the member for Kimberley had said that if there was nobody else to pair with him he (the member for Kimberley) would do so. In consultation with me a little time afterwards the member for Kimberley asked whom I had to pair with the Attorney General, and I said, "Put down the member for Pilbara." That was the arrangement made.

#### MOTION—NATIONAL CABINET DURING WAR TIME.

Order of the Day read for resumption from 4th October of the adjourned debate

on the following motion by Mr. Harrison:—"That in the opinion of this House the time is now opportune for the formation of a National Cabinet to carry on the business of the State during the period of the War and six months afterwards."

Question put and negatived.

#### MOTION—FREEZING WORKS WYNDHAM.

*Nevanas' Contract, to inquire by Royal Commission.*

Debate resumed from 4th October upon motion by Mr. E. B. Johnston for the appointment of a Royal Commission to inquire into the whole of the transactions between the Government of Western Australia and Mr. S. V. Nevanas and the companies with which he was associated.

Mr. ANGWIN (North-East Fremantle) [8.28]: In moving his motion the hon. member did not bring forward anything new to the House, but contented himself with a repetition of statements previously made. In the first place he declared that Nevanas secured secretly a contract of the value of £155,150. The hon. member is aware that that is not correct. He knows that the contract was let by the advice of the officers of various departments concerned with works of the class, officers who sat as a committee and strongly recommended the Government to let this contract to Nevanas.

Mr. E. B. Johnston: They were hustled a good deal and sworn to secrecy.

Mr. ANGWIN: There was no secrecy at all. They were of opinion that it was virtually impossible to carry out the contract for anything near the amount for which Nevanas offered to do it, and they thought it would be beneficial to the State if Nevanas were given an opportunity of carrying out the contract at the price. They recommended accordingly. Then the hon. member went on to say that at the very time Nevanas submitted his price that gentleman had a tender from Dunkerley to carry out the contract for £137,000. The evidence given before the select committee proved conclusively that that was not a definitely fixed price.

Mr. E. B. Johnston: There was a bonus of £7,000.

Mr. ANGWIN: The £7,000 was for the work if completed in a certain time. Mr. Dunkerley also said that he was not aware the work was to be carried out under Government supervision. Mr. Dunkerley himself submitted a price afterwards which increased the amount considerably.

Mr. E. B. Johnston: Why was not Dunkerley given the contract direct?

Mr. ANGWIN: I do not know, and I do not think anyone else connected with the Government departments knew but that Mr. Dunkerley was an engineer for Mr. Nevanas. When Mr. Dunkerley came here he was introduced to me by Mr. Nevanas as his engineer and no one heard of any other arrangement until the contract was cancelled. The member for William-Narrogin (Mr. E. B. Johnston) was very anxious to know whether there was an agreement in existence in regard to the management of the works, and he declared that it was necessary to find out. I stated definitely before the select committee that no agreement was entered into.

Mr. E. B. Johnston: I say it was entered into, and I will prove it.

Mr. Scaddan: What will you do if you cannot prove it?

Mr. E. B. Johnston: Never you mind.

Mr. ANGWIN: I repeat there was no agreement entered into at all.

Mr. Green: I think the whole thing is about threadbare.

Mr. ANGWIN: The evidence I gave before the select committee is quite true. I answered freely and without reserve every question that was put to me.

Mr. E. B. Johnston: You were in the East when the main trouble was on.

Mr. ANGWIN: The position is that there was a draft agreement under consideration, and that was borne out by Mr. Nevanas' solicitor when giving evidence. That is a common practice. No finality, however, was arrived at in regard to the management.

Mr. E. B. Johnston: Yes there was, absolutely.

Mr. ANGWIN: The hon. member seems to know more than I do.

Mr. E. B. Johnston: You were in the East when your colleagues turned it down.

Mr. ANGWIN: I say definitely there was no agreement entered into.

The Premier: What about the letter?

Mr. ANGWIN: I have never seen any letter.

Mr. Scaddan: The Premier said he had that letter.

The Premier: I never said anything of the kind.

Mr. Bolton: You said at Busselton that you had it in your pocket.

Mr. ANGWIN: Although it is not customary to reveal what takes place in Cabinet, I desire to say that I was present at the Cabinet meeting when the draft agreement was discussed. The agreement was taken away by Mr. Sayer with a view to embodying in it certain conditions. It was decided that nothing definite should be fixed up in regard to it until the Premier returned from Melbourne.

Mr. E. B. Johnston: Were you at the Cabinet meeting when the arrangement with Nevanas was repudiated?

The Premier: Were not wires sent over by the Premier?

Mr. ANGWIN: I never saw them.

The Premier: Do you maintain there is no letter?

Mr. ANGWIN: There is no letter that I know of.

The Premier: You said there was no letter at all.

Mr. ANGWIN: I said there was no agreement fixed up; there was no letter fixing up an agreement for the management of the works.

Mr. E. B. Johnston: Where were you at the end of April?

Mr. ANGWIN: I came back from the East on the 25th April. I left Perth on the 29th March.

The Premier: Your memory is playing you false.

Mr. ANGWIN: What I am saying, I believe to be true. I am not in the habit of telling falsehoods.

The Premier: I did not say anything about a falsehood.

Mr. ANGWIN: I thought the Premier did. When I returned to the State Mr. Scaddan who was then Premier was on his way to the East.

Mr. Taylor: There was a terrible lot of jaunting going on at that time.

Mr. ANGWIN: I went over for a holiday but did not get it. With regard to the supposed agreement, the evidence of Mr. Nevanas's solicitor was conclusive. The only evidence the member for Williams-Narrogin has with regard to the agreement is something which Mr. Nevanas's secretary is supposed to have told Mr. Dunkerley and which Mr. Dunkerley repeated to the committee. I am as confident as I am standing here that there was no agreement entered into.

The Premier: Where is the letter?

Mr. Scaddan: You have that; you said so.

The Premier: I did not say so.

Mr. ANGWIN: I did not see any letter.

The Premier: Why did you withdraw it from the file?

The Minister for Works: You were in Victoria on the 10th April and would not have seen it.

Mr. ANGWIN: I never saw it, but I am certain that no agreement was ever entered into, nor was anything done which could have led Mr. Nevanas to believe that the draft agreement would be signed after it had been discussed in Cabinet.

Mr. E. B. Johnston: He held the letter, and you knew all about it.

Mr. Scaddan: What letter did he hold; was it an agreement?

Mr. ANGWIN: The whole thing shows that there was no such agreement in existence. I do not mind what inquiry is held. So far as I am concerned there is nothing that need not see the light of day. A good deal has been said about the cancellation of the contract, but we know now that the purchase of material at that time proved to be of great advantage to the State. Hon. members know that we saved about £13,000 by purchasing through Nevanas & Co at the time. Since then saving in the price of material has been doubled and in some cases trebled.

The Minister for Works: I cannot confirm that.

Mr. ANGWIN: The Minister need only ask his officers with regard to steel. There was a little difficulty experienced in dealing with the cork merchants and in that direction we had to pay more, but there also the

cork we secured was beneficial to the State. I do not intend to-night to go into the question, because I have already dealt with it very fully in this Chamber. I also gave evidence at great length before the select committee, who examined all the witnesses they thought necessary.

Mr. E. B. Johnston: They did not get Nevanas and they did not get all the papers.

Mr. ANGWIN: I cannot help their not having got Nevanas. Every witness who was here was called and the inquiry was exhaustive. The result was that the committee could not find anything wrong so far as Ministers were concerned. The idea is that there is something underlying this question and the suggestion is that it is from a pecuniary point of view. I know that not a Minister connected with the then Cabinet ever benefited to the extent of one farthing. Their one aim was to carry out the work as cheaply as possible and to the best advantage and to get it brought into existence as early as possible. I am prepared, and am quite willing to vote for the appointment of a Royal Commission, and I am prepared to face any inquiry which may take place, because I am satisfied that nothing whatever can be said against the then Government except that it was their desire to carry out only what was in the best interest of the State.

Mr. SCADDAN (Brownhill - Ivanhoe) [S.45]: Permit me first to say that I congratulate the member for Williams-Narrogin on the courageous attitude he has adopted in this matter.

Mr. E. B. Johnston: I am sorry I cannot reciprocate.

Mr. SCADDAN: I do not desire it from such as the hon. member. He first came here with a carefully worded resolution, containing a statement which is quite incorrect, but framed, of course, in a way which would suit his purpose of advertising, by innuendo, something which he was not game to say definitely and publicly on the platform, so that the matter might be cleared up in a proper way. I challenge the hon. member to go outside the House and say what he has been circulating by innuendo, and not to take advantage of the privilege which he has as a member of this Chamber, a privilege which he has also availed himself of under the Defence Act—I believe he is a single man and not

registered. I ask him not to take advantage of that privilege to reflect on my personal character, but to go outside and say what he has to say.

Mr. E. B. Johnston: I made all those statements before and you were frightened to answer them. Why did you not come down to Williams-Narrogin?

Mr. SCADDAN: The hon. member talks about my going to Williams-Narrogin to face him on a matter of this kind. What had I to face there?—something in connection with the select committee's report, which he used for the purpose of endeavouring to get me to go to Williams-Narrogin and contest the election against him. I might ask why he did not come to Brown Hill and oppose me. He made the statement that he would put me out of public life if he could. Instead of doing that, he comes to this House and submits a motion of this character—

For a committee to inquire into the special arrangements entered into with Nevanas to take control of the Wyndham Freezing Works.

That is an absolute untruth; there was no arrangement whereby Mr. Nevanas was to take charge of the works—

Mr. E. B. Johnston: There was.

Mr. SCADDAN: I say it is untrue; no such arrangement was ever made—

when completed at a generous salary.

Mr. E. B. Johnston: That is absolutely true.

Mr. SCADDAN: I say it is absolutely untrue. The hon. member came along to this House during my absence—

Mr. E. B. Johnston: That was not my fault.

Mr. SCADDAN: I know it was not the hon. member's fault; but when the motion was called on he might have taken the manly and courageous attitude of asking that it be postponed until I was present and had an opportunity of hearing what he had to say, and giving my reply first-hand. He not only took the attitude of submitting the motion in my absence, but actually of voting to compel the debate to proceed during my absence.

Mr. E. B. Johnston: I did not think you would ever get back.

Mr. SCADDAN: The wish was father to the thought. That is what you hoped for. I find his name in the division list on the question of the adjournment on this debate in which he submitted what he calls a serious charge against me. He wanted to insist that the debate proceed.

Mr. E. B. Johnston interjected.

Mr. SCADDAN: I welcome this Royal Commission. The only trouble is that it does not go far enough. The member for Williams-Narrogin has for months past been reflecting on my personal character in a certain club which the hon. member frequents in St. George's terrace. Allegations have been made of "palm grease" in connection with the purchase of the tramways, and about the contract for the erection of the power house. Those allegations are deliberate and wilful falsehoods; and there is no man plucky enough to take the responsibility of saying these things publicly. They are circulated by innuendo, and exactly the same remark applies to this matter of the Nevanas contract. There have been attempts made during the last few months to make the people of this State believe I had something to gain by Nevanas getting this contract. I say that is absolutely false. I had nothing to gain except what I should as a citizen of the community by having these works erected in the interests of the Empire. My only desire was to see the early construction of the works. There are cablegrams on the file from the Imperial Government to the State Government through the Governor General, urging us to make provision for the feeding of troops. Any man who would not take the opportunity of doing something to that end, in the face of those cablegrams, would be no man and no Britisher. I care not what his accusations are but I ask that the hon. member shall be fair and say what he really means. I want the House and the country to know that the member for Williams-Narrogin is the last man in the House who should cast reflections on a man's personal character. He was drummed out of the public service himself.



Mr. E. B. Johnston: Mr. Speaker, I must ask for the withdrawal of that; it is an absolute lie.

Mr. SPEAKER: The leader of the Opposition has made the statement that the member for Williams-Narrogin was drummed out of the service. The hon. member takes exception to that and I must ask that it be withdrawn.

Mr. SCADDAN: I will withdraw.

Mr. SPEAKER: The hon. member for Williams-Narrogin must now withdraw his remark.

Mr. E. B. Johnston: I withdraw.

Mr. SCADDAN: Let me deal with the hon. member.

Mr. E. B. Johnston: You are frightened to deal with the motion.

Mr. SCADDAN: Might I ask that the hon. member shall not interject. I did not interject when he was moving his motion, and I would like him to have an opportunity of hearing what I have to say. The hon. member has asked for a Royal Commission. I am not objecting to that, and I will vote for the motion.

Mr. E. B. Johnston: You are annoyed at the motion.

Mr. SCADDAN: I am not annoyed at the proposal for a Royal Commission, but I am annoyed at the attitude adopted by the hon. member in taking this means of attacking me personally, in order to cover up his tracks. He is not game to say what he has said on a public platform. Let me relate to the House an incident which occurred in the corridor. The member for Kalgoorlie was here at the time and he can bear me out. When the late Postmaster General, Mr. Fraser, died, a selection ballot became necessary for the Kalgoorlie seat in the Federal House. The present member for Kalgoorlie, as every one knows, resigned his seat in this House in order to contest that ballot. By way of a joke the member for Menzies rang me up in my office and told me a rumour had been circulated that I intended contesting the selection ballot, and asking me when I came up to the House, if I were asked the question, to say that the rumour was correct. The member for Williams-Narrogin came to me and asked me whether there was any truth in the statement that I proposed contesting

the selection ballot, and I replied that I was thinking of it but had not definitely made up my mind. He then said, "If you are, I shall bring the question up at the party meeting, because if you are leaving the party I am leaving it, too, as I would not follow any other leader."

Mr. E. B. Johnston: At that time I did not want you to go.

Mr. SCADDAN: The hon. member does not deny the statement, and I accept his explanation.

Mr. E. B. Johnston: I had confidence in you at that time which I afterwards lost.

Mr. SCADDAN: The hon. member has been anything in politics from a party point of view that suited his book. He was the strongest opponent Sir Newton Moore had when Premier and Minister for Lands. He was just as strong an opponent of the present Minister for Industries (Hon. J. Mitchell) when he was formerly Minister for Lands. It is significant that it was due to the action of those Ministers that the hon. member was dismissed the service and joined the Labour party. That is the man who now tries, by an attack on my personal character, to cover up his tracks. As I have said, he was dismissed from the service.

Mr. E. B. Johnston: That is not correct.

Mr. SCADDAN: And he is now asking for a Royal Commission for the purpose of endeavouring to damn my personal character.

Mr. E. B. Johnston interjected.

Mr. SCADDAN: Who is making this speech

Mr. E. B. Johnston: I am.

Mr. SPEAKER: Order! The hon. member is not making this speech; the leader of the Opposition is addressing the Chair, and the hon. member will have the right of reply as mover of the motion.

Mr. SCADDAN: The hon. member takes objection to what he terms is a personal attack by me on him. Surely when he attacks me personally—

Mr. E. B. Johnston: I did not; I attacked your public action.

Mr. SCADDAN: According to the hon. member the Royal Commission is asked for for the purpose of inquiring into my public action. I want to know whether his actions as a public servant were not also public ac-

tions, and as such open to daylight as he proposes now that mine should be.

Mr. SPEAKER: Order! The motion does not deal with the hon. members actions. It is for the purpose of appointing a Royal Commission to inquire into the agreement alleged to have been made with Mr. Nevanas.

Mr. SCADDAN: If I am not to have an opportunity of saying what I wish on this occasion, I shall probably move later on for the appointment of a Royal Commission to inquire into quite a number of the actions of the hon. member. I am surely entitled, in view of the manner in which the hon. member has accused me, of drawing attention to the reason which actuated him in the attitude he has taken. It will be remembered that the member for Guildford (Mr. W. D. Johnston) drew attention in this House before the hon. member became the member for Williams-Narrogin, of certain land transactions in the Williams-Narrogin district, where he was then the Government land agent. That was followed up by a motion by myself, without knowing anything at all about the man, for the appointment of a select committee. There was absolutely no feeling at all in the matter. But it is significant that the member for Guildford and myself are the only two ex-Ministers who have any responsibility in this Nevanas matter. The member for Guildford drew attention to certain scandals in the Williams-Narrogin district, and it was I who moved for the select committee. That motion was withdrawn on an undertaking given by the then Premier, Sir Newton Moore, who, afterwards found the hon. member just as violent an opponent as I now find him to be. The motion was withdrawn on the undertaking of Sir Newton Moore that the matter would be made the subject of a departmental inquiry. This led to the hon. member being called upon to resign. That brings me to the point that in dealing with the matter at His Majesty's Theatre I did inadvertently say—

Mr. E. B. Johnston: Try and be a man.

Mr. SCADDAN: That the hon. member had been sacked as a consequence from the public service, and I was approached by the present Attorney General (Hon. R. T.

Robinson) acting as counsel for the hon. member, with a little note to this effect—

Unless you sign a letter to this effect and return it to me to-morrow I am authorised by Mr. E. B. Johnston to issue a writ against you for having asserted that he was dismissed from the service. I did not sign it.

Mr. E. B. Johnston: You promised to do so, but broke your word.

Mr. SCADDAN: That is a deliberately incorrect statement. I did not promise anything of the kind. I told the Attorney General, in his capacity as legal adviser to the hon. member, that he could see the file and that if Mr. Johnston had not been dismissed I would make a public retraction. He was perhaps not directly dismissed, but an inquiry was held and he was called upon to resign.

Mr. E. B. Johnston: I was never called upon to resign.

Mr. SPEAKER: I cannot allow this discussion any further.

Mr. SCADDAN: I have read *Hansard*, and if I did not get "bark from the tomb" from the hon. member, I do not know what I did get.

Mr. E. B. Johnston: And you cannot answer it either.

Mr. SPEAKER: The remarks of the hon. member for Williams-Narrogin were distinctly relevant to the motion, but those of the leader of the leader of the Opposition are not.

Mr. SCADDAN: I will get an opportunity, and if I do not I will make it on a direct motion. I am not going to permit the hon. member to adopt this attitude without the right of retaliating. I am not built that way.

Mr. SPEAKER: The hon. member will have full scope.

Mr. SCADDAN: And I will take it, too. I still assert, as I have done all along the line, that so far as the transactions were concerned that were carried out by Cabinet, they were carried out with one object only, that of advancing the best interests of the North-West and of the State as a whole, and, *inter alia*, the best interests of the Empire in the crisis through which it was passing. Whether we acted, as viewed from to-day, in the wisest possible direction has to

be decided by everyone on the evidence of the select committee. I am not here to say that every step which was taken by the Government was always the wisest step, as viewed from the standpoint of future results. Most of us try to live to the best advantage and to get the best out of life. Is there one who could not look back and say that there was a certain action which, if he could have foreseen the result of it, he would not perhaps have acted differently? There is not an hon. member here who could say that. No Government ever existed without having had an exactly similar experience. If one could have foreseen that Mr. Nevanas could not proceed with the work, and that things would have taken the turn which they did, one would never have gone so far. We consulted with Mr. Nevanas with two objects in view. The first was that he should advise us—and he had been recommended with good credentials—on the question of the establishment of freezing works at Wyndham and as to the type of freezer to be erected. He was recommended as an expert on frozen meat and had just come from London. In view of the report of the then Minister for Works who had proceeded to Wyndham, that the great problem in connection with the establishment of the works there would lie in the direction of the disposal of the surplus product which cannot be controlled from Perth, and that it would have to be controlled by some management in London where the product is disposed of, our second object was to get advice from Mr. Nevanas on this point. Mr. Nevanas was established in London. We made confidential inquiries in regard to his financial standing as a purveyor of meat in London and in different parts of Great Britain and the answers received were satisfactory. The then Minister for Lands proceeded to consult with Mr. Nevanas on the question of disposing of the surplus products. We found that these works could not be profitably managed from Perth and the surplus product disposed of under the same management. Eventually, when the works are completed, the present Government will have to find ways and means of managing the works apart from the Agricultural Department in Perth. For the purpose of arranging with Mr. Nevanas to manage the works, we drafted an agreement

on a basis which I still believe would have been satisfactory to the State had we been able to proceed with it, particularly in view of the now estimated cost of the construction of the works. This, together with the speedy erection of the works and their earlier operation, and the help which we could have given to the Empire as requested, the agreement would have been to the best advantage of the State. We stopped, however, when we had the draft agreement before Cabinet, which the committee say, and which as a matter of fact the hon. member for Williams-Narrogin and other hon. members as well have been making the public believe, was an agreement that we made, but which we did not make.

Mr. E. B. Johnston: What about the letter?

Mr. SCADDAN: I will make out my case in my own way. I know what the hon. member is desirous of doing. At that stage we knocked off negotiations on the question of the agreement for the management of the works, in order to expedite the completion of the contract for the erection of the works so as to enable Mr. Nevanas to catch the season at Wyndham, as well as to enable him to get the works open within the time specified. Whether we acted wisely or not is altogether apart from the present issue. As to the breaking off of the negotiations in Cabinet, I am not here—nor could any Royal Commission call upon me to do so—to divulge what transpired in Cabinet. Matters which transpire between Minister and Minister in Cabinet are held by the British Constitution to be sacred, and no one has any right, even if a Minister disapproves of what is arrived at and leaves Cabinet, to disclose what took place there. Ministers meet on three or four days a week and discuss matters of public interest. No minutes are kept in Cabinet of the discussions which take place. Frequently a decision arrived at is placed on the file concerned, and frequently too, that is not done, the department merely taking the desired action. A Cabinet decision is founded on the basis of the Crown calling to its aid certain individuals who have the confidence of the majority of the people's House, which reposes in those Ministers sufficient confidence to allow them to conduct their business in secret. Each agrees

with the decision finally arrived at by Cabinet as a whole.

Mr. Gardiner: Although he may disagree in Cabinet?

Mr. SCADDAN: That is so. That condition of affairs must exist. At the time I am speaking of we had the agreement before Cabinet. There was a difference of opinion in regard to the contents of that agreement. It was drawn up by Mr. Nevanas's solicitor in conjunction with the Crown Law officials without any instructions from us as to its basis. We considered the draft in Cabinet and marked in pencil; some of us, our opinions as to the different clauses, and proceeded to discuss them. Eventually we decided owing to some of the clauses not being in accordance with the wish of Cabinet, that we were not prepared to discuss it any further and thus delay the other contract which had then suddenly loomed up. There was no intention of discussing with Mr. Nevanas the question of erecting the works. It was only when the offer came along and was submitted to the board, which stated that we should not hesitate to accept it because we could not do the work at the price or get it done within the time—and these are purely good enough reasons considering the conditions then prevailing—that in accordance with the decision arrived at in Cabinet to drop that agreement the agreement was dropped and the question was taken into consideration of making a suitable arrangement with Mr. Nevanas in connection with the management of the works. I am telling the House the God's truth. All that I told Mr. Nevanas in that letter which was withdrawn afterwards was that subject to certain things in the agreement being satisfactory in vital points and not otherwise, we were prepared to make an agreement with him as to the management. I proceeded to Melbourne and was suddenly taken ill there with pneumonia. I spent three weeks in the hospital. For the purpose of not permitting my wife to know that I had contracted pneumonia I instructed my secretary to telegraph that I was laid up with influenza. My colleagues only imagined that I had an attack of influenza, and wired day after day for certain things to be attended to in Melbourne, but my secretary took no action in regard to them. I think it was on the

Thursday that I was able to attend to business, and I had placed before me a big bundle of correspondence and telegrams. Amongst these was a request from Cabinet that after further consideration it was deemed desirable to withdraw the letter which I had given to Mr. Nevanas while in Perth. I did not hesitate, and immediately withdrew the letter, and there was an end to the matter. In spite of what has been said to the contrary, there is not a line in existence which would give Nevanas the right to a pennyworth in connection with the Wyndham freezing works, either now or in the future. And yet the member for Williams-Narrogin asks for a Royal Commission to inquire into something of that nature. Was it an awful thing to do to comply with the request of my colleagues.

Mr. E. B. Johnston: Why did the letter and the telegram disappear from the file?

Mr. SCADDAN: The Premier says he kept a copy of it.

Mr. Taylor: No, he denies that.

Mr. SCADDAN: I have his statement here. I do not care what he denies. In his policy speech delivered at Busselton on Wednesday, 9th August last, the Premier said—

He had with him a letter from the ex-Premier, the copy of which, however, had disappeared from the files and could not be found, giving him the management of the works on these generous terms.

The Minister for Works: He meant Nevanas there.

Mr. SCADDAN: I say that statement is absolutely incorrect. Nevanas has no such letter with him.

The Minister for Works: The Premier has not had that letter or even a copy of it.

Mr. SCADDAN: The hon. member for Williams-Narrogin had a copy of it.

Mr. E. B. Johnston: I did not.

Mr. SCADDAN: The hon. member may have dozens of copies if he requires them. All that this letter did was to comply with what I believed to be—and what my Ministers were satisfied with when I came back from Melbourne—the correct decision arrived at in Cabinet that we would drop the question of the agreement until after Nevanas had erected the works, and would undertake to do so subject to the conditions

being suitable to us and not otherwise, and that on those grounds we would make an agreement for the management of the works. What is all the trouble about? What does the hon. member imagine? He, of course, has never held Cabinet rank, and has never carried responsibility, and does not know. But, I ask, has one of those telegrams ever transpired which passed between Dr. Hicks and Mr. Keenan and Mr. Gregory when the little game was going on as to who should succeed Mr. Newton Moore as Premier? The member for Mt. Margaret will recollect.

Mr. Taylor: Yes; the "hurricane lamp" affair.

Mr. SCADDAN: That is it. A matter affecting agreement amongst Ministers is not a public matter, but a matter to be settled amongst themselves. I freely admit, and I have previously admitted, that there was a difference of opinion on this point between my colleagues and myself. That difference of opinion was settled. In Cabinet I sank my opinion, as every Minister has occasionally to do for the purpose of preserving agreement amongst Ministers. And it is on that ground I am accused of doing something dishonest. Things done in Cabinet are not to be blazoned abroad, as the member for Williams-Narrogin may know some day if he ever gets Cabinet rank. Then the hon. member wants a Royal Commission. Well, he may have it. If the hon. member desires to thrash things out thoroughly, let him endeavour to make the scope of the commission all-embracing, so as to afford me an opportunity of refuting certain innuendoes which have been cast on me. Hardly a week passes but I get an anonymous letter calling me all the blackguards and skunks under the sun—

The Minister for Works: We all do.

Mr. SCADDAN: And asking what did I get out of the Nevanas deal, or out of the tramway deal, or out of the ferries deal, or out of the power-house contract. The member for Irwin (Mr. Gardiner) knows the sort of aspersion that is cast around every time the Government take on a big deal. But, because such charges are hurled about for party purposes, are Governments not to transact public business? Are we to tell the Ministers now on the Treasury bench that

they are not to carry on the affairs of the State because such accusations may be hurled at them? As soon as the brickworks have been disposed of the question will be asked on the Terrace, what did the Minister for Works get out of it?

The Minister for Works: That is so.

Mr. SCADDAN: And that kind of thing is being encouraged, year in year out, for party purposes. Liberal Ministers are now in possession of the affairs of the State. If there is any agreement of the nature asserted, if there is still something that is going to cost the country more in connection with this business, let Ministers say so. They will have knowledge of it.

Mr. Taylor: What can the Royal Commission do more than the select committee did?

Mr. SCADDAN: Nothing.

Member: Where is Nevanas?

Mr. Heitmann: Probably he has enlisted.

Mr. SCADDAN: I have no objection to the appointment of a Royal Commission, but I do object to the appointment being demanded for party purposes and on personal grounds.

Mr. E. B. Johnston: You know that is unfair.

Mr. SCADDAN: It is not unfair. I could allude to transactions which took place in the Government departments when the Labour party were not in office, which in this House have practically been described as jobs, and now we are asked for a Royal Commission to inquire into a letter which caused a disagreement among Ministers. Was I in the position of Premier for the purpose of evading responsibility, for the purpose of leaving my colleagues to get the blows? I was there to carry my responsibility, and I did carry it. The present Minister for Works knows that certain things which I have been accused of doing off my own bat I never did off my own bat any more than I have attempted to build a flying machine. The radiogram sent to Nevanas when he was on the steamer was sent in my name, over my signature; but I had no more to do with it than had any other Minister. In point of fact, that message was drafted by the present manager of the State Steamship Service, Mr. Stevens; and it was brought into Cabinet, and approved. It had

to be signed by someone, and it was signed by me on behalf of Cabinet. And yet, for having sent that wireless message on the instruction of Cabinet, on the advice and recommendation of the manager of the State Steamship Service, I am accused of having done something dishonourable and dishonest.

The Minister for Works: That message was the one offering him the "Prinz Sigismund" subject to her being controlled by the State Steamship Service?

Mr. SCADDAN: Yes. We had an object there. We were trying to sell the "Western Australia." We could not get rid of her until we had another boat to take up the mail contract we had with the Postmaster General. Having an opportunity of securing this interned steamer, we sent two officers of the State Steamship Service to examine the boat and report whether she would answer our requirements. One officer reported yes, and the other reported no. The manager of the State Steamship Service said, "The officers are not satisfied now that the boat will prove satisfactory on this coast." Those officers had had experience of the "Western Australia," and they were not ready to say that the "Prinz Sigismund" was suitable. Now, here was Nevanas looking for a boat to carry his material to Wyndham. The manager of the State Steamship Service said, "If we can get Nevanas to accept a boat for the purpose of carrying his material to Wyndham, we can then at his cost ascertain whether the boat is suitable." If that was not good business, what is good business? However, because we did it by wireless the member for Williams-Narrogin assumes that there was something dishonourable about it, and I am supposed to have done something which reflects on my personal character. I have nothing whatever to hide in connection with the Wyndham transaction or in connection with any other transaction. In order to remove what seems to be a glimmer of something in the minds of certain honourable members, let me say that I have never been able to put into my banking account a threepenny bit, nor have I ever received a single article worth threepence, for anything I did in my Ministerial capacity. From a Ministerial point of view I

have never considered friends or foes, but only the best interests of the State. Then, to suggest, as the member for Williams-Narrogin does, that some action of mine was of a nature that did not reflect credit on myself or the State—

Mr. E. B. Johnston: But public documents disappeared.

Mr. SCADDAN: They are not public documents. the hon. member does not appreciate the position as regards questions between Ministers. Those telegrams are not public property. Suppose a Minister tells his Premier that he is dissatisfied, and states the grounds of his dissatisfaction in writing, is that document a public document to be tabled in the House, thereby disclosing discord in the Cabinet?

Mr. E. B. Johnston: Those documents were all on the files.

Mr. SCADDAN: No. I say that not a single document has been removed from the public files. Certain telegrams were sent to me by my colleagues, and I have them still. The return telegrams I sent to Ministers they probably have; and they are entitled to have them. The Minister for Works will know, if he does not know yet, that at times a Minister may wire or write to his Premier referring to the action of some other Minister. At present it may be a happy family on the Treasury bench; but it may not be so always, and the Minister for Works may feel that he requires to express a confidential opinion to his Premier. Is it to be asserted that the Premier should lay that document on the Table of the House?

The Minister for Works: But a business document should not disappear.

Mr. SCADDAN: I have already said that the letter which I gave Mr. Nevanas I withdrew because its contents were disapproved of by my colleagues.

The Minister for Works: But should it not be on the file?

Mr. SCADDAN: No.

The Minister for Works: Why not?

Mr. SCADDAN: Because we decided that we would not go into the management question until Nevanas had constructed the works. I could have gone to any one and said, "Subject to a satisfactory agreement being made, I will let you manage the

works." That would not be a contract. There was no contract.

Mr. E. B. Johnston: Yes, there was a contract.

Mr. SCADDAN: I tell the hon. member what was stated on behalf of Nevanas—that there was never a contract, but merely a letter.

Mr. Angwin: That was stated before the select committee.

Mr. Taylor: There was a tentative agreement, which was never approved of.

Mr. SCADDAN: Not even that. Merely a letter stating—

Mr. Willmott: Nevanas's solicitor produced to the select committee something which he would not let us read, which was in the nature of an agreement.

Mr. SCADDAN: Yes. If that agreement had been signed—

Mr. Taylor: The agreement was never accepted by both parties.

Mr. Gardiner: If an agreement is not signed by both parties, how can it be an agreement?

Mr. SCADDAN: I am endeavouring to explain that the letter was merely a draft, drawn by the Crown Solicitor and by Mr. Nevanas's solicitor, for Ministers to read. Ministers read the draft, and then decided to drop the question of management until the works had been erected, when, if we could make an agreement satisfactory to us—

The Minister for Works: You gave Nevanas a letter to that effect?

Mr. SCADDAN: Yes.

The Minister for Works: Should not that letter be on the file?

Mr. SCADDAN: No; not any more than if I had merely told Nevanas so privately.

Mr. E. B. Johnston: He was with you on that day?

Mr. SCADDAN: On what day?

Mr. E. B. Johnston: The 10th April.

Mr. SCADDAN: No. The hon. member has stated that Nevanas was a frequent visitor to my house. During the whole time Nevanas was in Perth he was in my house once.

The Minister for Works: No harm if he was.

Mr. SCADDAN: No. But what I am concerned about is, not my legal position,

but my private position. The innuendo that Nevanas was a frequent visitor to my house, was a close friend of mine, was made for a certain purpose. The hon. member who made it ought to be manly enough to admit now that he made it for the purpose of impugning my integrity.

Mr. E. B. Johnston: That is absolutely incorrect.

Mr. SCADDAN: It is correct. The hon. member even in this House once interjected to me, "What about the pianola Nevanas gave you?"

Mr. E. B. Johnston: I do not think I said that at all.

Mr. SCADDAN: Of course the hon. member does not think he said so. But he said it distinctly.

Mr. E. B. Johnston: Where is it reported?

Mr. SCADDAN: The hon. member will find in *Hansard*, "Mr. E. B. Johnston interjected." If the hon. member had said it outside I would have pulled his nose. He does not say that kind of thing outside. He skulks outside. In this Chamber, of course, we have to deal with members in a respectful way.

Mr. E. B. Johnston: I say you are wrong.

Mr. SCADDAN: And I say I am not wrong. The hon. member has been indulging in this kind of innuendo for months past. I have heard about Strelitz giving me a motor car.

Mr. E. B. Johnston: That is news to me.

Mr. SCADDAN: I do not know so much about that. Everything I have in the world, it would seem, has been given to me by somebody. I am lucky indeed to have that sort of attraction. But the worst of it is that so many of the public believe these statements. On the advice of my friends I kept my wife going about the Canning district during the election campaign to deny statements of this nature—statements that I had got a nice cut out of the tramway deal, that Strelitz had given me something handsome for getting him out of trouble. I sent my wife to deny those statements and to show that she was not German. I protest against members, who are supposed to represent public opinion, encouraging this sort of thing, because, as I have previously said, mud cannot be thrown continually without some of it

sticking. If merely because I happened to be the head of the Government when these transactions were carried out—the tramways purchase, over £400,000, was a pretty big thing—I am to be accused of having my palm greased, I too will ask questions of others carrying on big transactions; and where is it all going to land politics in this State? If anybody can show where, by any of my public actions, I increased by private banking account then undoubtedly I ought to be dealt with under the Secret Commissions Act and landed in Fremantle gaol. I ask hon. members to be fair enough, if not kind enough, to have this matter cleaned up once and for all. If we are to have a commission, let it not be circumscribed. Let us comprise within its scope all these other questions, as for instance the Strelitz case, in which the Premier had not the courage to take up the attitude he ought have adopted when I was being attacked in the public Press on that question.

The Premier: What attitude ought I to have adopted? What has this to do with the question? This is another dirty insinuation. What do you accuse me of now? What have I had to do with Strelitz?

Mr. SPEAKER: The Premier must withdraw the words "dirty-insinuation."

Mr. SCADDAN: I did not say that you had anything to do with Strelitz.

The Premier: You mentioned his name. It was a cowardly thing to say.

Mr. SPEAKER: The Premier must withdraw.

Mr. SCADDAN: I do not want him to withdraw.

Mr. SPEAKER: I do. It is only courtesy to the House that he should.

The Premier: I ask that the leader of the Opposition withdraw his remarks.

Mr. SPEAKER: If the leader of the Opposition said anything offensive, he will be asked to withdraw.

The Premier: He aspersed my reputation.

Mr. SPEAKER: The Premier will withdraw, and then I will ask the leader of the Opposition to withdraw any remark which the Premier takes exception to.

The Premier: Very well, I will withdraw.

Mr. SPEAKER: Now what did the leader of the Opposition say to which the hon. member takes exception?

The Premier: I take exception to his remarks in reference to myself and my association with Mr. Strelitz.

Mr. SCADDAN: I withdraw.

Mr. SPEAKER: I hope there will be no further reference to anything outside the motion.

Mr. SCADDAN: I had no intention of making any personal reflection. I merely said that several other questions might be handed to the commission to be cleared up, remarking that the Premier might have had the courage to help me and explain the position in regard to Mr. Strelitz when I was being attacked in the public Press. I merely wanted it known that the Premier himself brought Mr. Strelitz along to my office.

The Premier: To ask you to listen to what he had to say.

Mr. SPEAKER: I think it is undesirable to discuss that question. The hon. member will discuss the motion.

Mr. SCADDAN: I want the Premier to withdraw his statement that I was acting the part of a coward. It seems to me that the Premier refuses to withdraw the statement to which I take exception, notwithstanding which I am asked to proceed.

The Premier: I did not say the hon. member was acting the part of a coward; I merely said it was a cowardly thing for him to say.

Mr. SPEAKER: If the Premier said the leader of the Opposition acted the part of a coward, he must withdraw it; but the Premier denies that. Does the leader of the Opposition desire that I should ask for proof of it?

Mr. SCADDAN: No, I accept his explanation. Getting back to the motion, I sincerely hope this matter will be finalised. I will gladly help in clearing up the question, because it will be of advantage to me. I have been sitting down under this for so long that I am about tired of it. Apparently, no direct statements have been made. At all events, I have tried to get statements, but all that I could get was



innuendo. Innuendo has run all through the statements made by the member for Williams-Narrogin (Mr. E. B. Johnston). We have been told that there was an agreement. The Premier must know whether the Crown Law officers have been approached with a demand for the agreement.

The Premier: No one has approached me.

Mr. SCADDAN: If the hon. member had been approached, he could fairly ask that we have an inquiry for the purpose of knowing whether there was an agreement.

The Premier: There evidently was something in the nature of an agreement.

Mr. SCADDAN: The position is that there seemed to be something in this that might suit their political party.

The Premier: Why do not you produce the letter you wrote to Nevanas?

Mr. SCADDAN: I have told the House what happened in respect to that letter. I am not objecting to the motion.

The Premier: Well, let it be carried.

Mr. SCADDAN: The Premier, as adviser to His Majesty, could have recommended the appointment of a commission the day he took office, without bringing the question into the House at all. But he did not do that. He has allowed this thing to go on, knowing that the longer it goes, the more it will reflect on me personally. That is the attitude adopted by the Government, and I say it is absolutely unfair. I have nothing to hide in the matter. Every transaction I made as Premier is open to a royal commission or any other commission, but I still say that questions arising between Ministers are not for public discussion. What I object to is a circumscribed commission to inquire into merely two or three questions to suit the member for Williams-Narrogin. Before the commission is appointed I suggest to the hon. member that he give an undertaking to resign if the commission does not find that the alleged agreement existed. He is asking the country to go to the expense of a royal commission, and I ask him will he be prepared to resign if the commission find that no agreement existed concerning the management of the freezing works? Will the hon. member give that undertaking?

The Premier: Why should he? He resigned once before, you know.

Mr. E. B. Johnston: Do you object to the production of those telegrams?

Mr. SCADDAN: Yes, I object to the production of any correspondence which concerns Ministers alone. It is only because the hon. member is a tyro in politics that he has the audacity to make such a request. What would be thought if I asked for the production of the correspondence between Ministers when Sir Hector Rason resigned?

The Premier: There was no correspondence.

Mr. SCADDAN: Of course not. It is only when it suits the purposes of a member that correspondence is wanted. It is astounding that members who know nothing whatever about Cabinet procedure should suggest that a difference of opinion among Ministers ought to be published broadcast. It is absurd. Public questions may be open to public discussion, but questions as between Ministers alone are entirely different. I repeat that there never was an agreement with Nevanas for the management of the freezing works.

Mr. E. B. Johnston: There was.

Mr. SCADDAN: Of course, if we had a dozen commissions and they all reported in the negative, the hon. member would still hold to his belief. The only thing that keeps him politically alive is this Nevanas case. When it is done with, the hon. member also will be done with, and so of course he is not likely to do anything that will finish it up. I again declare that there never was an agreement with Nevanas for the management of those works for any period or at any commission whatever. There was given to Nevanas an undertaking that when the works were completed we would be prepared to enter into an agreement with him for their management, subject to that agreement being satisfactory to us. That of course was no agreement at all, and there was no other form of agreement.

The Premier: It was jolly near to it.

Mr. SCADDAN: Nothing of the kind. I say there was no agreement.

The Premier: A distinction without a difference.

Mr. SCADDAN: Of course the Premier would be right, even if everybody else were wrong. It is all right for party purposes, and yet all the protection I can obtain in

my personal capacity is this foul circulation of the inference that I took some part in signing letters and telegrams on my own responsibility, and thus did something dishonourable.

Mr. S. Stubbs: A Royal Commission will clear all that up.

Mr. SCADDAN: They might. A commission can get all the evidence there is; it can even bring Nevanas back from where he is.

The Premier: The papers say he has gone to Japan.

Mr. SCADDAN: But he may be back by now. At any rate the Premier can get into touch with his attorney and ask him whether there is any agreement entitling him to any claim on the Government and if he says yes, I will resign my public position as a member of Parliament and remain out of public life if the member for Williams-Narrogin will do likewise, if the Royal Commission proves that there was no agreement.

Mr. E. B. Johnston: I gave you one chance.

Mr. SCADDAN: The hon. member gave the chance as soon as all the workers who were engaged in the construction of railways had left his district.

Mr. E. B. Johnston: They were there and they were behind me.

Mr. SCADDAN: The hon. member has not even now decided on the political colour of his district. I am asking the hon. member to take up the proper attitude. Will he resign if the commission finds that there was no agreement?

Mr. E. B. Johnston: Are you prepared to let those telegrams be produced?

Mr. SCADDAN: All I am asking the hon. member to do is that he will undertake to resign if it is found that there is no agreement. I am prepared to give a similar undertaking in the event of the agreement being proved to exist. I have no objection to the commission. If the Government desire to appoint it they can do so whether I object or agree. I have nothing to hide and I have nothing to be ashamed of. I have probably made mistakes and probably blundered, but other Ministers who have been in office for five years have done likewise. Anyone who claims to have been in office for five years

without having made a mistake will claim something that will not be believed.

The MINISTER FOR WORKS: (Hon. W. J. George—Murray-Wellington) [9.50]: The motion asks that an inquiry shall be held into (a) the published agreement under which Mr. Nevanas was to take control of the Wyndham Freezing Works when completed for a lengthy period at a generous rate of commission, and (b) the withholding of the letter alleged to have been given by the Premier to Mr. Nevanas respecting this arrangement from the select committee which investigated the Nevanas contract. I do not propose to say much in regard to that, but during the speech of the leader of the Opposition I made an interjection to which he replied, and the hon. member defended what appears to have been the practice of withholding a letter which he acknowledges was sent to Mr. Nevanas and was withdrawn owing to the hon. member's colleagues differing from him upon the right to send that letter to Mr. Nevanas. Whatever may be the course adopted in regard to communications between Ministers in Cabinet, I do not think that communications between a member of the Government and a member of the public who has a contract or who is attempting to get a contract from the public, should be withheld. Admitting, as the leader of the Opposition does, that a letter did pass from him to Mr. Nevanas stating that the Government were prepared, subject to conditions, to make an agreement with him for the management of the works when the works were completed, that letter being withdrawn should still remain amongst the departmental papers. It cannot be maintained that it is right for Ministers to withdraw from files papers relating to transactions which have taken place between themselves and the public. I do not think anyone could defend that for a moment. The select committee took evidence from Mr. Dunkerley, who stated that Mr. Nevanas' secretary mentioned that the thing they were after was the management agreement and which they had got. Then Mr. Nicholson came before the committee as the solicitor for Mr. Nevanas, and he produced what was the draft of an agreement which had been proposed between the Government and Mr. Nevanas, and which was not completed. I

desired to see that but he refused to show it. We then said to ourselves, as a committee, that if Mr. Nicholson had a copy of the proposed agreement there should also be a copy of it amongst the papers which the committee was entitled to have. We were told there was nothing of the sort.

Mr. Angwin: I told you there was a draft copy in the office.

The MINISTER FOR WORKS: I am speaking about the time before the hon. member was examined. As chairman, I stated the reasons of the committee for believing that all the papers had not been placed before the members of the committee, and we received various replies. But when the leader of the Opposition, with his secretary, Mr. Shapcott, returned from the Eastern States, we received a memorandum to the effect that while in the East the Premier had received telegrams from the other Ministers asking about the draft agreement. Mr. Shapcott stated that the Premier and himself had been under the impression that we had those papers. When they returned, a copy of the draft which had been considered by Cabinet was sent to us and on it there were the alterations which had been made by the Crown Solicitor.

Mr. Seaddan: A copy of that should have been on the Crown Law file.

The MINISTER FOR WORKS: The Crown Law file has been lost and has not been found to this date. It was minuted from the record room of the Crown Law Department to the Premier's office and from that date all trace of it has been lost. I am not making any insinuations but I am trying to put the case before members without bias.

Mr. Seaddan: You could not do so.

The MINISTER FOR WORKS: At any rate I am endeavouring to do so. The leader of the Opposition admitted having given a letter to Mr. Nevanas which was subsequently withdrawn because his colleagues objected to it, but he has no justification for saying that such a letter, which was between himself and a member of the public, should not have been disclosed. That letter should have been on the file and it ought to have been available for the committee. What passes between a Min-

ister of the Crown and a member of the public should be preserved because it belongs to the State.

Mr. Seaddan: That has not been followed even by your own Government; you have never been able to discover the cablegrams which were sent to London in connection with the Bullfinch boom.

The MINISTER FOR WORKS: I had nothing to do with the Bullfinch boom. I repeat that no Minister of the Crown has the right to withdraw from a file any paper which has passed between him and a member of the public on public business.

Mr. Seaddan: It was not done, either.

The MINISTER FOR WORKS: The third paragraph of the motion asks for an inquiry into the accuracy or otherwise of the evidence given to the select committee on this point. Hon. members can form their own judgment, but the thing which causes me some anxiety, and which caused the members of the committee some anxiety, was whether such an arrangement was terminated or not. I told the House distinctly that I would be a happier man if I were satisfied that there was no arrangement between Mr. Nevanas and the Government.

Mr. Seaddan: I am telling you now there was not.

The MINISTER FOR WORKS: I am not satisfied by any means.

Mr. Seaddan: So long as this is suitable for party purposes you will not be satisfied. You cannot make a policy speech without referring to this business.

The MINISTER FOR WORKS: I am not satisfied that whatever the arrangement between Mr. Nevanas and the Government of Western Australia may have been, it is annulled and may not yet be brought forward by that astute gentleman.

Mr. Seaddan: Has he made any claim?

The MINISTER FOR WORKS: I should be better satisfied if he had made a claim, because then we should have something to go upon and know the grounds on which we stand. So far as the Government is concerned, I have the authority of the Premier for saying that we do not propose placing any obstacles in the way of this inquiry. So far as members on this side of the House are concerned, we will be pleased indeed if the inquiry discloses that there has

been a misunderstanding on this question. I can assure the House that there is nothing behind the motion in any shape or form so far as we are concerned.

Mr. Scaddan: Rubbish!

The MINISTER FOR WORKS: We do not believe all those statements which have been referred to about backsheesh.

Mr. Scaddan: You sat behind the Premier when he made statements of the kind.

The MINISTER FOR WORKS: The hon. member had an opportunity of dissenting at the time. With reference to the speech made by the late Minister for Works, Mr. Angwin, he could only speak of what he knew. He was not in the State at the time the letter is alleged to have been given to Mr. Nevanas, therefore he could not speak upon it, and any argument he has brought forward cannot count. I have no more to say except that the Government will not put any obstacles in the way of the proposed inquiry by the Royal Commission.

Mr. Scaddan: Why did you not take your proper responsibility and appointment the commission right out?

The MINISTER FOR WORKS: I do not think the Government has ever shown that it is afraid to accept its responsibilities.

Mr. Scaddan: You should have appointed a commission straight out.

The MINISTER FOR WORKS: If the hon. member had never gone into the Wyndham business he would have saved half a million of money for the State.

Mr. TAYLOR (Mt. Margaret) [10.2]: I have only a few remarks to offer on this question. As a member of the select committee, I may say that we inquired closely into the matter and endeavoured to get all the available evidence in respect to this contract. We were told by the department and by Ministers that we had all the available evidence. The only further evidence which might have been of value to us was that of Mr. Nevanas himself, but he was in New Zealand and we had not the power to compel his attendance. Unless the Royal Commission, or the mover of the motion, or the Premier, as he promised during the election at Busselton, can give some assurance that there is a reasonable prospect of Mr. Nevanas being questioned by the Royal Com-

mission, I do not see how we are likely to get very far forward. I have had some information to-night from the leader of the Opposition in regard to the letter given to Mr. Nevanas in connection with the management of the works. I do not want the issues to be confused. Listening to the debate to-night, there is a possibility that members may be confused. There is, first, the supposed agreement to which the attorney for Nevanas referred when giving evidence before the committee. He said, holding up a paper, "This is the agreement." The committee expressed a wish to see it, but Mr. Nicholson said he could not permit it to be seen without the permission of his client. I asked whether it was completed, and he replied that it was not signed. We then probed further in the Crown Law Department and at almost the eleventh hour we were given a copy of an agreement which was supposed to have been submitted by Nevanas to the Government.

Mr. Willmott: That was denied before the committee.

Mr. TAYLOR: On this typed agreement, drafted by the attorney for Nevanas, was written in red ink what the Crown Solicitor thought to be necessary in order to make the agreement more favourable to the Government.

Mr. Walker: Inserting terms.

Mr. TAYLOR: Yes; inserting terms which he thought would make the agreement better for the Government. We asked the Crown Solicitor what happened to that agreement, and he replied that he submitted it to the Government and so far as he was concerned he was finished with it, that if it were regarded as a good agreement for the Government he would be called upon to review it, but he knew that it was all right and that the Government would not need his advice further on it.

Mr. Willmott: Although it was put up in form ready for the signatures of both parties.

Mr. Scaddan: All draft agreements are put up in that way.

Mr. TAYLOR: With reference to the letter alleged to have been given by the Premier to Nevanas giving him the management, at the time the committee was discussing this

agreement we knew nothing of that letter. I do not think any member of the committee knew anything of it until after we had made our report. The question was then asked "Where is the letter from the Premier to Nevanas giving him the management?" Mr. Dunkerley said that Nevanas's secretary had told him they had got what they really wanted, namely, the management. I then heard that there was a letter given by the Premier to Nevanas, at all events that was the first time I heard of the letter. I heard also that the acting Premier telegraphed to the Premier in Victoria telling him to withdraw that letter or Ministers would resign, or something to that effect. We find from the statement of the leader of the Opposition to-night that he did withdraw that letter on receipt of the telegram from the Acting Premier. By no stretch of the imagination can the leader of the Opposition describe that as a private document between two Ministers. The committee never saw that letter, and even now we do not know where it is. We do know that there occurs a hiatus on the file of four or five pages, but we do not know what was removed from there, we do not even know whether anything was removed.

Mr. Scaddan: I guarantee you cannot produce ten files from any department without a number of corrections on them.

Mr. TAYLOR: We had 54 files before us on the committee, and most of them contained recent and up-to-date communications with Nevanas having reference to the contract. If they were stacked on top of each other I believe they would reach to six feet high; but on not one of those files was there disclosed any letter from the Premier to Nevanas, or any telegram to the leader of the Opposition from the then Acting Premier, asking him to withdraw the letter. It seems, however, that somebody outside knew of the existence of the letter, but the committee only came to know of it after the report had been issued. Those who knew of its existence missed any reference to it from the report.

Mr. Scaddan: Do you hold that a telegram to me from my colleague is public property?

Mr. TAYLOR: The telegram was from the Acting Premier and dealt with a public matter.

Mr. Scaddan: Suppose he told me in Cabinet to withdraw the letter?

Mr. TAYLOR: That would be another thing. He would then be acting in concert with you, devising ways and means for carrying on the affairs of the country. In this instance he knew that you had given over a certain letter undertaking certain obligations on behalf of the State.

Mr. Scaddan: No obligations were undertaken.

Mr. TAYLOR: It was entering into a contract on behalf of this State, between you as Premier and the man to whom it was addressed; and the man whom you left here to act for you thought that contract was not a good thing for the State and wired you that it must be withdrawn. Doubtless he gave some reason. I think that is a public document.

The Minister for Works: Do you not consider the letter from Nevanas a public document?

Mr. TAYLOR: Certainly. The leader of the Opposition will admit that he left another Minister here to act for him in the transaction of the business of the State. It was part of the business of that Minister to see that the letter was withdrawn, and he did it. Two letters are alleged also to have been given to the then Minister for Agriculture (Mr. W. D. Johnson) by Mr. Nevanas. Mr. Johnson denied ever having had those letters. The attorney for Nevanas said he saw the letters and he knew that Nevanas had gone to the department to present them personally if he did not post them. He wired to Nevanas on the subject, and Nevanas replied that he had handed the letters personally to Mr. Johnson. Mr. Johnson denied this. Without getting Nevanas, what further evidence is the Royal Commission likely to gather than was obtained by the select committee which secured all the evidence available? Evidence which might be given by Nevanas is the only evidence of value. The leader of the Opposition has said that he gave Nevanas a letter which he subsequently withdrew, but it was not a contract, and merely provided "so and so." If Nevanas can be produced as a witness

and still holds that letter or a copy of it, we shall be able to see actually what the communication was. If it proved to be nothing more than the leader of the Opposition says it is, it would be something like the agreement we had before us on the select committee, merely an uncompleted document. The agreement we had before us was of no value, but this letter appeared to be more binding than the agreement which we received from the Crown Law Department. I should like to see a Royal Commission appointed, but the committee devoted a deal of time to trying to get evidence, and when we discovered so many files it may well be imagined that we did a considerable amount of work. It is said that through the energy and the untiring efforts of the present Minister for Works, who was the chairman of that committee, in securing files in connection with the matter, he assisted a great deal in getting the necessary information upon which the report of the committee was based. I think a commission would be a good thing if we could get Nevanas, but without him what should we do with a commission? The committee's report has not reflected upon the leader of the Opposition when Premier, nor upon any of his colleagues, so far as dishonesty is concerned. The question of the integrity of members of the late Government and all those little side issues were brought before the committee, and we had a legal man there pointing out that certain things were happening which led us to believe---

Mr. Willmott: That I was in the swim with the leader of the Opposition.

Mr. TAYLOR: Yes. The evidence is there, and the committee felt confident as to the integrity of the leader of the Opposition in that respect. Without Mr. Nevanas we cannot get any further forward, unless some files were withheld from the committee which the present Government can unearth.

Mr. Scaddan: There is nothing.

Mr. TAYLOR: That is the only possible chance of a Royal Commission making any further headway. With the presence of Mr. Nevanas, a Supreme Court judge as a Royal Commissioner would clear up the matter. Two or three things have been left in doubt and we have had to leave them as they were.

Mr. Willmott: Then they called it a white-washing report.

Mr. TAYLOR: I am sorry we did not get Nevanas to give evidence before the committee at the time. If we had done so the work of the select committee could have been finalised. The committee found that it was impossible to get Mr. Nevanas and that it was unable to go further than it did. It is questionable whether it is worth the trouble of bringing him from the other end of the earth in order to give evidence.

The Premier: You have my permission to do so.

Mr. TAYLOR: I should like to see Mr. Nevanas examined, and his would be about all the evidence that would be of importance.

Mr. WALKER (Kanowna) [10.20]: I feel it is rather humiliating to the public life of the country that we should be discussing a matter of this kind after the long examination, investigation, and the recriminations that we have kept going for 12 months. Surely bygones can be bygones, especially when we remember that bygones have resulted in a complete exoneration of those concerned in the alleged Nevanas contract, and when everyone here to-night has been obliged to say that there is no aspersion in regard to the character of the leader of the Opposition. What advantage a Royal Commission is to be under such circumstances I do not know. The only thing it can do is to clear for ever and ever, and once and for all, the character of the leader of the Opposition from the aspersions cast upon him by his political opponents.

Mr. Scaddan: The commission cannot deal with that.

Mr. Taylor: No aspersions were cast by the committee.

Mr. WALKER: I cannot see the value of the commission, because, so far as the agreement is concerned we have had the testimony of the party most concerned, Mr. Nevanas himself, given through his own solicitor, who denies the existence of any agreement.

Mr. Willmott: And he denies the statement of the member for Guildford.

Mr. WALKER: I do not care about that. Is it worth while spending money and exposing to the whole world our distrust and our suspicions concerning the public life of the State? Is it worth while spending money over this matter? This point as to the agree-

ment is one upon which the solicitor for Mr. Nevanas can speak emphatically and finally, just as finally as if Mr. Nevanas were here himself. He was here speaking for Mr. Nevanas with a knowledge of every transaction which had taken place up to that date which would bind the State and bind Mr. Nevanas. He was examined by the chairman of the committee in question 2024 of the evidence and following questions—

But what I am anxious to get at now is some information in regard to the agreement and what you know of it?—These negotiations went on for some time and they were ultimately turned down by the Government. Mr. Nevanas was naturally disappointed.

But with regard to the agreement, did you have a hand in its preparation? Were you consulted by Mr. Nevanas in regard to it?—I was. The question of the management followed on the other negotiations. It was suggested that he might be able to undertake the management of the works. I prepared a draft agreement which I submitted to the Solicitor General and that was considered for some time. Ultimately it fell through entirely.

Did you come to such a stage that you settled with the Solicitor General the points of difference so that an agreement could be drafted which the Government could either accept or reject?—Mr. Sayer made certain amendments to the draft, but we did not arrive at any finality with regard to the terms of the agreement. Mr. Sayer made some rather drastic amendments, many of which I objected to.

Have you the papers in connection with that agreement?—Yes.

And so far as you know, that agreement was not completed?—There was never any completion of it in any way. To all intents and purposes we had Mr. Nevanas himself speaking out of the mouth of his legal adviser, a man who binds him by what he says.

The Premier: Then why were you so anxious to have the letter withdrawn?

Mr. WALKER: Why is the Premier insinuating on this point? It is rather a regrettable feature of his.

The Premier: Why were you so anxious to have the letter withdrawn?

Mr. WALKER: I have in my mind the insinuation which the Premier himself cast while seeking re-election quite recently, warning the public that there was something behind it, and that the leader of the Opposition had something to meet when he encountered the resolution that was given notice of by the member for Williams-Narrogin.

The Premier: There is the letter behind it.

Mr. WALKER: What letter?

The Premier: I want that letter. That letter constituted an agreement.

Mr. Scaddan: It does not constitute anything of the sort.

The Premier: If it constitutes an agreement it ought to be produced.

Mr. WALKER: Is that the way the hon. member desires to charge the leader of the Opposition? Are we to put the whole country to this expense?

The Premier: Certainly.

Mr. WALKER: To pull Mr. Nevanas back from Japan or some other part of the world, or to take his evidence on commission in some remote part of the world?

The Premier: Certainly.

Mr. WALKER: For the mere purpose of deciding on the phraseology of some particular letter!

The Premier: Which might constitute an agreement.

Mr. WALKER: It has been given to the light of day in substance on the floor of this House.

The Premier: Which we cannot get out of you.

Mr. WALKER: And which did not, and never did constitute any agreement.

The Premier: But which we may yet have to face.

Mr. WALKER: The whole substance of the letter is this—and the hon. member should have heard it to-night—that in all possibility if terms could be arranged when the works were finished, and an agreement could be made satisfactory to all parties, he might have a chance in the matter.

The Premier: Then why the necessity of withdrawing the letter if that was all that was in it?

Mr. WALKER: There is no good in throwing mud. It would become the hon.

member better to seek to clear the character of a fellow member, and lift suspicion from a brother member, than to everlastingly seem to be besmirching his character.

The Premier: You have brought it on yourself.

Mr. WALKER: No. For party purposes this dirt has been thrown for months past. It is this kind of dirt which has formed the steps upon which the hon. member has ascended to the Premiership of the country. The dirt which has been thrown has been used for that purpose.

The Premier: I would be sorry to touch the dirt that you had to do with.

Mr. WALKER: That is a fair specimen of the arguments which the Premier is everlastingly using.

The Premier: It is just tit for tat.

Mr. WALKER: I do not take it as tit for tat.

The Premier: I do, though.

Mr. WALKER: The hon. member is nothing less than an everlasting volcano of this kind of mud, and all his political opponents—

The Premier: Mr. Speaker, is the hon. member in order?

Mr. SPEAKER: The hon. member is not in order.

The Premier: The hon. member began it, and says that I climbed up to my present position on the filth and mud of these present charges.

Mr. SPEAKER: The Premier must not assume that the hon. member said that he was responsible for that filth and mud. Someone else may have been responsible for it.

The Premier: The hon. member said that I had climbed up to my position on the filth and mud that I have always been throwing.

Mr. SPEAKER: Order! Will the hon. member resume his seat? I did not hear the member for Kanowna say that the hon. member had climbed up to his position upon the filth and mud that he was always throwing. I will ask the member for Kanowna whether he said that.

Mr. WALKER: No; I did not say that.

Mr. SPEAKER: The member for Kanowna denies having said that.

The Premier: What did the hon. member say, then, Sir?

Mr. SPEAKER: Had the member for Kanowna said that, I would have taken the strongest exception.

The Premier: Yes; had you heard it, Sir. The hon. member said that I had climbed to my position through filth. Does he deny that?

Mr. WALKER: I do deny that.

The Premier: What did you say?

Mr. WALKER: I am not going to repeat it. I am not going to have an everlasting personal encounter of this kind of vulgarity, in which the hon. gentleman opposite is always indulging. I prefer to reach some higher level in this matter. Besides, there is no occasion to get into personalities when a question affecting the honour of the State, as well as the honour of the leader of the Opposition and the honour of the late Government is concerned. If it is a question now of inquiring as to the existence of an agreement which will bind this State in any future relation to Mr. Nevanas, there is no necessity for inquiry. That question has already been clearly settled by the solicitor for Mr. Nevanas. The other letter to which reference has been made is a mere personal kind of letter, of good wishes and hopes for the future, between the leader of the Opposition and Mr. Nevanas, and has no element of a contract in it.

The Minister for Works: Surely the letter should be on the file, should it not?

Mr. WALKER: Suppose it should; suppose there is some technical mistake in that respect; suppose there has not been that wisdom in the preservation of that letter on the file; suppose there had been a lack of judgment in allowing that letter to be off the file; it is a mere matter of opinion, even from that point of view. But does that justify these constant suspicions?

The Minister for Works: It is not a matter of suspicion: it is to know what the position is with regard to Nevanas.

Mr. WALKER: Does that justify the continual resurrection of this subject? We have had it again and again, *ad nauseam*. Does that justify us in going one step further?

The Minister for Works: That is not the point.

Mr. WALKER: It is the point. It is not justification. It may be a fair subject for censure, or it may not be. I say the ~~state~~



of the files is defensible as the matter stands now. But suppose, for the sake of argument, it not to be defensible, then it is a mere matter for censure on the part of hon. members; it is no ground for the appointment of a Royal Commission to inquire in the Nevanas transaction, which is settled permanently. This is only keeping up the rasping; it is only tightening the screw of torture. That is all there can be in this kind of conduct, which is unworthy of men, unworthy certainly of members of a dignified House of Parliament. That is the view I take.

The Minister for Works: You are absolutely satisfied, then, that the State is safe from any claim from Nevanas?

Mr. WALKER: Absolutely. I was Attorney General at the time. I had Mr. Nevanas in the office before me; I had Mr. Sayer's view, and every legal view I could obtain, bearing upon this subject; and I was perfectly satisfied that there was no legal obligation binding this State to Mr. Nevanas. That is a conviction absolutely as certain as that I speak here to-night. More. It would be an absolute futility, a waste of money, and a slander on the State, to appoint this Royal Commission. I know the character of the leader of the Opposition; I had an intimate watchfulness over all he was doing; I was with him in Melbourne at the very time this correspondence took place; I have knowledge of his absolute good intentions, and of his keen regard for the welfare of the State, all through this transaction; and I should be sorry to deny to him this chance of being able to say to his traducers, "You had your Royal Commission; you have done your worst; what have you accomplished?" But on all grounds I feel it my duty to vote against the appointment of a Royal Commission, because if this sort of thing is going to continue we shall have nothing else but endeavours to down political opponents by threats of Royal Commissions and by the appointment of other Royal Commissions. The method is not a manly method of warfare. It is the very worst kind of lowering a political opponent in public estimation. On that score, and on public grounds, I shall certainly vote against the appointment of a Royal Commission. I am afraid of it; I know what it must be: and because it is

time we stopped this rush downhill in the pursuit of folly, as we have been rushing for the last 12 months on this subject, I shall vote against the motion.

Mr. MUNSIE (Hannans) [10.36]: I wish to refer briefly to one or two remarks made by the member for Williams-Narrogin (Mr. E. B. Johnston) in moving the motion. First of all, let me say that that gentleman at the outset of his remarks asserted that the report of the select committee had been subscribed by three members of the Labour party. That is incorrect. We have no such report, nor has such a report ever been presented to this House.

Mr. E. B. Johnston: The minutes show very little disagreement.

Mr. MUNSIE: Irrespective of what the minutes show, the statement is not correct. The report of the committee was not signed by three members of the Labour party. The report was dissented from by two out of three of the Labour members who sat on the committee.

The Minister for Works: On material points?

Mr. MUNSIE: Yes; very material points—the only points, really, that are to be found in the report at all. In point of fact, there is no report. The chairman refused to put in a report. The next matter I wish to refer to is the statement by the member for Williams-Narrogin that Mr. Nevanas came to this State as, practically, an adventurer, and that next he is to be found in the role of designer, engineer, and builder of freezing works in the North-West. I do not know where the hon. member got his information; but, certainly, I as a member of the select committee did not get that information. Never did even a single witness state, never even was a suggestion put forward, that Mr. Nevanas had represented himself as an engineer, designer, or builder of freezing works. A good deal has been said to-night about what happened during the sittings of the select committee, and about the evidence the select committee got relative to the letter supposed to have been written by the present leader of the Opposition to Mr. Nevanas. However, I wish to refer to another paragraph of the report presented by the select committee—the

paragraph dealing with the purchase of cement by Nevanas. I am sorry that the Minister for Works, who was chairman of the select committee, is not in the Chamber. It is all very well for hon. members to keep repeating in this House that they are honest in their dealings, and that they are looking for information, and that they are desirous of getting to the bottom or at the truth of a matter. In point of fact, as regards the cement purchases the present Minister for Works has made the statement here that it was ridiculous for anyone to contend that the cement was ordered for any purpose other than the building of the freezing works. I drew the hon. gentleman's attention, during the sittings of the select committee, to three separate letters, one following the other on the file, which distinctly stated and conclusively proved for what purpose the cement was ordered. And still we have the Minister for Works telling us that it is ridiculous for anyone to maintain that the cement was ordered for any other purpose than the building of the works. The hon. gentleman knows perfectly well, from the files which he examined and the letters which he read during the sittings of the select committee, that the cement was ordered, not for the building of the works, but for the construction of the jetty.

The Premier: What difference does that make?

Mr. Angwin: The jetty was not in the contract.

Mr. MUNSIE: The position is that he made capital out of the fact that Nevanas had ordered cement and the Government had paid for it. The Government had a right to pay for it if the cement was ordered for the jetty. The Minister for Works, when he made the statement in this House, knew that the cement had been ordered for the jetty.

Mr. E. B. Johnston: Why did not Nevanas order it for the Government?

Mr. MUNSIE: Because he had not the contract for the jetty, and if he did not get the contract the Government had to pay for the cement. I am going to vote for the Royal Commission because, after having gone through the whole of the evidence before the select committee, I am perfectly

satisfied that there is only one thing the Royal Commission may succeed in doing which the committee were unable to do, namely to get hold of Nevanas and examine him personally. Even if they do that I do not know that they will get any more information than we got by telegraph from Nevanas through his attorney in Perth, Mr. Nicholson, and the other wire in connection with the two letters. In respect to the supposed agreement, what has been stated by the member for Mt. Margaret is correct. Mr. Nicholson brought that agreement before the committee but refused to allow us to have it, or to put it in as a document, without the consent of Nevanas. We urged on him the necessity of wiring to Nevanas for that consent, but so far as I could determine the consent was not secured. Mr. Nicholson assured the committee that no agreement was in existence, that the only agreement ever discussed was never completed. The report of the select committee was drafted by the Minister for Works and he refused to include the evidence of Mr. Nicholson until urged to do so. Why? He practically told me why. What I cannot understand is the constant suspicion in regard to some agreement that may have existed, or something that has been done underhand in connection with this business from the beginning. At the conclusion of the evidence the chairman of the select committee proffered his hand to me, and his words were, "Well, there is one thing I am pleased of, anyhow." I asked "What is that?" He said, "After all the investigations we have made and all the digging up of the files, and the securing of information, I must say we have discovered nothing dishonourable in respect to the actions of the Government." Ten minutes afterwards he was canvassing members to move a motion of no confidence against the Government.

Mr. ALLEN (West Perth) [10.45]: There seems to be an almost unanimous desire on the part of members that this Commission should be appointed. I sincerely trust that this will be the last we are to hear of the Nevanas contract. In order that there may be no loophole or ground for complaint afterwards, that not all the telegrams and documents were sub-

mitted to the Commission, I move the following amendment:—

*That in line 3 of paragraph (b) after "Nevanas" the words "and the subsequent telegrams between Ministers" be inserted.*

I think it desirable that those telegrams should be obtained, so that it might not afterwards be said that certain documents were withheld.

The Minister for Works: How can you obtain them; they are not in the department?

Mr. ALLEN: I presume that copies can be secured from the telegraph office.

Mr. Scaddan: They have nothing to do with the departments.

Mr. ALLEN: The member for Hannans said that the chairman of the select committee refused to insert certain things in his report. I do not know what his reasons for this may have been, but I hope the Royal Commission will go into the whole matter and submit a comprehensive report.

Mr. Munsie: The chairman of the select committee refused point blank. He put in only a resumé of the evidence.

Mr. ALLEN: At all events, I think it desirable that the Royal Commission should have the whole of the documents.

Mr. Angwin: The telegrams are private.

Mr. Scaddan: You have no right to them. You want to intrigue between the late Ministers.

Mr. ANGWIN (North-East Fremantle) [10.50]: I oppose the amendment.

Mr. Scaddan: It is like the member for West Perth's cheek.

Mr. ANGWIN: I have had many differences of opinion with my colleagues in Cabinet, and sometimes these have been reduced to writing. The telegrams in question may be dealing with differences of opinion, and therefore they should not be disclosed. The member for West Perth might just as well have asked that members of the House should be permitted to attend Cabinet meetings. I am sure the hon. member would be the last to request Ministers to tell him what took place in Cabinet. Most of the telegrams which were sent to Mr. Nevanas, and which were received from Mr. Nevanas, went through my office, and all were on the Public Works Department file.

Mr. Willmott: Why were they not given to the select committee?

Mr. ANGWIN: I am saying now that every telegram dealing with this contract which passed between the Government and Mr. Nevanas between the 25th April and the conclusion of the negotiations, appear on the file.

The Minister for Works: That is not the point.

Mr. E. B. Johnston: What about the telegrams between the 9th and the 25th?

Mr. ANGWIN: No telegrams were sent to Mr. Nevanas at that time dealing with this matter. I know because I saw Mr. Nevanas in Melbourne. The telegrams the hon. member wants were all private; they passed between Ministers.

Mr. Allen: And they all dealt with this matter.

Mr. Willmott: All the information should have been given to the select committee.

Mr. ANGWIN: The select committee got all the information which was necessary.

Mr. Willmott: Now you have put the whole show away.

Mr. Scaddan: Do not be childish.

Mr. ANGWIN: The select committee had everything it asked for, and I challenge the hon. member to prove anything to the contrary. Can I say anything else? Does the hon. member want me to tell lies? I hate statements being made in the manner in which they have been made by the hon. member to-night. I have already told him that he got everything that was necessary, and by that I meant he got all that was required. I defy anyone in this House or outside of it to produce any information so far as the Nevanas contract is concerned which does not appear on the file of the Minister for Works. If there are telegrams dealing with this contract they are merely telegrams which passed between Ministers and they should not be disclosed. No other telegrams are missing; everything is on the file.

Mr. Allen: The member for Pilbara said once that we would never get to the bottom of this business.

Mr. Willmott: We do not want your private telegrams.

Mr. Allen: I only want to get telegrams which deal with this particular work.

Mr. ANGWIN: The hon. member does not want anything of the kind. He is anxious to get hold of the telegrams which passed between the Premier, who was in Melbourne, and the Acting Premier. Those were more of a private than a public nature. Is it fair to ask that they should be disclosed? They have not been destroyed as many documents have been destroyed when previous Ministers have left their offices.

Mr. Scaddan: The fireplace in the office of my predecessor was full of burnt papers when I took over from him.

The Premier: You never saw a bit of burnt paper in the fireplace of my office.

Mr. ANGWIN: I remember going into one office that the present Premier had been using, and the fireplace there was full of burnt paper.

Mr. Nairn: They might have been private papers.

Mr. ANGWIN: There are very few departmental files from which some papers are not missing.

Mr. Willmott: We were told that we had all that was necessary.

Mr. ANGWIN: I know of instances of letters being missed from files of importance after those files have left the office. No hon. member who has had experience himself would ever ask that private differences between Ministers should be published to the world. The hon. member who moved the amendment has asked that the telegrams which passed between Ministers dealing with this question should be brought before the Commission.

Mr. Allen: Those dealing with this question.

Mr. ANGWIN: At the time, the then Premier was away ill in Melbourne and many telegrams passed which, if we had known that he was ill, would not have been sent. They are telegrams in regard to differences of opinion on the part of Ministers, and these were the telegrams to which the leader of the Opposition referred.

Mr. Willmott: I do not want any private communications to be produced.

Mr. ANGWIN: And yet the member for West Perth (Mr. Allen) moved that these telegrams should be produced.

Mr. Allen: I did not mention these telegrams at all.

The Premier: Have you seen the telegrams?

Mr. ANGWIN: No, but I do know that some people want to learn the contents of them. I am telling the truth, and I hope the Premier will always do the same. I hope the amendment will not be carried, but I will vote for the appointment of a Royal Commission. So far as any agreement is concerned, or anything dealing with the matter, I am willing to have the closest investigation, but I object to private telegrams between Ministers being made public.

Mr. GARDINER (Irwin) [11.3]: I am going to vote for the appointment of this Royal Commission, and I think it is a very wise thing to do. As an ex-Minister that is as far as I am prepared to go. I agree, so far as the note given by the late Premier is concerned, that this is public property. I go as far as that. But when it comes to telegrams which have passed between members of Cabinet I would be false to the position which I occupied at one time as a Minister of the Crown if I agreed to the amendment.

Mr. Allen: They were not asked for.

Mr. GARDINER: If I were a Minister of the Crown to-day and a Royal Commission asked me for telegrams which passed between Ministers I would decline to produce them. They constitute privileged communications as between members of Cabinet. If I had said, "I do not agree with you," and sent a telegram as a Minister to my Premier, I would say that was a private and confidential telegram as between Ministers, and that Ministers are protected by their position as Ministers of the Crown. I have said once before, and I repeat, the streets of our city are becoming sewers. Men spit all their bile and innuendoes into the gutters of our streets. I view the matter in this way, that every man who occupies a position as a Minister of the Crown, as I did, is equally as honest as I am, and equally as conscientious, and I say that no Minister of the Crown looking back upon his work can justly say to himself that he did not make mistakes. It is a well known thing that a man who does not make mistakes never does anything else. In the light of after events we have any number of wise men. I am not standing up for the Nevanas contract, for I

think it was unwise in many respects, but I am willing to be just and say that, so far as the Government of the day were concerned, I believe they were honest, as honest as I would believe I had been if I had been in the same position. It seems to me that behind all this there is a desire to show that there was dissension amongst members of Cabinet. That is neither a fair nor a manly thing. I am willing, of course, that there should be fair play and manliness between man and man, but if this House passes the amendment, and if I happened to be a Minister of the Crown I would decline to give the information. The leader of the Opposition has said that he wants this Royal Commission. Whether he wants it or not, I intend to vote for it, but that is as far as I intend to go.

Mr. Scaddan: The only point about it is that the terms of the commission will not permit of what you have referred being inquired into.

Mr. GARDINER: I am only supporting the motion.

Mr. BUTCHER (Roebourne) [11.8]: I am rather surprised at the member for North-East Fremantle (Mr. Angwin) raising any objection to, or putting any obstacles in the way of the very fullest inquiry into the Nevanas case. I do not wish to speak at any length because I was not in the House at the time or in politics when the Nevanas contract was let. I do say, however, that in the interests of those gentlemen opposite they should support this motion and the amendment. If these telegrams which are now under discussion will throw the slightest light upon the case they ought to be produced without any hesitation.

Mr. Angwin: They are not dealing with that.

Mr. BUTCHER: There are rumours going about the country, and have been going about for some considerable time, which do not cast any credit upon those concerned in the Nevanas case, and if these gentlemen are desirous of clearing their characters and clearing the air, they will not raise any objection, in fact they will court the fullest inquiry in connection with the case. It is rumoured, rightly or wrongly I am not prepared to say, that there are files or portions of files missing in connection with this matter, which is suggestive at any

rate that there might have been something in them which it would have suited people better to have had removed. Then, again, we have the rumours, and have heard statements made, to the effect that there are letters written between Mr. Nevanas and members of the late Ministry which do not appear upon the files. Further, we have reports that there was a letter of appointment, which is a very important matter, so far as the present Government are concerned, giving Mr. Nevanas certain control over the works when completed. If there is any truth in the statement at all it is due to the present Government to know the position they are in. Have the Government already arranged the management of the works, and is it true that this other gentleman can produce evidence of his appointment and can claim it?

Mr. Angwin: The commission can find that out.

Mr. BUTCHER: I do not assert that these rumours are well-founded, but such reports are going about. People have got them, and believe them, and they say that the whole thing is shrouded in mystery.

Mr. Scaddan: Your nephew circulated those reports.

Mr. BUTCHER: He never did anything of the kind. It was the action of the late Premier that caused them to circulate. He is responsible for them, and it is up to him to put not one obstacle in the way of the ventilation of the affair, or in the way of clearing himself.

Mr. Scaddan: Will you yourself put any obstacle in the way of ventilating the purchase of the Avondale Estate by the Government?

Mr. BUTCHER: Let the hon. member deal with something of consequence. There was nothing dirty about that transaction.

Mr. Scaddan: Something of consequence? That was a matter of £50,000.

Mr. BUTCHER: I hope the leader of the Opposition will come out of this as clean as myself and the Ministers concerned in the purchase of that estate. Had it not been for the maladministration of the late Ministry, the estate would not be in the hands of the Government to-day. But that is beside the question, and I apologise for refer-

ring to the matter. I make no statement that the letter is missing.

Mr. Scaddan: You are doing what your nephew did.

Mr. BUTCHER: Every effort should be forthcoming on the part of the late Ministry to see that the motion and the amendment are fully carried out. Therefore, any telegrams they have, such as are referred to in the amendment, they ought to hand over most willingly; even telegrams of a private nature if they throw any light on the subject. The ex-Ministers ought not to hesitate for a single moment to produce even such telegrams. Anything those messages might contain not touching the case would, of course, be treated as confidential; and only the portions relating to this matter would become evidence. I am surprised at members of the late Government doing anything at all to prevent the very fullest inquiry.

Mr. Angwin: Your surprise does not perturb me.

Mr. BUTCHER: The hon. member ought to put no obstacle in the way, then. I trust the Royal Commission will be granted, in the interests of the late Ministry, and I hope the whole subject will be cleared up once for all. Accordingly, I shall have much pleasure in supporting both the amendment and the motion.

Mr. SCADDAN (Brown Hill-Ivanhoe—on amendment) [11.13]: I would like to know what exactly is the intention of the amendment moved by the member for West Perth (Mr. Allen). So far as I am personally concerned in the matter, there is nothing whatever in the telegrams which passed between myself and my colleagues that I would wish to withhold. The contents of those telegrams do not reflect upon me personally in the slightest degree. They represent merely the notification of a difference of opinion on certain points. As the member for Irwin (Mr. Gardiner) has said, if we have arrived at the stage of disclosing to the world whenever a difference of opinion arises between the head of a Government and his Ministers, or between individual Ministers, then we have broken down the principle of the system on which Cabinet government is based. Even during the short

period the present Government have been in power, I venture to say, the Premier must have received either a confidential note or a confidential statement from one of his Ministers with regard to action taken or opinions expressed by another Minister; and, if the present Premier regards himself as obliged to make such a matter public, how does he expect to keep his Cabinet together? The position to which such a theory of publicity would carry us is absolutely absurd. I wish to inform the Premier that, so far as I am personally concerned, all the telegrams which passed between members of the late Administration on this subject can be produced to the Royal Commission, because they do not reflect upon me in the slightest degree. But I do object to the Government and this House agreeing, by resolution, to do something that will positively undermine the Cabinet system of government; something that will reflect, not only upon the parties in this present Parliament, but upon the late Administration itself. Eventually, I shall have an opportunity, as this session progresses, to test those hon. members who talk about clearing the atmosphere, on the subject of rumours affecting other persons which are or have been in circulation. I merely suggest this with regard to the amendment, which I shall support. I do not one whit mind either the motion or the amendment, or any other amendment. Whatever information I possess will be furnished to the Royal Commission, with the utmost possible willingness. I have nothing whatever to lose, in my personal capacity, by such a course of action. But I still do feel that there devolves upon me, as head of the late Government, the duty of loyalty to my former colleagues, those hon. members who sit with me to-day on the Opposition benches. Therefore, although it would, in fact, be to my advantage to have all those telegrams produced, without the consent of my colleagues I will not produce a single one of them. With my colleagues' consent, I will produce the lot.

Amendment put and passed.

Mr. E. B. JOHNSTON (Williams-Narrogin—in reply) [11.17]: I desire to reply briefly to some remarks which have been made in the course of the debate on this mo-

tion. Hon. members will have observed that I moved the motion on fair, square, broad, and impartial lines, in accordance with the promise I made on the hustings to my electors.

Mr. Scaddan: That is why you went on with the debate in my absence.

Mr. E. B. JOHNSTON: So far as that is concerned, let me explain that a number of members favoured the termination of the debate. Subsequently, some of them, when it was suggested that the ex-Premier was absent and would not come back—

Mr. Scaddan: Oh!

Mr. E. B. JOHNSTON: Otherwise a division would not have been called for. Had any member of the Opposition made a personal request to me for postponement—such a request as the leader of the Opposition yesterday so bitterly complained of not having received from the Premier—had any member of the Opposition suggested to me the desirability of postponing the discussion until it was seen whether the head of the late Government would crawl back, as he did, from Brownhill-Ivanhoe in a way that reflected little credit on him—

Mr. Scaddan: I will pull your nose.

Mr. E. B. JOHNSTON: Had such a request or suggestion been made to me I should certainly have assented to it.

Mr. Scaddan: I will pull your nose.

Mr. E. B. JOHNSTON: That is worthy of the hon. member. That is his idea of dealing with a big public question of this kind.

Mr. Scaddan: Well, do not be so insulting in your remarks.

Mr. E. B. JOHNSTON: Like a great big child, the hon. member—

Mr. Scaddan: Why don't you go and enlist, instead of taking advantage of your Parliamentary exemption?

Mr. E. B. JOHNSTON: You were lately out of work, and you did not join the colours you big fat—

Mr. SPEAKER: Order, order!

Mr. Scaddan: Some of those anonymous letters came from you, no doubt.

Mr. SPEAKER: Order! The member for Williams-Narrogin by his remarks almost invites such interjections. He tells the mem-

ber for Brownhill-Ivanhoe that he crawled back in a way which was not creditable. The member for Williams-Narrogin will continue his remarks.

Mr. E. B. JOHNSTON: In reply to the remarks of the leader of the Opposition as to myself personally, let me say that three of my brothers are now at the Front, and that my family responsibilities are as great as those of some married men. Let me say, further, that I do not propose to take, and never have thought of taking, advantage of any Parliamentary exemption from military service; that, as a matter of fact, I am not in the class which has been called up. Moreover, under Mr. Hughes's proposals the members of my family remaining in this State are exempt—exempt on the service of those members who are at the Front. This fact, however, has not prevented other of the remaining members of my family from volunteering, and from being rejected. In the case of families of whom a number of the elder members are fighting at the Front, a pretty heavy responsibility falls upon those remaining, and for my part I would have welcomed conscription, under which the State would have told me when it was my turn to go, a command which I would be prepared to accept, irrespective of Parliamentary exemption. I may be in a position later on to say something more on that subject. I did not make any personal remarks at all in regard to the hon. gentleman, when moving the motion. The hon. member has borne testimony to the loyalty I extended to him when I was a member of his party and he had my confidence. There was a time when I believed in him implicitly, and he knows that time after time in railway carriages, in the Terrace, and other places, when any remark reflecting on him was made, I fought those who made those remarks, and would not permit them to be uttered in my presence. And, although like a cuttlefish, the hon. member has sought to make a personal attack on me, and under that attack to evade dealing with the charges I have made, I believe there are many on his side of the House who know the full strength of what occurred in regard to this Nevanas business, who know what we heard while that select committee was sitting, who know the tales we were told about letters and telegrams

being suppressed. It reached such a stage that I was not prepared to make one in cloaking that business, as it was cloaked, and so I resigned my seat and invited the hon. member to put up a nominee against me to justify his action. At that time the men he has referred to as being employed on public works in that district were all there. They held a meeting and passed a resolution of confidence in me. They sent another resolution to the Australian Workers' Union in Perth expressing want of confidence in the Scaddan Government, who had money to spend on the Nevanas contract but no money with which to carry out the promises made to those men engaged on public works. I received with some degree of surprise, and accepted with a great measure of pleasure, the fact that when those men arrived in Narrogin from the camps at Christmas, they came to me one after another and said, "We are with you in this matter." Some of them added that they were sorry that I was an independent. "Look at John Norton and Sir Josiah Simon and others," they said. "You are sure to go out." At any rate the electors in my district, disappointed at the present leader of the Opposition not keeping his promise to face me on the public platform at Narrogin and explain his side of these transactions, did me the honour of returning me unopposed. The only promise I made to them was in reply to a leading resident who at a public meeting asked, "Will you, if returned, move for a Royal Commission on this case?" I promised to do so, and I have kept that promise. I was determined that, in moving the motion, I would neither flinch nor make any personal attack, and the House and the people can see the very different attitude the hon. member has adopted towards myself. Despite his efforts to cast a net all round the country and say something derogatory to me, he himself, at every election at which I was opposed, came to my district, travelled portions of it with me—and I must say I found him a most agreeable companion—and did all he could on my behalf. To his eloquence, personal popularity and bonhomie, I, to some extent, owe my earlier return to Parliament. But think of an hon. gentleman, who, although now saying that

I did something unworthy, yet came to my district time after time and recommended me to the electors as worthy to represent them in Parliament. I am glad to know that the people of my district believe what the hon. gentleman said then, just as I believed him when he stated in Narrogin Hall on one occasion that he had been through those papers and that there was nothing in them derogatory to me.

Mr. Scaddan: I never said it. I have never seen the papers.

Mr. E. B. JOHNSTON: Yes, I showed you the file on the occasion of your first visit to Narrogin. That sentiment did the leader of the Opposition much more credit than the fact that to-night, when I attempted to carry out a public duty which I had promised to my electors, and which I was bound to do, although distasteful to me—

Mr. Scaddan: I believe you, but thousands would not.

Mr. E. B. JOHNSTON: It is quite immaterial to me whether the hon. gentleman believe me or not, because the attitude he has taken up to-night in not debating to any extent the merits of my motion, but in making a personal attack on me, forces me to the conviction that he is a mere political gastropod.

Mr. Scaddan: You say that outside.

Mr. Allen: What is a gastropod?

Mr. E. B. JOHNSTON: A gastropod is an animal without brains or backbone, and which crawls on its stomach.

Mr. Scaddan: You say it outside.

Mr. SPEAKER: The hon. member must withdraw.

Mr. E. B. JOHNSTON: I withdraw.

Mr. Scaddan: I'll give you withdraw later on.

Mr. E. B. JOHNSTON: I attacked the hon. member's public actions because I disapproved of them, and because information was forced upon me which convinced me that things were very wrong. I do not want to argue the point at any length. All I wish to say is that when the House appoints a select committee it is expected that the information supplied to it shall be complete, and fair and honest and above board. The only charge I have made in this matter, and which I repeat, is that an important letter giving Mr. Nevanas control of the



work for a number of years, and signed by the leader of the Opposition, was withheld from the select committee, and that subsequent action was taken by his Ministers who telegraphed to the Premier repudiating what he had done, and asking that it be withdrawn. It is the official documents bearing on this, and which were vital to the inquiry, that I want produced. The leader of the Opposition will have the opportunity he desires of meeting me in my electorate within the next twelve months. I invite him to meet me there, just as I did last December to justify his actions in connection with the Nevanas business. He did not then accept my invitation and I repeat it now. He can get his candidate ready for the election which must come about within twelve months. There are other points that were raised during the debate, but I do not propose to discuss them at this late hour, in view of the friendly reception which has been given by the House to the motion.

Question as amended put and passed.

*House adjourned at 11.33 p.m.*

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## Legislative Council,

*Thursday, 9th November, 1916.*

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Papers : Kimberley Cattle, Government Purchase .. Page 779

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

### PAPERS—KIMBERLEY CATTLE, GOVERNMENT PURCHASE.

Hon. J. J. HOLMES (North) [4.35] : I move—

*That the contract for the purchase of 12,000 Kimberley cattle for next season's delivery, and all papers in connection*

*therewith, be laid upon the Table of the House.*

To a number of people this motion would appear to be a simple one, but to the people I represent in the North Province it is a very important one. A number of people I have met are of opinion that I am out after some contract which has been made by the Labour Government, and they are astounded to find that the contract I am looking for is one made by the Wilson Government. I shall endeavour to put the position before the House and the country as it affects the people I represent in the northern province of this State, which takes in the whole area between Geraldton and Wyndham. The matter is urgent. Therein lies my reason for endeavouring to debate the subject before the production of the papers. If I waited for the papers, delay would occur and the thing would be allowed to drift on. I do not even know that we shall get the papers, but I think, by the time I have finished, the House will insist upon the production of these papers. I understand that the contract is for the purchase of 12,000 head of fat cattle delivered in Derby between April and September of next year. I understand, too, that Emanuel Bros. are the vendors and that the Wilson Government are the purchasers. If I am wrong I am not altogether to blame, but I think that the information which I will give to the House this afternoon is not very wide of the mark. I have demanded, in the presence of a number of North-West squatters, the production of this contract. I have stated that this is a public matter, and that in the interests of the public it should be made known. No one, however, but the parties concerned—Emanuel Bros. as the sellers and the Government as the purchasers—know the exact details of the contract. This purchase controls the policy of the State steamship service for the next 12 months. This is very interesting, in view of the fact that the Premier has announced that he is going to sell or scrap the State steamers at the earliest possible moment. The only justification for establishing the State steamship service on the north-west was to burst up the combine which existed on the coast, and has existed for the last quarter of a century. The combine consisted of four Singapore boats