

Hon. J. DUFFELL: Before the House met this afternoon I appealed to the Minister for Education to bring on this business at an early stage, as I had an important engagement at half-past seven. As he would not extend this consideration to me I had to forego that engagement.

Hon. J. CUNNINGHAM: I thought Mr. Duffell would have given some information as to why this amendment should be passed. It remains to be proved whether it is consequential or not. If we pass it, we shall probably inflict a hardship not only upon the societies, but upon people who have been doing legitimate business with them.

Hon. Sir E. H. WITTENOOM: They have said that they have not done business at all on leasehold property.

Hon. J. CUNNINGHAM: The hon. member has not taken us into his confidence.

Hon. J. J. HOLMES: On a point of order. I would like a ruling as to whether this is or is not a consequential amendment.

The CHAIRMAN: My ruling is that it is a consequential amendment and there is no need for the hon. member to move it. I have given instructions to the clerk to make consequential amendments wherever it is necessary to do so.

Clause put and passed.

Clause 20—Power to acquire and deal with business premises:

Hon. G. J. G. W. MILES: In order that we may have an opportunity to discuss this Bill before a fuller House, I will support the leader if he moves to report progress.

The CHAIRMAN: The hon. member can move to recommit the Bill if he desires to have any clause further discussed.

Hon. J. J. HOLMES: Is it proposed to consequential amend this clause as well?

The CHAIRMAN: Yes.

Hon. J. NICHOLSON: I would like to make a few observations on this clause. Nearly every building society in the State holds its premises on lease. The clause provides that any society, although not empowered by its rules to buy freehold or leasehold estate, may purchase, build, hire or take upon lease any building for conducting its business.

The CHAIRMAN: I made an error in saying that this clause would be consequential amend. The Committee may be assured that wherever consequential amendments are necessary they will be made, otherwise the clause will stand as printed.

Clause put and passed.

Clauses 21 and 23—agreed to.

Bill again reported with amendments.

ADJOURNMENT—SPECIAL.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [7.50]: I move—

That the House at its rising adjourn until Tuesday, 26th October.

[41]

I had intended to proceed further with the business this evening, but during the last couple of sittings we have had two divisions with only ten or eleven members present. I know that several members are absent from the State, that others are prevented by illness from attending, and I believe in certain parts of the country agricultural shows are being held which are claiming the presence of several members. The next Order of the Day on the Notice Paper is the Public Service Appeal Board Bill, a measure of the first importance, indeed, I think the most important Bill to be submitted during the present session. I am prepared to go on with the second reading but I do not see any prospect of getting a larger attendance of members, even to-morrow. Therefore, I think we might adjourn until next Tuesday.

Question put and passed.

House adjourned at 7.53 p.m.

Legislative Assembly,

Wednesday 20th October, 1920.

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

QUESTION—WHEAT, BULK HANDLING.

Mr. GRIFFITHS asked the Premier: 1, Is he aware that the answer to my questions regarding the introduction of legislation necessary for the installation of the bulk handling system does not agree with what is stated to have taken place? 2, Will he state the exact position?

The PREMIER replied: 1, No. 2, The position was as stated in my answer.

QUESTION—SOLDIER SETTLEMENTS, FACILITIES.

Mr. PICKERING asked the Premier: 1, What action have the Government taken towards affording the necessary facilities to ex-soldier settlements? 2, Will the necessary culverts and bridges be provided at time of clearing?

The PREMIER replied: 1 and 2, We are doing all that is necessary to meet the situation. It necessarily takes some time to carry out the work.

QUESTION—FREMANTLE HARBOUR TRUST, CHARGES.

Mr. ROCKE asked the Colonial Secretary: 1, Is there truth in the published statement that the charges made by the Fremantle Harbour Trust for the service of handling ships' cargoes at Fremantle are insufficient to cover working expenses? 2, If so, what is the amount of the loss sustained in connection with the handling of the cargo of the steamer "Zealandia," on the occasion of her last visit to Fremantle? 3, Are the interests of the Government being conserved by the preponderance of shipping interests' representation on the Trust, the proportion being 3 in 5, consisting of the managers of Messrs. Dalgety & Co., Ltd.; Elder, Smith, & Co., Ltd.; and an employee of Messrs. R. J. Lynn & Co.? 4, If not, will he take such action as will safeguard the interests of the general public?

The COLONIAL SECRETARY replied: 1, Taking as a whole the work of handling cargo on the wharves at Fremantle, the charges imposed by the Harbour Trust are sufficient to cover gross cost of handling and all operating and overhead expenses, though circumstances will arise at times, such as long delays caused by heavy rains, etc., which cause the work in individual cases to be more costly than normally occurs. During the year ended 30th June last the profit to the Trust from this branch of its work was considerable. 2, There was no loss in the handling of cargo on the s.s. "Zealandia" on the occasion of her last visit to Fremantle. 3, Yes. 4, The Government are satisfied that the interests of the State are being properly safeguarded by the Commissioners of the Fremantle Harbour Trust. In this connection it should be remembered that ship owners have no concern in the charges made by the Trust for handling cargo on the wharves. Those charges are made against the owners of the goods and not against the owners of the ship. Ships are finished with their cargo when they discharge it into the hands of the Trust, which then handles it for the merchants and charges the merchants for this service. The duty of the Commissioners is to see that these charges, which directly concern the general public, are adequate for the service rendered and do not press harshly upon the community.

QUESTION—PASTORAL LEASES, AREA.

Hon. P. COLLIER asked the Premier: Is it the intention of the Government to give effect to the promise made by the Premier to Parliament last session to introduce a Bill to amend the Land Act, 1916, relating to the maximum area that any one person may hold under pastoral lease?

The PREMIER replied: Yes.

LEAVE OF ABSENCE.

On motion by Mr. Hardwick, leave of absence for two weeks granted to Mr. Money (Bunbury) on the ground of ill-health.

BILL—GRAIN ELEVATORS.

Introduced by the Premier and read a first time.

BILL—MINING ACT AMENDMENT.

First Reading.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [4.38]: I wish to move the motion standing in the name of the Minister for Mines.

Mr. SPEAKER: No member is permitted to move a motion standing in the name of another member, but I believe that a Minister has been allowed to move a motion in the absence of another Minister in whose name the motion stood. The Standing Orders, however, do not provide for it. I shall permit the Attorney General to move on this occasion, but this is a practice which should not be followed.

The ATTORNEY GENERAL: In the absence of the Minister for Mines, I move for leave to introduce a Bill for an Act to amend the Mining Act, 1904.

Question passed; Bill introduced and read a first time.

BILL—RAILWAY CLASSIFICATION BOARD.

First Reading.

The ATTORNEY GENERAL: Without attempting to make a practice of it, Mr. Speaker, I move, in the absence of the Minister for Railways, for leave to introduce a Bill for an Act to provide for a board for the classification of the salaried staff of the Government Railways.

Mr. SPEAKER: I shall permit the departure on this occasion.

Question passed; Bill introduced and read a first time.

BILL—ROADS CLOSURE.

Returned from the Council without amendment.

BILLS (2)—THIRD READING.

1, Treasury Bonds Deficiency.

2, Health Act Continuation.

Transmitted to the Council.

PAPERS—APPEAL, JOHN HURLEY.

Hon. T. WALKER (Kanowna) [4.48]: I move—

That all the papers relative to the petition of John Hurley and the reference of the said petition by the Attorney General to the Criminal Appeal Court be laid upon the Table of the House.

I had desired to have these papers laid on the Table in order that I might deal further with the case. However, the matter is now called on, and I think it just as well to deal with the subject at once. Some time ago a young man, John Hurley—he is still more or less a boy, he is not of mature age—fell into the hands of the police, in the circumstances deservedly and rightly. A boy of great vitality, he had been what is termed a neglected child, more or less. He had several times been in trouble for vagrancy and boyish freaks. Finally he got into trouble for stealing. After serving a sentence for stealing he came out of prison with some other persons who had been incarcerated with him, and on that day he also met former prisoners who were then at large. He desired to see a man named Dunn, and on the day of his release he went to Dunn's house to inquire for him, but found Dunn was not there. A little later in the day he met Dunn and some others at the Imperial Hotel. Whilst in their company he was arrested, arrested on the charge of robbing a man named Butler in the lavatory of the Newmarket Hotel. Some of those whom Hurley had met at the Imperial Hotel had committed this robbery in the meantime. Hurley, being found in their company at the Newmarket Hotel an hour or two later, was arrested with them. All those arrested, namely Hurley, O'Brien, and Dunn—and I want to draw the especial attention of the House to the name Dunn—were taken to the lock-up. At the lock-up, Butler, the man who had been robbed, was brought in to identify his robbers. He immediately walked up to the man called Dunn, put his hand upon Dunn's shoulder, and said, "You are the man who robbed me." No more deliberate act could have been done than this recognition of the robber. Putting his hand on Dunn's shoulder, Butler said, "You are the man." He could not recognise, and did not recognise, Hurley. At that recognition there were also present another man, the driver of the motor in which Butler and yet another man called Stockden had driven around town. Butler had had drinks with these men at the Newmarket Hotel at the time of the robbery. This motorman, named Ryan, at the identification in the lock-up did not recognise Hurley but said he was

"like the man." It was not a distinct recognition then. Subsequently the other man who had also been drinking at the Newmarket Hotel, Stockden, was brought in. Stockden said that he had seen Hurley at the Newmarket Hotel. Now, there was Ryan's statement that Hurley was "like the man," but it was not a positive identification in the first instance. When the case was brought on for trial, of course positiveness came in, and Stockden said, "Dunn is not the man, but Hurley was there drinking." On that evidence Hurley was sentenced for robbing this man of a few pounds to seven years' imprisonment—seven years!

The Attorney General: Was that Hurley's first conviction.

Hon. T. WALKER: I have told the House that it was not his first conviction. Had the Minister been listening, he would have heard me say so. The boy had some previous convictions, some of them for very trivial offences indeed. He had been a boy without a chance, pursued, absolutely driven amongst these companions owing to the way in which he had been treated. He was a boy all the way through. But the point is that O'Brien, who was arrested at the same time as Hurley, made a statement from the dock to the judge, a statement which reads as follows:—

I have been found guilty by 12 honest men, and must bow to their decision; but I would like your Honour to pause before passing sentence on me, and look at the circumstances of my case.

Hon. P. Collier: Is this Hurley's statement?

Hon. T. WALKER: No. It is the statement of O'Brien, who was drinking at the Newmarket Hotel and who did participate in the robbery of Butler. He was found guilty as well as Hurley. What I am reading is O'Brien's statement, made there and then at the trial—

I only left prison on the 9th March, after completing a sentence of three years, and while doing that term I thought a lot of what my future life was going to be; and, your Honour, I came to the conclusion that the life I had been leading was no good, and I left prison with the intention of reforming and trying to lead a better life in future. I wrote to my people in Victoria, and told my mother of my intention to try and lead a new life; and she wrote back to me telling me to come back to them and that she had work for me in Gippsland. She also sent money to my sister-in-law to pay my passage over, and it was my bad luck that there was no boat going the week I was discharged and that I had to wait until the 16th March for the "Dimboola." I had been to see my sister-in-law on the morning of the 12th March—

That is the date of the robbery—

in reference to booking my passage and sending a telegram to my mother to say

I was leaving on the Saturday; and on my way back from East Perth this misfortune overtook me, and at one stroke all my good intentions and everything they were doing for me were swept away. Your Honour, I can assure you that away from my old associates I can and will reform, and if your Honour will extend mercy to me and pass a suspended sentence on me and give me one chance to make good, your Honour will not have occasion to regret it. As your Honour can see, I was only out of prison three days, and if it is my fate to go back, your Honour, I can only say that it leaves me without hope in this world; and, on the other hand, the mercy you show me at this stage of my career will, I honestly believe, be the means of saving me and putting me on the road to an honest life.

To that Dunn added the following, and this is the important part of his statement—

I furthermore wish to state, your Honour, that although we two men—

There were two of them in the dock and convicted, Hurley and O'Brien—

have been found guilty of this robbery, Hurley is innocent, as I did not see him at the Newmarket Hotel on the morning in question; and, your Honour, I do not wish to see an innocent man suffer for a crime for which I am alone responsible.

I wish to draw the special attention of the House to those last words, "for which I am alone responsible." Two men were put in the dock, and both were found guilty; but O'Brien says, "I do not want an innocent man to suffer for an offence for which I am alone responsible." That is to say, he alone of those two was the guilty one. I emphasise that, because a good deal has been made of those words in the subsequent consideration of the matter. It has been made to appear subsequently that what he says here is that he was the only robber. It has been read into that statement that nobody took part in that robbery except O'Brien. But O'Brien is clearly speaking of two men, named Hurley and himself, alone, and not at all of any others concerned. What he says, in effect, is, "Of the two in the dock I alone am responsible." That is clear. No other meaning can be read into the statement. It is an honest meaning. However, another meaning was put upon it later. The statement I have read is the statement made there and then, upon the spot, by O'Brien. O'Brien says that Hurley was not at the Newmarket Hotel. But, of course, O'Brien had been in prison; and, once having been there, it is argued that he can never be believed again. Hurley was sent to the gaol and subsequently the man Stockden who was represented as an honest, truthful, reliable witness at the trial, and who had said that Dunn was not the man with Hurley at the hotel, was sent down to the Fremantle prison for the offence of being a bludger living on the proceeds of prostitution. Even he, however, had some

degree of conscience left in him and at the Fremantle prison he made this statement:

I, George Thomas Stockden, do hereby make the following statement—

Members should note that it was upon this man's evidence that Hurley was sent to gaol.

The evidence that I gave on the 4th of April with regard to the Hurley and O'Brien case was untrue as far as Hurley was concerned. The man who was in company with O'Brien was not Hurley but James Dunn, and the reason that I kept it back was that James Dunn was a friend of mine. The man Hurley was not at the hotel at the time of the robbery.

Nothing could be more distinct than that. The man Hurley was not at the hotel at the time of the robbery. Dunn himself makes a statement later in the day. In prison, as elsewhere, there are means of communication. A man, however depraved, has some conscience, and it becomes a species of ostracism directed against those people who lie and put innocent people in gaol. Hurley's part was taken by the prisoners as against those guilty of the robbery, and when one Bloomer came out, he hunted up Dunn to see what he had to say about it, and Dunn made this statement before Mr. E. P. Dowley, R.M.—

I, James Dunn, do voluntarily make the following statement in the interests of justice:—John Hurley and Thomas O'Brien and myself were charged with stealing money from the person of Joseph Butler at the Newmarket Hotel in Perth last March. The charge against me was withdrawn and Hurley and O'Brien were convicted at the Criminal sittings last April and were each sentenced to seven years' imprisonment. At the time of their trial . . .

It is this that is objected to and it is because of this statement that he is not believed.

I was away in the bush at Quairading and I knew nothing of their conviction until I saw it mentioned in the newspaper. I remained in the bush until last Saturday when I returned to Perth to 310 Wellington-street where I now stay and I intend to return to Quairading to-morrow. I am known at Quairading under the name of James Roberts. I work there for C. R. Green. It was I that took the money from the person of the man at the Newmarket hotel, and Thomas O'Brien was with me when I did it. John Hurley was not there with us and he is entirely innocent of the offence of which he has been convicted. O'Brien and I first saw Hurley on the day of the robbery at the Imperial hotel about three hours after the robbery was committed. The three of us then went together to the Great Western hotel where all three of us were arrested. I make this statement because I know that I am guilty and that John Hurley is innocent.

There we have the statement of nearly everyone who could know anything about the robbery. Dunn, recognised by the man he has robbed, states later that he was the man who committed the robbery. Stockden, who was present at the time the robbery was committed at the Newmarket Hotel and who had screened his friend Dunn, afterwards admits that he had done so, and declares that Hurley was innocent. O'Brien said, "I alone am responsible, Hurley is innocent." On these facts—and it does not rest on the mere evidence in these papers—I visited the gaol and tried by all the means open to me, to ascertain the veracity of O'Brien and Hurley in the first place. I questioned those who were in constant contact with them as to their behaviour and manner in respect to this crime, so as to ascertain if they were falsifying the facts or speaking truthfully. I was not the only one convinced of the truth of the statements of O'Brien and Hurley. Subsequently, through the aid of the police, I got hold of Dunn and was convinced that his statement was truthfully made. His original statement included assertions which were not true—a fact which kept Hurley where he was. He said he was at Quairading and so he was, but not at the time of the robbery. He stated that he did not like to show his cowardice by not coming forward and making his confession at the time.

Mr. O'Loghlen: Where is he now?

Hon. T. WALKER: He is about Perth. He is put inside continually through drink and is rapidly going to the dogs. He is one of those weak-minded persons, who constitute the best evidence of the weak-mindedness of criminals. At this stage I wrote a letter to the Attorney General, but before dealing with that matter I should perhaps draw the attention of the House to the fact that, on the strength of these confessions made by Stockden and O'Brien, Hurley was asking for a new trial. A new trial was refused. He was not allowed to appeal. That happened twice, and consequently so far as the law was concerned, and so far as the courts were concerned, Hurley had exhausted the channels of justice. He could not get any further. It was then, with these facts in my possession, that I wrote the letter to the Attorney General.

The Attorney General: Has he not been before the Criminal Court of Appeal twice?

Hon. T. WALKER: I said so. He never got his appeal.

The Attorney General: The appeal was twice refused?

Hon. T. WALKER: He had one appeal to the Criminal Court of Appeal.

The Attorney General: One before you wrote to me, and one afterwards.

Hon. T. WALKER: He was refused a trial on his appeal.

Mr. Pilkington: These facts were before the court.

Hon. T. WALKER: Yes, that is so. Let me state what the court objected to. I have pointed out that one objection was that O'Brien had made a statement in the dock in the course of which he stated, "I alone am responsible." He meant, "I alone of the two men charged." I cannot see how it could be read otherwise, but it was taken to imply that he was the only man who had been responsible for the crime, in which case Dunn's statement was regarded as a lie. What he meant was that of the two men charged, he was guilty and Hurley innocent. He did not wish to see an innocent man suffer for a crime for which he alone of the men who were so charged was responsible. There is no statement there that Dunn or any other person had not taken part in the crime. Dunn's statement was dismissed because, he being present at the trial and not having the pluck to stand up and make a confession, subsequently made a statement which was not literally untrue, although, in fact, he had been as he stated at Quairading. Because of this mis-statement, the man's word was not accepted. As to Stockden, I tried to get hold of him subsequently. I was informed that he was in certain places and I asked the Crown Law Department and the police to help me to get hold of him but it was unavailing and consequently he could not appear at the second appeal.

Mr. O'Loghlen. And he has been convicted since.

Hon. T. WALKER: Yes, he was treated as a respectable man at the first trial and his evidence was taken as such. He was sent down to Fremantle later for living on the proceeds of prostitution. Then I wrote to the Attorney General on November 9th as I have already indicated. I wrote to him because the courts of appeal through the ordinary channels had been closed against this man, and there was nothing left but the prerogative of mercy and inquiry into the facts to ascertain if there had been any miscarriage of justice as often happens. Had this been the case, it could have been investigated by the Attorney General's department and for this reason I wrote the following letter:

I desire to interest myself in the case of the above-named John Hurley. He was charged with stealing from the person and was arrested in company with one named O'Brien and James Dunn and the three men were charged with the same offence. At the lock-up Hurley, I am informed, protested his innocence, and he asked Detective Miller to bring him face to face with his accuser. The accuser was brought to the lock-up, but he was too drunk on the first occasion to identify anybody. The next morning the accuser called, and Dunn, O'Brien, Hurley and others were brought up, and the accuser, placing his hand on Dunn's shoulder, said, "You are

the man that robbed me." He did not identify Hurley. The two others were brought in to identify the perpetrators of the robbery. These two others identified O'Brien, but did not identify Hurley. Subsequently, however, a man named Stockden, in his testimony, said that Dunn was not the man, but Hurley was. It was on the testimony of this man that Hurley was convicted. Subsequently the witness Stockden was sent to gaol for living on the proceeds of prostitution. Whilst there, I am informed, he made a statement to the superintendent of the gaol clearing Hurley of the charge, and said he gave his evidence as he had because he desired to save Dunn, who was a friend of his. I am also informed that he, at another stage, made a statement to Magistrate Dowley which statement was forwarded to the Comptroller General of Prisons, and thence to the Attorney General. That statement, I understand, was an admission that Dunn had perpetrated the robbery and that Hurley was innocent of it. If this information be correct it is clear that Hurley is wrongfully in gaol. True it is that he appealed and the verdict was upheld. At the trial O'Brien said that Hurley was innocent. Hurley desired to have Dunn called to give evidence, but that suggestion was not entertained. Hurley throughout was unrepresented by counsel. I have interviewed the acting superintendent and he informs me that he believes Hurley capable of taking an honest part in the world, if liberated. I would take it as a favour if you would peruse the files and if, afterwards, you would do me the honour of granting me an interview.

Then it was clearly a species of petition, or rather a request for an inquiry. The superintendent of the gaol was convinced at the time, and I believe is to this moment, that his statement was correct. I saw the superintendent only last week, and inquired concerning Hurley, and he is still convinced that if Hurley were taken out of bad surroundings and his old associations and could be given a start somewhere in the world, he has great possibilities for good before him. He is a good, ruly man, a man who was not afraid of work and not afraid of his duties whilst he was disciplined in the gaol. How did the Attorney General treat that? He did not particularly desire to see me on the point, neither did he stir himself one iota to make any special inquiries.

The Attorney General: You are absolutely incorrect.

Hon. T. WALKER: I am not absolutely incorrect. I do not know what inquiries were made.

The Attorney General: It is also incorrect to say that I did not see you.

Hon. T. WALKER: Subsequently.

The Attorney General: No, very soon afterwards.

Hon. T. WALKER: Not very soon afterwards.

The Attorney General: Very good. Your letter is dated 19th November, and I had an interview with you on the 6th December.

Hon. T. WALKER: That is so. It is not quite so long as I thought it was. However, do not lose your temper. I want the facts and nothing more. This is the letter I wrote to the Attorney General on the 6th December—

Referring to our conversation herein I shall be pleased to know when you desire me to further confer with you in the above matter. On reflection I am fairly certain that the proper course to pursue is, not to appeal, because an appeal must of necessity be upon the evidence taken. I am relying on the clear definite evidence that Hurley was not guilty of the crime for which he is now in Fremantle gaol. May I be pardoned for saying that I am of opinion that you attach too little weight to the evidence of Dunn and Stockden, and see no reason why you should credit their evidence when it tells against Hurley, and refuse to accept it when it is in his favour. In fact, the weight of probability is that when exonerating Hurley they are telling the truth—as they have no interest to serve in this case—but when they gave evidence against Hurley, Dunn was saving his own skin and Stockden was putting the blame on another to protect his friend. Trusting to hear from you at your earliest.

I wrote to him again on the 11th December, when I said—

I am writing you this letter which I will ask you to kindly consider as urgent. I have just received a letter from Mr. Hampton, the Under Secretary for Law, stating that you have seen fit to refer the case of John Hurley to the Criminal Appeal Court. I am by no means sure that this is the proper proceeding, and that the facts upon which Hurley relies could be placed before that court. In order that I may not in any way misinform the court or be misinformed myself, will you kindly assist me in obtaining all the material in your possession on this case for perusal. I require (1) evidence taken at the trial, (2) statement of Dunn, (3) statement of Stockden, (4) all documents throwing light upon the case. I further note that the date fixed for the trial is a very awkward one for me. I desire to be with my family on Christmas day, and they will all be on the farm at Trayning, and I suppose there is a likelihood of my missing my Christmas dinner with them in consequence of the course proposed being taken. I have made inquiries since receiving Mr. Hampton's letter as to the whereabouts of Dunn and Stockden. I am informed that these men are not now in the Fremantle prison, and where they are I cannot say at the present moment. I will make further efforts to ascertain. But is not this a

case where I could be assisted? If we cannot get these men I shall require Magistrate Dowley and Superintendent Hann to be subpoenaed to put in the statements made by these men. Perhaps I shall require them in any case. I presume the Crown will assist me in obtaining all the witnesses necessary. Trusting you will communicate with me without delay, as there is no time to be lost, Yours etc.

Practically that ended the matter. Of course I was permitted to peruse the file, which was in the Crown Law Department, and I obtained such particulars as are hoarded there. On the 9th December I received this letter from the Under Secretary of Law—

With reference to your letters dated 19th ultimo and 6th instant, herein, I am instructed to inform you in reply that the Hon. the Attorney General is referring the points raised by your petition to the Court of Criminal Appeal under Section 21, paragraph (c) of the Code, when you will then be able to call Dunn and Stockden and the prisoner. The Hon. the Minister adds that on the evidence given at the trial the jury came to a decision with which the presiding judge then agreed, and it is the subsequent evidence about which any doubt as to the conviction is raised. The Hon. the Attorney General further states that if so desired you will be able to call this evidence which can be tested by cross-examination, and any other evidence which the prisoner or the Crown thinks desirable. The Court of Appeal will sit this month.

It appears to me that the Attorney General shirked what is his duty as the representative of the King in the exercise of his prerogative of mercy. In the circumstances it was not a fair thing to send Hurley to the Court of Criminal Appeal. It was his duty to consider it. There is nothing but a question of fact involved, none of law. It is a mere question of fact. Was Hurley present in the Newmarket hotel at the time of the robbery? There is the statement of Hurley, the statement of O'Brien, the statement now of Stockden, the statement of Dunn, that he was not. There might have been further inquiries made without going to Court of Appeal, but there was not a step taken—and it is here only that I speak of the steps. No steps were taken. Will the Attorney General tell me that he did anything to secure the presence of Stockden at the subsequent appeal?

The Attorney General: Yes.

Hon. T. WALKER: I should like to know what they were, what steps were taken.

The Attorney General: You know perfectly well.

Hon. T. WALKER: I do not. The hon. member has no right to say that. That is to accuse me of lying. I do not know what steps the Attorney General took to secure the presence of Stockden at the trial. I

should like to hear it. That would be news to me even now. In the meantime what was the position? Hurley had to go before, whom? The judge who had sentenced him to seven years, the judge who had dismissed the appeal. The only independent judge there was Mr. Justice Northmore. I should like any hon. member to be put in that position, however innocent he might be, and asked what he would do in having to face a tribunal such as that. I could not get Stockden, but Dunn in the dock made the same statement upon oath, that he was the one who committed the robbery, and that Hurley was not present at the time. It was then considered as an appeal. It should never have been an appeal. It had gone beyond the point of appeal.

The Attorney General: Fresh evidence had arisen.

Hon. T. WALKER: No. These incidents had been brought before the attention of the judge. In fact, at the appeal it was requested that Dunn should be sent for. But Dunn was not sent for at the trial. These facts had been brought under the notice, not only of the late Attorney General (the member for Canning) but had been brought to the knowledge of the judges. They simply discounted Dunn's evidence, because there was that screening of himself owing to that moral cowardice that dare not make a confession there and then when a man is sentenced, and because there was a twisting of O'Brien's statement, "I alone am responsible" of the two, for the statement was made to appear "of anybody." On that account the appeal was dismissed, and Hurley is now in gaol going through a seven years' imprisonment. I am not blaming the judges. They found themselves in a very awkward position through the action of the Attorney General. It was a case purely for the Attorney General to deal with, to make inquiries into, and to ascertain if the facts were true. I am not aware if he has taken the necessary steps, for I am not familiar with any such steps. If they have been taken, they have been taken in secret, to ascertain whether these were the facts or not. If they were the facts, and no law is involved as a consequence, the man is wrongly in gaol. But the Attorney General sends this reference to the Court of Criminal Appeal, I suppose --I hope I am not doing him an injury in saying this--do avert any responsibility from himself. He did not like to deal with it, and therefore sent it there. It was never proposed that this should be an appeal. My first object in approaching the Attorney General was to interest him in the matter, and to let him know that I was interested in it, in order that I might ascertain if he could not get to the bottom of things and do something in the nature of justice, one way or the other, to Hurley. There never was a petition presented in the real sense of the word, but I do not object to the Attorney General treating it as a petition. My

first desire was to interest him for the sake of having inquiries made. On this letter no inquiries were instigated by him. Instead of trying to ascertain the real facts, he sends up a reference to the criminal court under the Criminal Code Amendment Act. Naturally I do not say there was any bias, but one cannot avoid that psychological state. Judges have already given more than one decision. One judge having given a sentence of seven years, and on being appealed to afterwards stood to his opinion, and another judge having dismissed the appeal, in these circumstances one can scarcely expect it in human nature that Hurley should have a good show. I am not saying one word derogatory to the integrity, honour and brightness of our judges. I should be sorry to sully their inestimable reputation in this respect in the slightest degree. It is not my motive to impugn them. My desire is to find the utmost fault with the course taken by the Attorney General, in his reference to this court in view of all the circumstances. I do not think the judges liked it. I also desire to find the utmost fault with his failure to institute the inquiries which he could have instituted, and his failure to say whether he could or not have asked His Excellency the Governor to exercise the prerogative of mercy. That was all that was intended at the commencement. He could have refused to do this and there would have been an end of the matter. Instead of doing this, he puts the man to the trouble, weariness, pain, and torture of undergoing this appeal, only again to be met with failure and despair. In order that we might be made acquainted with the facts of this case from start to finish, I ask the House to pass my motion.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [5.35]: Until almost the concluding remarks of the member for Kanowna (Hon. T. Walker) I was under the impression that, under the guise of this motion for the production of papers, he was attempting a personal attack upon me.

Hon. T. Walker: Oh, no!

The ATTORNEY GENERAL: I am glad to have this admission. If that was not the object, and I believe it was not, it seems that to ask for the production of these papers is somewhat extraordinary. What is his object?

Hon. T. Walker: To do justice to a man who has been wrongfully placed in gaol.

The ATTORNEY GENERAL: Then the proper course would have been to have brought this matter before the House in a different manner.

Hon. T. Walker: Oh, no!

The ATTORNEY GENERAL: The House, however, will be fully seized of the facts. If hon. members are made fully aware of the facts, and they then disagree with the verdict and judgment of the Supreme Court, and with the decisions of two judges and of two courts of criminal appeal, they will be

doing a very wrong thing in attempting to upset these judgments. We often hear it said that Parliament is the last court of appeal. Constitutionally that is so, but will any of us say that we are better judges of the facts, founded upon evidence, than a judge who has tried the case, seen the witnesses in the box, which witnesses have been cross-examined by counsel, and who has seen their demeanour in the box under cross-examination? Is Parliament going to arrogate to itself the right to say that in these circumstances, when we have not seen or heard the witnesses in the box, and have not listened to their evidence, it is a better judge of the facts upon which a case is decided than are the judges of the two courts of criminal appeal which sat in this case? If this House is to be regarded as a court of criminal appeal in a case of this nature, in the circumstances that I have mentioned, it would, if it took upon itself to upset these judgments, be making a travesty of the right of Parliament to consider itself a court of appeal. I will go further into the facts later. When hon. members talk of Parliament being the final court of appeal, they must recollect that on questions of fact there is no case that I am aware of during the last 200 years in which Parliament has acted as a court of appeal on the facts. There may have been cases in connection with a criminal charge against a peer, but I am not aware of Parliament having acted as a court of appeal on the facts even in a case of that sort. The court of appeal, as it exists under the British Constitution to-day, is the House of Lords, but does the whole of the House of Lords sit? We all know that when the House of Lords sits in the exercise of its appellent jurisdiction, the judges in that court are those who have achieved eminence on the bench and have ultimately gone to the House of Lords. It is that Committee of the House of the Lords which sits as a court of appeal, and as a court of appeal on matters of law. I have no doubt the member for Kanowna, in proposing this motion, is thoroughly imbued with the conviction that his client is innocent. I will at once exonerate the hon. member from having brought this motion forward merely because this unfortunate prisoner happened to be his client in the courts below.

Hon. T. Walker: He was not my client. I appealed to your sympathy in the first instance.

The ATTORNEY GENERAL: I think the hon. member represented him in the court.

Hon. T. Walker: He had to become my client when he was sent to the court. I had to take up the case.

The ATTORNEY GENERAL: Did not the hon. member take the case up before the hearing in the court?

Hon. T. Walker: I had to do so, because you would not deal with it.

The ATTORNEY GENERAL: I mean prior to that occasion.

Hon. T. Walker: No. The first time I had to do with the case was when I went to you.

The ATTORNEY GENERAL: I am satisfied that the hon. member is not bringing this forward on behalf of his client, but because he is convinced that the man is innocent. An advocate in a case can hardly set himself up as a judge of the facts, as against the impartial judgment and verdict of the judges sitting on a Supreme Court case. It must be self-evident to all of us, if we calmly consider the point, that a judicial decision is far more likely to be correct than our own view, which may be biased by the fact that we have represented a prisoner before a court of justice. It is also true, I think, that Hurley might be described as belonging to the class of habitual criminals. The hon. member says he is a young man. I do not know his age, and am willing to accept that statement. I find that Hurley's record is undoubtedly not a good one. Prior to this case there were, at any rate, 23 convictions against him. In justice to the man, I will say at once that they were not all of a serious nature. There were, at any rate, two charges of stealing against him, and there was a second charge of robbery with violence on which he was convicted.

Hon. P. Collier: A long list of convictions against a man would only weigh so far as the sentence is concerned. It does not affect the question of his guilt.

The ATTORNEY GENERAL: Only in this way, that the hon. member brings forward in this House the statement that Hurley is to be regarded rather in the light of an innocent boy.

Hon. T. Walker: As an innocent man on this occasion.

The ATTORNEY GENERAL: He can hardly be regarded as a boy in this case.

Hon. P. Collier: A long list of previous convictions is not evidence of guilt.

The ATTORNEY GENERAL: No. I do not want hon. members to imagine that Hurley is a young person who is not likely to have committed a crime of this nature and is an innocent man, which he certainly is not, when we consider the evidence at the trial and the nature of the defence which was set up. The defence set up by Hurley was that he was not there at all, but was elsewhere. It must be perfectly clear, whether Stockden spoke the truth or not at the trial, that Hurley was there.

Hon. T. Walker: He was not there.

The ATTORNEY GENERAL: It must be clear from other evidence that Hurley was in Perth at the time. He was, not where he said he was.

Hon. T. Walker: He was where he said he was. He said he was in Perth.

The ATTORNEY GENERAL: Hurley was charged with robbing a man named Butler, who was a farmer residing at Bruce Rock, and who came to Perth on the 10th March, 1918, with £59 in his possession. He

engaged a man named Ryan, a motor driver, who was a witness in this case, to take him to the weir. On Tuesday, the 12th March, Ryan drove Butler to the Newmarket Hotel on two occasions, and he also went to the Bank of Australasia, where he cashed a cheque for £10. As they passed the Newmarket Hotel Butler saw Stockden. Ryan, Butler, and Stockden went to the Newmarket Hotel together and had drinks, for which Butler paid. At that time, Butler pulled a roll of notes out of his pocket, took some from them and put the remainder back in his pocket. He paid for the drinks. Hurley and O'Brien, according to the evidence, were in the bar when this took place, and they were in a position to see Butler put the roll of notes back into his pocket. Butler then went into the lavatory and Stockden says he saw Hurley and O'Brien follow Butler there. Stockden said at the trial that he saw Hurley go with O'Brien into the lavatory. He is quite positive on that point, and the evidence also shows that Hurley and O'Brien were in a position to see Butler return the roll of notes to his pocket. Stockden then was in the car and he told Ryan something which of course could not be repeated in court. They went to the front of the lavatory, and when they got there a man ran out who Ryan says was similar to Hurley. Stockden positively swore that Hurley went into the lavatory, and Ryan swore that a man like Hurley ran out. Ryan then went to the lavatory door and saw O'Brien, who had hold of Butler and appeared to be pushing him back into the lavatory. Ryan said, "Hold on, what is this?" O'Brien let go and Butler said, "They have got my money." Ryan was certain he saw Hurley's face in the bar at the Newmarket Hotel, so that when Ryan says he saw a man come out of the lavatory who resembled Hurley, and he also swore that he saw Hurley's face at the bar at the Newmarket Hotel, the evidence contradicts the alibi which was set up. The defence set up was a complete alibi, and yet Ryan's evidence that Hurley was in the Newmarket Hotel remained uncontradicted.

Hon. T. Walker: It was contradicted.

The ATTORNEY GENERAL: The jury believed it, anyhow. That was shortly the evidence upon which the jury convicted Hurley, and I must say that I am not surprised that they did convict him in those circumstances. When a man sets up an alibi he knows well that he has to prove it or the jury will convict him. It is a defence which is very dangerous and it is only set up in most cases as a last resort.

Mr. Pickering: Where did Hurley say he was?

Hon. T. Walker: He went to Dunn's residence and he called the woman who was there as a witness. She was a little bit confused, and under cross-examination was not clear as to the exact time.

The ATTORNEY GENERAL: The hon. member is only repeating what he was told. Of course I was not there.

Hon. T. Walker: Neither was I. I only came into the case when I wrote to you.

The ATTORNEY GENERAL: Hurley said he had never met them before and was never at the Newmarket Hotel before. Ryan swore positively that he was there.

Hon. T. Walker: Ryan distinctly said at the investigation at the lock-up for identification purposes, "He is like the man." The positive statement only came later.

Mr. SPEAKER: Order!

The ATTORNEY GENERAL: Hurley, after his conviction, appealed to the court of criminal appeal, but the appeal was not successful. When one applies to a court of criminal appeal it may be necessary to get leave to appeal, which means that a prima facie case has been made out. Later on Stockden himself got into gaol and while in gaol made a statement which was handed to the Crown Law Department.

Hon. T. Walker: Not by me. I got it from your file.

The ATTORNEY GENERAL: Stockden declared in that statement that the evidence he gave in regard to the identification of Hurley was not correct. He declared that in the evidence he gave at the trial he told a lie. Then there was also the admission by Dunn that he (Dunn) had committed this robbery and not Hurley. The question was brought before Justice Burnside some time before that. The then Attorney General, Mr. Robinson, when these matters were brought before him, very properly referred them to the learned judge who made these remarks which appear on the file—

I can see no good reason why this matter should be further investigated. The accused had a fair trial. He did not go into the witness box to submit himself to cross-examination but set up an alibi, viz., that at the time of the robbery he was in Dunn's company at Dunn's lodgings. He called witnesses but they failed to impress the jury, in fact one witness did him more harm than good. Now a suggestion is put forth that Dunn stole the money, and Dunn comes forward to admit this. Dunn says he was in the country at the time of the trial but I have a lively recollection of being told that he was in the gallery of the court listening. The police might know this. O'Brien stated that he alone committed the crime.

First of all Dunn comes forward and says "I did it, but at the time of the trial I was in the country." The matter was referred to the police, who state that they not only saw him in the gallery of the court at the time of the trial but that they spoke to him as well. The admission by Stockden is that he committed perjury, and the statement by Dunn is obviously incorrect. I made inquiries and saw the superintendent of the Fremantle prison, who had conversed with the prisoners. I must admit that I got very little information which was a guide to me as to whether Stockden or Dunn was telling the truth. Although the verdict was against Hurley, although the judge agreed to

the verdict, although the court of criminal appeal refused to go further in the case, yet because I bring two statements forward, one of which is obviously incorrect, and because it is the duty of the Attorney General in circumstances such as these not to recommend to grant a pardon, the hon. member for Kanowna blames me.

Hon. T. Walker: No.

The ATTORNEY GENERAL: I can only say that no recommendation whatever will ever be made by me in such circumstances.

Mr. Pilkington: Is it the case that Dunn did not say he was guilty until after he was safe from the prosecution?

The ATTORNEY GENERAL: I cannot say offhand.

Hon. T. Walker: I can tell you.

Mr. SPEAKER: Order! The member for Kanowna will have the right of reply.

Hon. T. Walker: Yes, but let us get the facts.

Mr. Pilkington: When the nolle prosequi was entered, he was safe.

The ATTORNEY GENERAL: I cannot answer that question offhand.

Mr. Pilkington: It is an important consideration.

The ATTORNEY GENERAL: I am then blamed by the hon. member because I did not accept these statements—statements which I do not think will convince any member present—as correct, but because I took the very obvious course of trying to find some tribunal yet left which had power to test the value of these statements by cross examination. I found that there was provision in the Criminal Code for action to be taken in cases of this kind. I conferred with the Crown Law officers with regard to this matter, and decided to refer the case to the Court of Criminal Appeal so that this question could be further inquired into. I am quite content to leave my action for the House to approve of or otherwise.

Mr. O'Loughlen: Who constituted the Court of Criminal Appeal?

The ATTORNEY GENERAL: I cannot tell the hon. member; it is quite immaterial.

Mr. O'Loughlen: Was it the judge who convicted the accused?

Hon. T. Walker: Yes, the judge who convicted and the judge who refused leave to appeal and Mr. Justice Northmore.

The ATTORNEY GENERAL: The Court of Appeal consisted of the Chief Justice, Mr. Justice Burnside, and Mr. Justice Northmore. In the circumstances do members consider that when we have an appeal of this nature, any one of these three honourable judges would not give the best of their time and energies to endeavouring to ascertain whether there was a possibility of this man having been wrongly convicted or otherwise? They investigated the case and decided that there was no ground to justify a remission of the sentence. They approved of the verdict. It was also suggested by the hon. member that nothing was done by the department in the way of making inquiries. The hon. member was asked what

witnesses he required, and subpoenas were issued by the Crown Law Department and handed over to the Police Department to be served.

Hon. T. Walker. That is the usual thing; that was no help.

The ATTORNEY GENERAL: Who would be more likely than the police to have the information? The only information we had about Stockden was that he had been in the Fremantle gaol about 12 months before. Apparently since the time he left the Fremantle gaol, he was not heard of. I am not surprised at that. A man who commits perjury at one trial with possibly an ulterior object, is not likely to be found when wanted. At any rate he could not be found, and it was not possible to have his evidence before the Court of Criminal Appeal. Whether his evidence was available or not, to my mind, was immaterial. We still have Ryan's uncontradicted evidence that he was in the Newmarket hotel to which place Hurley said he had not been. The absence of Stockden's evidence is really no ground on which any Attorney General could recommend that Hurley should be released. It seems to me that after every court which can be invoked has decided as to the truth of the evidence, upon which Hurley's case for release rests, it is idle to expect any Attorney General, if he does his duty, to remit the sentence upon mere statements which have not been submitted to the test of cross-examination. The member for Canning (Mr. Robinson) referred the case to the judge. The judge considered that there was no case. This case was brought to me soon after I assumed office; a great many things were brought to me at that time. I carried it further and referred it to the Court of Criminal Appeal, and in the circumstances I submit that I could have done nothing more. As the House may desire to have the information, I shall lay the papers on the Table.

Hon. T. WALKER (Kanowna—in reply) [6.6]: I could have wished that other members had spoken on this motion. The Attorney General seems to have an entire misconception of my motive in the first place in approaching him. He seems to think I implied that there was only one alternative in my petition, namely, to release the man. I considered from the start that the legal tribunals had been exhausted.

The Attorney General: I found a tribunal which you had forgotten.

Hon. T. WALKER: The Minister, representing the prerogative of His Majesty, is the one to make inquiries. Surely he will not tell us that he has no power to make inquiries. He surely must know from his experience that a man sent before the judge who had sentenced him and who had refused an appeal, would not feel that he had a sympathetic tribunal. It is within the province of the Attorney General to make

inquiries, and there are avenues open to him to make inquiries, but he did not choose to accept any course but that of simply sending the case back to the judges who had already given their decision upon it, and consequently the Attorney General failed to act as representative of His Majesty in that capacity. It is this of which I am complaining, and I think rightly complaining, too. The Attorney General has made some attempt to refute the evidence. I will admit that at the trial Ryan did say that he had seen Hurley's face, and that Hurley was there, but it must not be forgotten that when giving his evidence in the lower court, all he said was, "The man who ran out was like Hurley." That is the point I wish to emphasise. He was not sure of the man at that time. I submit that, on the weight of evidence, Hurley's case is clear. We have no more right to believe Stockden when he is getting a man into trouble than we have when he is getting him out of trouble. Stockden had something to gain when he said he had seen Hurley there. He was saving his friend Dunn. He had nothing to gain when he made the statement that his evidence was not true and that Hurley was not there. The only one who is left is Ryan, and Ryan says in the first instance before the influence, so to speak, had grown upon him. "He is like the man." That is all he could say in the first place. Of course the influence grew and magnified and became positive as the assertion was repeated, until on reaching the final court he said that Hurley was the man. Against that put O'Brien's statement. O'Brien there and then declared that Hurley was not present. What motive had he for making that statement? It would not lift his own sentence; it would not do anything to benefit him. Before sentence was pronounced, when he knew that sentence was to be pronounced, he said that Hurley was not there. Surely that is of some weight. Such a statement cannot be recklessly thrown on one side. Stockden was not one of the accused. He could have no interest except the pricking of conscience in denying the statement that he had made in the court, admittedly to save his friend Dunn. That was admitted; it was to save Dunn. Now he himself is in trouble and in gaol, and he seeks the Superintendent and makes the statement to the Superintendent. Is it reliable? Was it made voluntarily or was any influence brought to bear? The ex-Superintendent of the Fremantle prison, Mr. Hann, assured me that the statement was voluntarily made. The statement was that Hurley was not present at the Newmarket hotel.

Mr. SPEAKER: I do not wish to put the hon. member off his argument, but he is only repeating what he said in moving the motion.

Hon. T. WALKER: I am repeating the arguments used by the Attorney General

and showing how weak they are. When tested they will not hold water. I am replying to the Attorney General.

MR. SPEAKER: The hon. member must remember that the Attorney General replied to his statements.

HON. T. WALKER: I have a right to reply to the statements made by the Attorney General.

MR. SPEAKER: The hon. member has no right to indulge in tedious repetition.

HON. T. WALKER: I am not indulging in tedious repetition. I am directing attention to the points made by the Attorney General. When I tried to correct what were unintentionally inaccurate statements, but still inaccurate statements, you, Mr. Speaker, prevented me. The Attorney General reviewed the evidence and gave a summary of the case. I am bound to say that Stockden, without any inducement, when he had nothing to gain and nothing to fear, voluntarily from the pricking of his conscience, sought out the Superintendent of the gaol and made a further statement, that Hurley was not there. Dunn comes forward and why is not he believed? Dunn is the culprit. I would direct the Attorney General's attention to a fact he ignored that Butler, the man robbed, when these men were lined up before him at the lockup for identification, walked up to Dunn, put his hand upon his shoulder, and said, "You are the man who robbed me." I can conceive of no evidence more direct than that. Why is that evidence ignored? Why is that evidence, the most important fact, forgotten and overlooked. Butler had been drinking with Dunn and was in Dunn's company all the time, and at the lockup he put his hand upon Dunn's shoulder and said, "You are the man who robbed me."

MR. O'LOGHLEN: Picked him out from the rest?

HON. T. WALKER: Yes, picked him out from the crowd. He walked up directly to Dunn. There is no doubt about it. It is the most material fact of the whole case, and yet it is thrown aside and no weight whatever is given to it. Stockden told the police that Dunn was not the culprit and Dunn was passed out by the police. Stockden said, "Dunn is not the man; it was Hurley." He did that to get Dunn out of it. It was not stated on oath; it was not stated in a court; Dunn's case was withdrawn before the proceedings reached the court; Dunn was passed out. He was a friend of Stockden and his character has been admitted by the Attorney General.

Sitting suspended from 6.15 to 7.30 p.m.

HON. T. WALKER: Before tea I was emphasising the fact, which has been overlooked altogether, which has never been insisted upon, that the man who was robbed, Butler, distinctly and clearly and unequivocally identified Dunn as the man who committed the

robbery. Dunn was subsequently released, but only on the statement of Stockden that it was not Dunn who committed the robbery, but the other man. Afterwards Stockden had to admit that he had made this statement in order to save Dunn, who was a personal friend of his. I want to correct a point made by the Attorney General, that Hurley had denied that he was ever at the Newmarket Hotel. Of course he denied it, but the inference of the Attorney General, that it was proved Hurley was at the Newmarket Hotel, is the whole point of contention. It never has been proved. The only man who has not been questioned as to character is Ryan, the motor driver; and he in his first identification could not identify Hurley, but could merely say that Hurley was "like the man." That was the statement Ryan made when the depositions were taken in the police court. There is another impression I want to remove. The Attorney General pointed out the iniquity of making this court a court of appeal from the Criminal Court. I should be very sorry if it were supposed that I was attempting to do that. I have had hesitancy in moving for the papers at all, and nothing but a sense of duty has impelled me to move for their production, and this not at all with the object of trying the judges or of asking Parliament to decide as to the fate of Hurley, but solely for the purpose of drawing attention to the method adopted in this case by the Attorney General. I want to make it perfectly clear that Hurley never was a client of mine. I am not taking the matter up on that score. Hurley came into my life only through a communication made to me by the former Superintendent of Gaols, Mr. Hann, before his retirement. I saw Hurley several times at the gaol, and made all possible inquiries I could before I took any step in this matter. And when I did move, it was purely in the interests of, may I use the expression, disinterested justice. I simply wrote to the Attorney General, and I protested against Hurley's petition going to the Court of Criminal Appeal, which had already dealt with the matter. It seemed absurd to me to send the case back to those who had already given their decision. I wanted the Attorney General to deal with the case one way or the other, and that was my sole object in writing to him. I did not write to him because, as the hon. gentleman, perhaps thoughtlessly, suggested, I wanted to make it appear that I wished him to recommend the Governor to exercise the royal prerogative of mercy. There were several courses open to the Attorney General, apart from that course. He could have made inquiries, and then have refused to go further. He could have said distinctly, "All the circumstances considered and all the facts reviewed, I cannot see my way to recommend His Excellency to take any steps." There the matter would have ended. But I wanted to put the responsibility upon the Attorney General, as Minister in charge of his department, to act as the facts warranted in all the circumstances. I can-

tend that the step taken by the Attorney General is one which jeopardises everybody who gets into trouble. When all the channels of the law have been traversed and we have reached, as it were, the dead end, and the only course left is to consider whether from a petitioner's standpoint a recommendation can be made to His Excellency or no, then to avoid that responsibility and to shunt it back again to the men who have already given their decision—

The Attorney General: The judges have not given their decision in this particular case.

Hon. T. WALKER: Yes, they have given their decision.

The Attorney General: The Court of Criminal Appeal has given no decision on the fresh evidence.

Hon. T. WALKER: Yes, pardon me, the Criminal Court of Appeal has.

The Attorney General: You can see by the file that it has not.

The Hon. T. WALKER: The hon. gentleman will see by the file that it has. The Court of Criminal Appeal heard the evidence that could be adduced, and the court would not send for Dunn, as it saw no use in doing so, it said.

The Attorney General: When the first Court of Criminal Appeal met, the statements of Stockden and Dunn were not in existence.

Hon. T. WALKER: I beg the Attorney General's pardon.

The Attorney General: They were in existence when the first court sat?

Hon. T. WALKER: Well, they were when the second court sat. If the Attorney General will refer to the file, of which he read a part—

The Attorney General: All I read was the observations which the learned judge who had tried the case made in reply to a request for information from my predecessor in office.

Hon. T. WALKER: The matter was referred to the judge to whom the case had again to go, and that judge had practically given his decision, with comments. Judge Burnside's comments clearly show the whole point.

The Attorney General: On reference to page 66 of the file it is clearly seen that Mr. Robinson referred the matter to Mr. Justice Burnside as the judge who tried the case, and not as a court of criminal appeal. The learned judge's observations are on page 67 of the file.

Hon. T. WALKER: Here are the comments of Mr. Justice Burnside, of which I read a part before tea, and which have also been referred to by the Attorney General—

I see no good reason why this matter should be further investigated.

That is from the judge to whom Hurley was again to appeal. In the knowledge of this statement, can it be said that this judge was the man to send back Hurley's case to?

The accused had a fair trial. He did not go into the witness box to submit himself for cross-examination, but set up an alibi—

Here I want to interpose that Hurley was not represented by counsel at his trial, that he had no defender in the criminal court. He was not familiar with the methods of the court. It is quite true that he did set up an alibi.

that at the time of the robbery he was in Dunn's company at Dunn's lodgings.

That is one of the things I want investigated, because I contend Hurley never said that, either at the police court or at the Criminal Court or anywhere else. He never at any time said that he was in Dunn's company at the time of the robbery. What he did say was that when he came out he went to call on Dunn at his lodgings, and that Dunn was out. That is what he said, that is the evidence. Dunn did not see him until afterwards, at the Imperial hotel. That was the first time Hurley met Dunn. The robbery had been committed then, and Hurley did not meet Dunn or any of the others until after the robbery had taken place. The statement that Hurley had said that at the time of the robbery he was in Dunn's company at Dunn's lodgings is firmly impressed upon the judge's mind, but it cannot be found anywhere in the evidence, and it is not in the evidence. Mr. Justice Burnside's comments proceed—

He called witnesses, but they failed to impress the jury.

What did he call witnesses to do? To prove an alibi.

He called the woman who was keeping the lodging-house where Dunn was staying. She was confused. She admitted he called, admitted the time, but could not remember the particular day.

And because the woman could not remember the particular day, it was all up with Hurley. She was a weak witness for him, and that was his misfortune. But she said nothing to belie his statement. She did admit that he called to inquire for Dunn, that he was there for some time, and that Dunn was not in at the time. Evidently alluding to the housekeeper, the learned judge says—

In fact, one witness did him more harm than good. Now the suggestion is put forward that Dunn stole the money, and Dunn comes forward to admit this.

This is no suggestion. The first man identified by the man who was robbed was Dunn himself.

Dunn says he was in the country at the time of the trial, but I have a lively recollection of being told that he was in the gallery of the court listening. The police might know this.

The police did know it. It was the police who told him and they made themselves busy, not in open court, but where the prisoner could not answer. A message had been conveyed and this is one element I complain of. The police did it to prejudice this man's case. That is the strength of it.

The man said he was at Quairading. I have admitted he was in court at the time of the trial but did not have the moral pluck to make his confession there.

[Resolved: That motions be continued.]

Mr. Pilkington: Has Dunn stated he is prepared to plead guilty?

Hon. T. WALKER: He has. He said it on oath in the witness box, and nothing could shake his statement: "I did it." No cross-examination shook that fact and that was the only time he was in the witness box.

Mr. Pilkington: It is not the same as pleading guilty, because he may have thought he had a defence.

Hon. T. WALKER: It is not quite the same, but he must plead guilty or else plead guilty to perjury and the one is as bad as the other.

Mr. Pilkington: His confession would be much more important if he had no defence.

Hon. T. WALKER: He has no defence. How can a man stand up and defend himself upon oath, when, in cross-examination, he said: "I did it."

Mr. Pilkington: It has been done over and over again. A man has pleaded guilty and a *nolle prosequi* has been entered. I do not say that that is the position here; I am simply asking for information.

Hon. T. WALKER: Quite so. Dunn's statement, however, does not stand by itself.

Mr. Pilkington: Criminals before now have made confessions and pleaded guilty, knowing that they were safe from prosecution.

Hon. T. WALKER: I do not know whether this man is safe from prosecution.

Mr. Pilkington: I do not know either.

Hon. T. WALKER: I do know that I said to him, when he was going into the witness box, "You know what you are doing? Is it true, or is it false? If it is false, you know the consequences." He replied, "It is true; I did it." He said the same in the court of appeal and his admission on oath, with the statement of the man robbed, Butler, "You are the man that robbed me," prompts me to say: "How can you go further for proof?" The statement of O'Brien can have no motive behind it, and the position resolves itself into this, that only Ryan is against this unfortunate man, and even he, in the first instance, was not sure. In the circumstances, I say it was a genuine case for inquiry by the Attorney General, rather than to send it through the courts. To continue—

Dunn says he was in the country.

The Attorney General: The minute you are reading from was written by the judge before it came to the court again.

Hon. T. WALKER: It shows the state of mind of the judge before whom you sent this man.

The Attorney General: There were two others there, including the Chief Justice.

Hon. T. WALKER: I asked the Attorney General since to give me a preliminary copy of the judgment delivered at the court. I do not want to enter into any criticism of the judges. I have it here and it is based on this, not on the evidence.

The Attorney General: You are not entitled to say that.

Hon. T. WALKER: Perhaps not, but the hon. member is forcing me into the position I do not want to adopt by his interjections. Proceeding, the judge says—

O'Brien stated he alone committed the crime—see his statement to me—and Hurley was innocent.

I pointed out before, that that was absolutely incorrect. By no stretch of imagination can we make it appear that O'Brien said that he alone committed the crime. The only thing that his statement means is that of the two men in the dock, he alone was responsible. It is upon this twisting of verbiage that evidence is rejected.

Stockden now says he committed perjury to shield a friend. I do not think that a reason for now believing him.

It will be observed that the judge does believe him. He believes this man spoke the truth when he gave evidence against Hurley, but he will not believe that he spoke the truth when speaking for Hurley. He will believe him when he condemns Hurley and will not believe him when he exonerates Hurley.

I really think the verdict of the jury is a more reliable support than these later day discoveries.

They are not later day discoveries at all; they were brought out in evidence. I have had the papers laid out in the Table of the House. My whole purpose has been to secure a free and impartial inquiry by the Attorney General if possible. It must be to every sane, right thinking and right feeling person a horrible thing to contemplate, that any man should be lodging in gaol who is innocent of the charge preferred against him. That is the position in the present instance. My object was not to ask the House to supersede the court, or to deliver judgment, but to draw attention to the attitude of the Attorney General and to ask him if it is not possible, in the interests of justice, to grant an inquiry into this case. My participation in this matter is not that of solicitor and client. I came into it at the start, at the request of this man. The appeal was none of my seeking and I protested against it at the time, so that it cannot be said that I am speaking on behalf of a client.

The Attorney General: You protested against the only opportunity of cross-examining this man.

Hon. T. WALKER: No, there were other ways of doing it. It is no way to treat a man as was done in this instance. The Crown Prosecutor, who had cross-examined him previously in the lower court, appeared

at the Court of Criminal Appeal not to help the judges according to the weight of evidence, but to prejudice the court. The Crown solicitor appeared as prosecutor there.

The Attorney General: The hon. member is prejudiced, not the Crown solicitor.

Hon. T. WALKER: Why prejudiced? All I desire is simple justice. This man is no friend of mine. I had nothing to do with the matter until I wrote a courteous letter asking for an inquiry by the Attorney General. Where can my prejudice come in? My feelings are strong, I admit, for wherever a mortal suffers injustice, I feel it as if it had been done to myself, and I will not allow my mind to be perverted or distorted because the victim is unsavoury or has a past, and because his associations are degrading. I will not allow my mind to be prejudiced by any such source of contamination. I ask myself: was this man guilty of the robbery and was he present at the Newmarket Hotel when the complainant was robbed? If he was, I have nothing further to say. If he was not, he is wrongfully in gaol and it is the duty of the Attorney General, as Minister for Justice, to take steps to make sure of the position. There have been mistakes in the administration of justice from time to time and men have even been wrongly identified. It behoves the Attorney General to see that a further inquiry is made into the matter.

Question put and passed.

MOTION—RETURNED SOLDIERS AND PASTORAL LEASES.

Consideration of Petition.

Debate resumed from 2nd September on motion by Mr. Willcock—

That in the opinion of this House it is desirable that legislation should be introduced to facilitate the settlement of discharged soldiers on the pastoral leases of the Murchison.

The PREMIER (Hon. J. Mitchell—Northam) [7.58]: I hope that members realise just what this motion means. It means that we must resume, if it is given effect to, about 20 million acres of pastoral land already stocked and in use. I will show the House a little later how it is in use. In any event, when a member brings down a motion of this description I think he should be expected to make out a very strong case in support of his proposal.

Mr. Munsie: I think he did.

The PREMIER: I think not. Unless we can agree to the request to take away the holdings from men who have pastoral leases up there, and cut them into smaller holdings in order to settle more people, it is not all right. Everybody knows that if a man has 100,000 acres and we take that area from him and cut it up into 20,000 acre blocks,

and settle five men on those blocks, it does not follow that those men will be successful. The hon. member did not show that any large number of soldiers wished to select pastoral land.

Mr. Willcock: They must have been serious about it, or they would not have signed the petition.

The PREMIER: There is no evidence to show that any large number of soldiers wished to become pastoral lessees.

Mr. Willcock: What would be the use of their applying for land when no land was available?

The PREMIER: We have settled a number of soldiers on pastoral leases, and we have got those leases for them far more cheaply than we could do by the means suggested by the hon. member. Of course, I would not expect the hon. member to know the value of the improvements done on this area or of the stock carried there. I will show what money has been expended and what the cost of resumption would be. To begin with, it is a serious proposal to make to the House, not altogether because of the cost, but because the hon. member wishes to displace the men already there and to settle others on the same land.

Mr. Willcock: Not necessarily.

The PREMIER: We have to take pastoral lands to make farms. That is understood when a man takes up a pastoral lease. It has always been the practice. Every pastoral lease is subject to resumption for agricultural settlement. It is a very wise custom, too. The hon. member said something about this petition. Here it is. The House was led to believe that a large number of soldiers had signed the petition. The hon. member said 2,000 soldiers had signed.

Mr. Willcock: No, I said there were 2,000 signatures.

The PREMIER: I understood the hon. member to say it had been signed by 2,000 soldiers who had enlisted from that part of the State and who were concerned in his project.

Mr. Willcock: Representative organisations got up the petition.

The PREMIER: That is the point. These organisations had the petition drawn up, printed and signed. We were told that, and we were told also that 2,000 soldiers had enlisted from that part of the State covered by the motion, including Geraldton. The hon. member said that a great number of them were very keen to settle straight away, some 50 or 100 of them. He said that if we resumed the land we should have a sufficient area on which to settle 600 or 700 soldiers. If there be 2,000 returned soldiers in that district, and if it be a fact that 100 of them wish to become settlers, where are their signatures to the petition?

Mr. Munsie: The hon. member explained that.

The PREMIER: No, he did not. This petition is signed by a large number of

people. The first signature is that of Mr. Frank Green, a storekeeper of Geraldton.

Mr. Willcock: He is eligible to take up pastoral lands.

The PREMIER: I think only 12 soldiers have signed the petition.

Hon. P. Collier: Under our Act, soldiers' relatives are entitled to take up land.

The PREMIER: But the House was led to believe that this land was for the soldiers themselves.

Hon. P. Collier: Under the Act, Mr. Green is entitled to take up land, because he had a son killed at the Front; he is the father of a dead soldier.

The PREMIER: One clause of the petition declares it is desirable that the re-issue of pastoral leases should be suspended until the section of the Act of 1917 granting an extension of pastoral leases until 1948, be rescinded. The idea is that it should be rescinded because the land might be used for repatriation and closer settlement purposes. That is perfectly true. But the House was led to believe that the land was wanted for the returned soldiers, that the petition was in the interests of the returned soldiers. I think the hon. member specially mentioned that.

Mr. Willcock: Yes, to make some of it available.

Mr. O'Loughlen: Is it not a fact that the returned soldiers of the Geraldton district cannot get land, that there is no land available for them?

The PREMIER: I was told so some time ago. I sent an officer to inquire into the situation, and the thing was straightened out.

Mr. Willcock: The trouble is that there is no Crown land available.

The PREMIER: Of course there could not be any Crown land available in a long-settled district such as Geraldton. But this land which we are asked to resume is land stocked for pastoral purposes, land which could not be used for agriculture. The rainfall on the Murchison is certainly light.

Mr. Willcock: And it does not come during the winter season.

The PREMIER: No, so that land could not be used for agricultural purposes. I am willing to admit that the soldier settlers have, through their branches, endorsed this request; but I should have thought that every soldier who wanted land would have signed the petition. Apparently they had ample opportunity for so doing, because I suppose the petition was sent to every settler in the district and that every soldier in the district had an opportunity to sign it.

Mr. Willcock: No, for what would be the use of asking them to take up land when there is no land available?

The PREMIER: Apparently everybody except the soldiers signed the petition. At all events I can see only 12 signatures of soldiers. What we are asked to do is to resume this land. Hon. members know that the present holders were granted a renewal of their leases for 20 years.

Hon. W. C. Angwin: It was a scandal; it was the greatest injury ever done to the State.

The PREMIER: Nothing of the sort.

Hon. W. C. Angwin: At all events, you have tried to amend it since.

The PREMIER: And I am going to amend it, too.

Hon. W. C. Angwin: You are afraid to amend it in the manner you want to.

The PREMIER: No. I should like hon. members to ask themselves what would happen if we carried these leases until 1928, and then settled the lessees where they could not get renewals.

Hon. P. Collier: But 10 years is a different thing.

The PREMIER: No, because they were told that if they wished to have the renewals 10 years ahead they must pay double rental until the value of the land was appraised, and must submit to improved stocking conditions. It was a good arrangement for the State.

Mr. Munsie: Is it not a fact that there is more stock on the leases than was provided for in the Bill?

The PREMIER: On this area, yes. The arrangement was a perfectly good and proper one, and to-day we are reaping considerable benefit from it, because all the lessees are paying double rental. The land is being appraised, and the lessees will have to pay what the appraisers say the land is worth. Every man holding a pastoral lease in the North must pay what the appraisers say the land is worth per thousand acres. In the past, of course, they got it at a flat rate of 10s. per thousand.

Hon. P. Collier: However, do not debate that now; wait until you bring down the Bill.

The PREMIER: But I am replying to the hon. member for Geraldton, because this is his trump card. He said that these pastoral leases should not be renewed, that we should suspend the issue of the leases. When these leases are issued, the position will not be changed, because the lessees will be paying the proper value of their holdings.

Hon. P. Collier: In the meantime, are you giving them unlimited areas?

The PREMIER: No, of course not. As a matter of fact, every acre of pastoral lands still in the possession of the Crown has been held up for the soldiers until just recently. I want the House to realise that these leases have 10 years to run. If we resume them on the basis of a 10 years' lease, it will be much the same as if we resumed them on the basis of a 30 years' lease, because the rent will be the proper rental value of the land. The hon. member objects to the provision that when land is resumed for soldier settlers only the value of the land resumed and of the stock, together with any damage done, must be paid. I should like to point out that when we resume land for settlement by agriculturists we take it under the ordinary clauses. I have already said that it is proper to take pas-

toral lands suitable for agriculture. I do not say that we ought to spoil a good pastoral lease to make bad farms; but it is right to take pastoral lands to be turned into wheat fields. However, what the hon. member proposes is that we should take these lands now running sheep, and continue to run sheep on them, only under different conditions.

Mr. Willcock: But it means the cutting of large holdings into a number of small ones. Is not that desirable?

The PREMIER: Not necessarily; it has not always proved a success in the East. I doubt whether, on the Murchison, it could be done with advantage. I know, of course, that there are some special areas where a man will do well on a few thousand acres. I know of 70,000-acre stations in the Kimberleys where the owners are doing really well. But that is just one spot. I know there are one or two such spots on the Murchison; I know that in a place only a little out of Cue magnificent oranges are being grown. But that is only on a strip about half a mile wide. When the hon. member says that this 20 million acres could be cut into 50,000-acre blocks—

Mr. Willcock: I said some might be 200,000 acre blocks.

The PREMIER: And someone else suggested 20,000 acre blocks. When this sort of thing is suggested, it becomes a totally different proposition. It is very easy to destroy not only the man who takes up a small area but the area itself. The surface of the land in the Murchison is protected, and while this protection exists less rainfall is necessary to cause the grass to shoot. This land is covered by the stock feeding on the growth, and is of very much greater value than if the surface were exposed. This scheme was tried in the East, and it was found that when the top covering was destroyed a far heavier rainfall was necessary to shoot the grass, and the runs in many cases were totally destroyed. This point must be seriously considered. I doubt whether the hon. member himself is serious when he talks of leasing 100,000 acre blocks.

Mr. Willcock: There are men there with 30,000 acres.

The PREMIER: I am quite aware of that, but they are on specially favoured spots.

Mr. Willcock: They only got the blocks because they were left.

The PREMIER: In some cases the blocks were reserved for prospectors. I know these areas and I know what they are doing and what they are capable of doing. Some men have started in a small way and have done very well, but if we applied the principle of small holdings to the whole of this area, it would bring disaster to the people who were settled on small holdings. We are told that there are only 60 or 70 holders where there should be 600 or 700. I admit that a large number of people could be settled there. As a matter of fact the whole of the North-West is in much the same position. We have leased over

300 million acres, and we have 300 million acres on our hands, much of which is in the Kimberleys, and it is probably the best available Crown land in Australia to-day. Forty million acres of this is serving the Wyndham meat works. We have Crown lands there to be had for the asking at a very low rental. Last session I had a map prepared showing the areas of vacant pastoral lands of Western Australia; it was displayed on the walls of this Chamber. There is a great deal of land still available, and it is land which will be settled. It is quite true that water can be obtained in the Murchison at very shallow depth, but that applies to a good deal of Western Australia. We are led to believe by some people that the Murchison is very dry country, but away from the artesian basin which in the aggregate is of very considerable expanse, water can be obtained over a large area of the North at a comparatively shallow depth. Water can be obtained at 40 to 50 feet, and this does not apply solely to the Murchison. Members must not run away with the idea that this land can be cut up into small areas, or that we have no pastoral lands available. I have had this matter looked into, and I find that it will cost a great deal more to settle soldiers upon this land than would be the cost under our present system. The hon. member spoke of an extent of country of 20 million acres, but he must remember that some of the land would be near to the railways, some would be near to the coast line, but a great deal would be a long way from either. Twenty million acres is a fair slice of country, and it could not possibly be served by a couple of hundred miles of railway. Members must not conclude that this big area would be within easy reach of transport facilities. There are over 70 stations now within this area of 20 million acres, and the average of those stations is about 300,000 acres. We have looked into the question of these classified pastoral lands, and we know something about the position. It is estimated that the improvements on this area are worth about £500,000. That is a fair start.

Mr. Willcock: About 6d. an acre.

The PREMIER: It requires fencing and water. This land, by the way, will carry one sheep to about 15 acres. That is about the average carrying capacity of this country. This area is carrying about 755,000 sheep, 25,000 head of cattle, and 3,500 horses at the present time. Taking big stock and small stock, this would be equal to something over a million sheep, or one sheep to every 20 acres, so that this country is not very far below the fair carrying capacity of the land.

Hon. P. Collier: Except as regards human beings.

The PREMIER: We do not want an unnecessary number. In a great empty country we want men in the mining and timber industries, and to settle the South-West. We do not want an unnecessary number of men

for the work which a few men are doing at the present time.

Hon. P. Collier: What, leave the North-West empty?

The PREMIER: The North-West is a totally different proposition. The hon. member must not confuse the two.

Hon. P. Collier: Leave all this country in the north empty?

The PREMIER: No, this is a stretch of country that can carry stock only. The North-West, according to the member for Pilbara (Mr. Underwood) can grow anything.

Hon. P. Collier: It could carry more men and women.

The PREMIER. Of course it could.

Hon. P. Collier: And they could make a good living there.

The PREMIER: Yes, but I do not know whether we would gain much by putting more people there merely to carry the same number of stock.

Mr. Willcock: It will carry more stock.

The PREMIER: I doubt that.

Hon. P. Collier: Better to have ten men making £1,000 a year each than one man making £10,000 a year.

The PREMIER: Naturally one would prefer to have ten men making £1,000 a year each clear and producing more—one would assume that the gross production would be larger—but it would not be a point larger in this particular area.

Mr. Willcock: Yes, it would.

The PREMIER: This area cannot carry more sheep than it is carrying at present. The hon. member knows the Murchison, and so do I. I have known it for 30 years.

Mr. Willcock: I have known it for 25 years.

The PREMIER: I know how it has suffered; I know of the drought and of the losses pastoralists have sustained. A few months ago I had to ask the Railway Department to put on special trains to carry away stock which was fairly near to the railways. The hon. member knows that pastoralists in this area have had a particularly tough time.

Hon. P. Collier: Drought is not peculiar to this area. You have had it in the agricultural areas. Why raise no end of obstacles when we talk about closer settlement in the pastoral areas? You do not prevent people from going into the wheat areas because we have had droughts there.

The PREMIER: No, we must expect droughts. From Victoria, the State whence the hon. member hails, we hear nothing of their droughts, and they have about five droughts to one in Western Australia. I have friends who are pastoralists.

Hon. P. Collier: That accounts for your speech to-night.

The PREMIER: Oh, no, they have never said a word to me about it.

Hon. P. Collier: Of course, we know that.

The PREMIER: I have friends on the goldfields; friends everywhere. There seems to be a desire on the part of some members to take from the man who has and give to other people; but before anything of this kind is suggested, we must show that the State will benefit as a result.

Mr. Willcock: No, we suggest taking from the man who has too much.

Hon. P. Collier: We have no friends who have leases there, so we are unbiassed.

The PREMIER: The hon. member and his colleagues are all pastoralists, and have friends up there. The member for Geraldton will not deny that he has friends up there.

Mr. Willcock: I suggested taking not from the man who has, but from the man who has too much.

The PREMIER: I suppose the hon. member realises that it would be impossible to take from the man who has nothing.

Mr. Underwood: What sized stations would you cut up?

The PREMIER: The stations there now average 300,000 acres. I know something of this country, and I say that this particular part of the State has a low average rainfall, a very high temperature, and that it is subject to drought.

Hon. P. Collier: Why a great optimist like you decrying a portion of your own State?

The PREMIER: I am not decrying a portion of the State.

Hon. P. Collier: Yes, you are; you are trying to make out that this is useless and worthless land.

The PREMIER: No, I am not. If the hon. member and his colleagues want small pastoral areas, this is not the part of the State in which to establish them.

Hon. P. Collier: You do protest too much.

Hon. W. C. Angwin: I think you will find it is the other way about.

The PREMIER: I have no interest in the matter beyond pointing out that the House is asked to agree to an impossible proposition, and I would be wanting in my duty if I failed to make this clear to the House. If we resumed this land without paying a penny to the pastoral lessees, it would cost £7,000 to settle each one of 200 returned men. Someone would have to find the £7,000 to begin with, and another couple of thousand pounds would be required for water and fences and for house accommodation. The cost would be at least £9,000 per man. I shall hand these figures to the leader of the Opposition, so that he can work out the exact cost for himself.

Mr. Davies: And the limit allowed is £2,000.

Hon. P. Collier: It seems to be a case of "Let's send them out to the wheat areas, but keep away from the wool people."

The PREMIER: No, the pastoralist's life is the best in the world.

Mr. Munsie: And you are trying to preserve it for a few.

The PREMIER: Not at all. I am certain that except in a few isolated good patches, it would be absolutely ridiculous to expect men to make a living on 40,000 acres in this area; certainly they could not succeed on 40,000 acres of average land.

Mr. Willecock: If you had a spare 40,000 acres I would take it up.

The PREMIER: We have settled a number of soldiers on pastoral land under the soldier settlement scheme. Over five million acres of land have been taken up. The total advances made for the purpose of settling soldiers on holdings is about £38,000. There are 39 men settled on 24 holdings at an expenditure of this amount. That is a very different thing from spending £148,000 in settling the same number of men. I know this motion will be supported by many hon. members.

Mr. O'Loughlen: The whole of the Country party.

The PREMIER: But I doubt if it will be supported by any hon. member who knows the country.

Hon. W. C. Angwin: I do not know what has come over you during the last 24 hours.

Hon. P. Collier: You have become a stone-cold pessimist.

The PREMIER: I have frequently told the House that I am opposed to taking a good pastoral proposition in order to make bad farmers or bad pastoralists. I say nothing against the land, but it must be held in fairly large areas.

Hon. P. Collier: Of half a million acres?

The PREMIER: The average station is of 300,000 acres in extent. Some of the land is altogether unimproved, not having sufficient water on it and not being fenced.

Mr. Willecock: And with no stock on it.

The PREMIER: This land has to be held in reserve in case bad seasons come along.

Mr. Willecock: It has never been used.

The PREMIER: If that is so, and it is not wanted, I have no objection to settling men upon it. Even then, the area should not be cut down as suggested by the hon. member.

Mr. Willecock: You must have some power to take it from the present holders.

The PREMIER: We have the power. If the land comes under the amending Act of 1917, and it is not stocked or used, it will certainly be taken. I am told that there are about one million sheep on this area to-day.

Mr. Willecock: It is very fair land.

The PREMIER: Not because it is held in small areas, but because it is not held in small areas. If the House does agree to the motion, and the land is resumed I do not know how it is to be paid for, but what we shall do with it when it is in our hands.

Mr. Willecock: Resume only what is required.

The PREMIER: We have no right to take it from those who have it, and pass it on in comparatively small areas to ordinary citizens.

There might be some argument in favour of obtaining pastoral land for the eleven soldiers who signed the petition. It is obvious that the other 1990 soldiers, who did not sign the petition, could not have wanted the land. If the great bulk of the soldiers had wanted this land resumed they would have signed the petition, and they had every opportunity of doing so.

Mr. O'Loughlen: You make the land available and see if they do not want it.

Mr. Willecock: Some of them had no opportunity of signing it.

The PREMIER: Those people who have signed the petition, and are soldiers, have signified the fact that they are soldiers.

Mr. Lutey: Some of them have not.

The PREMIER: In the first instance I thought this petition was from the soldiers.

Mr. O'Loughlen: Suppose you had another 300 hundred signatures from soldiers?

The PREMIER: We will meet that case when it comes along. Every soldier in the district has been asked to sign one or other of these petitions.

Mr. Willecock: You do not know how many soldiers there are.

The PREMIER: I am sure the hon. member does not know.

Mr. Willecock: I did not say I did know.

The PREMIER: The evidence here discloses the fact that eleven soldiers have signed the petition. I do not know whether the hon. member has signed the petition or not.

Mr. Willecock: I shall be pleased to sign it if I have not already done so.

The PREMIER: An ex-Colonial Secretary (Mr. Drew) signed the petition, amongst other people. It is not a soldiers' petition at all. So far as the evidence discloses the position, of the 2,000 signatures 11 only are those of soldiers. The hon. member made it clear that he wants this land for soldier settlement. I want it, too, for that purpose so far as it is necessary to obtain it, but up to the present we have been able to secure land at a cheaper price than we could get it under this system.

Hon. P. Collier: How can it be so valuable when you say it is worthless?

The PREMIER: I did not say it was worthless.

Hon. P. Collier: What else have you been saying to-night? You have spoken of droughts and other things.

The PREMIER: It is not necessary to say another word to convince the hon. member that his statement is wrong. I have said that it is good land in fair areas, but absolutely useless in areas of 40,000 acres. It is no use putting men on 40,000 acres of average land in that district. There are £500,000 worth of improvements on it and 755,000 sheep running on it, besides 2,500 head of cattle.

Mr. Maley: This land has all been reclassified.

The PREMIER: We know what the land is capable of doing, and that it is perfectly

good pastoral land, held in proper areas. Would the leader of the Opposition say it was right to give a man 200 acres upon which to grow wheat? He knows that it is no use at all.

Hon. P. Collier: We are not bound by any particular area. Make the areas large enough for the purpose.

The PREMIER: If they are to be given the areas that the land is held in to-day, what would be the use of taking off Brown and putting in Smith?

Hon. P. Collier: There is a lot of difference between 40,000 acres and 300,000 acres.

Hon. W. C. Angwin: That is the practice you have been following in the agricultural areas.

Mr. Lambert: If it is applicable to farming land, why is it not applicable to grazing land?

The PREMIER: When it suits hon. members to say that such and such a thing is wrong they have said it. They have said "Take off the experienced farmer and put on the inexperienced soldier." I do not know why it is suggested that soldiers are inexperienced.

Mr. Munsie: It is true in many cases.

The PREMIER: What is quite wrong as applied to the wheat farmer is quite right as applied to the pastoralist.

Hon. P. Collier: And what is wrong as applied to the pastoralist is quite right as applied to the farmer.

The PREMIER: The hon. member is too late with that remark. What is quite wrong in one part of the State is quite right in another. Everything depends on what suits hon. members at the time.

Hon. P. Collier: Oh, no!

Mr. SPEAKER: Hon. members must keep order.

The PREMIER: The expenditure of all this money is a very big item. I cannot believe that the hon. member would suggest that we should resume these areas in order to settle ordinary citizens. I could understand an argument in favour of purchasing land for the settlement of soldiers. I cannot think he is serious in suggesting that we should pay all the money necessary to resume this land, and buy stock for the settlement of men who are not soldiers.

Mr. Willcock: Take up whatever portion is required.

The PREMIER: Does he think we have a couple of million pounds to put into this land?

Mr. Lambert: A couple of million pounds were offered to you the other day.

The PREMIER: We want to make better use of it than that.

Hon. P. Collier: I have never heard you baulk at millions before.

The PREMIER: I am not baulking at them now. I say we can do something better with the money. The House would be justified in finding all the money that is needed for the settlement of soldiers on pastoral lands, with limitations, but I am

sure it would not grant money for the settlement of ordinary individuals on pastoral lands.

Mr. Lambert: The policy of closer settlement has always been a sound one.

The PREMIER: Would the member for Kanowna (Hon. T. Walker) suggest that we should use money we had set aside for the building of the Esperance railway for this purpose?

Mr. Munsie: No.

The PREMIER: The hon. member is interested in that, too.

Mr. Munsie: No one asks that this should be done.

The PREMIER: Is it suggested we should buy these properties and allow ordinary citizens to take them up?

Mr. Munsie: That is not in the petition.

The PREMIER: I think I have said enough to show that this is impossible, firstly, because the soldiers do not want the land.

Mr. Willcock: Is that why they went all over the country with the petition?

The PREMIER: They had a great struggle to get the names of 11 soldiers on the petition.

Mr. Willcock: No fear!

The PREMIER: A small fortune must have been spent on the printing alone.

Hon. P. Collier: Why fear the proposition if the soldiers do not want it and will not take it?

The PREMIER: If we took up this land and settled it in 100-acre blocks and the men who took it up did well on it, in a year's time the hon. member would say—"Kick off this lot and let another lot come in. Never mind the man who has spent 50 years in pioneering and developing the district. Do not concern yourself about him, but let some of the people who have lived comfortably in Geraldton have a go at the land. Let us take it away from the men who have struggled on it for many years and made a success upon it; let us have no compunction for them, but deprive them of it because they have made money on it, and give it to our friends. Furthermore, let the State find the money to finance our friends upon the land."

Mr. Willcock: Who has said all that?

Hon. P. Collier: You are talking at random.

Mr. SPEAKER: Order!

The PREMIER: If I am not describing what the hon. member asked the House to do, I am at a loss to know what he did ask. If he does not want the land resumed, and paid for, why does he suggest that it should be resumed and paid for? If he does not want the land settled, why ask that it should be taken at all?

Mr. Lambert: We want to keep our promise to the soldiers.

The PREMIER: I will see that the hon. member's promise to the soldiers, so far as their being set up in life is concerned, is kept. I will see that sufficient land is got for the soldiers—here, there, and every-

where. But the soldier is only the excuse this time, and not the reason. We find that all over the place. If 10 miles of road are wanted somewhere, and there are 50 settlers along the route and among them five soldiers, I get a request to make 10 miles of road "for the soldiers." The member for Geraldton makes such a demand in this motion, and he has had six trials to decide which of the signatories to the petition are soldiers. I can only find 11 soldiers among them. My duty is to conserve the State funds, and I can see the Treasury depleted by the member for Geraldton just for the purposes of this motion. If hon. members support the motion, they will do so not because pastoral land is wanted for soldiers so far as this petition discloses. Moreover, under the proposed system it would cost far more to settle our pastoral lands than it is costing at present. The House can be satisfied that this is not a scheme for the settlement of returned soldiers at all.

Mr. Willecock: What is it, then?

The PREMIER: It is a piece of opportunism. I ask the House to reject the motion. I expect the House to believe me when I say that we have already settled about 3,000 soldiers on the land, and that we are settling more soldiers on the land day by day. There is no need to labour the question. The motion ought to be rejected, and rejected very promptly.

Hon. Sir H. B. LEFROY (Moore) [3.48]: The mover has stated that there are about 2,000 returned soldiers in the Murchison and Geraldton districts. But it has also been stated here—and I do not think the hon. member cavilled at the statement—that the signatories to the petition include only 11 or 12 returned soldiers.

Mr. Willecock: I have strongly objected to that statement. It is not correct.

Hon. Sir H. B. LEFROY: From that statement I gather that the returned soldiers are not desirous, even although it might be to their benefit to do so, of taking away from people rights which they already possess. I am as anxious as the member for Geraldton to see those returned soldiers settled on pastoral lands who are desirous of following pastoral pursuits; and I was instrumental in enabling a good many returned soldiers to take up pastoral lands which belonged to the Crown. In my opinion the Premier has not entered upon one very important phase of this question, and that is whether we have power to resume pastoral leases unless it is for some public purpose as mentioned in the conditions of the lease.

Hon. W. C. Angwin: If we have power to extend the term of pastoral leases, we have also power to reduce the term.

Hon. Sir H. B. LEFROY: Is this Parliament going to repudiate the contract which has been entered into with pastoral leaseholders?

Hon. P. Collier: You made a beautiful contract with them.

Hon. Sir H. B. LEFROY: That is utterly beside this question. Those pastoral leases in any case would not expire until 1923. They still have eight years to run.

Hon. P. Collier: They had 11 years to run when you passed that Act.

Hon. Sir H. B. LEFROY: Even in this petition some doubt is expressed as to whether we have power to resume the lands in question for pastoral purposes, because the petition concludes by saying—

Your petitioners therefore pray that your honourable House will introduce such legislation as to your wisdom may seem proper, to facilitate the settlement of discharged soldiers on pastoral leases on the Murchison.

Hon. P. Collier: That is what the motion says also; that is what we are debating.

Hon. Sir H. B. LEFROY: Surely this House will never pass legislation which will alter the conditions of pastoral leases which have already been granted. I think we have always looked upon leases granted by the Crown as inviolable. The conditions upon which the leases are granted are conditions of contract, and should be honourably observed by those who govern the country. I feel quite certain that the returned soldiers do not desire that any existing rights should be taken away.

Hon. P. Collier: The Legislature can take away the freehold of a man against his will, by resumption of land.

Hon. Sir H. B. LEFROY: But in such a case the Government have to pay him for the freehold. It is true that the Government can resume from pastoral leaseholds for certain public purposes.

Hon. P. Collier: We can resume for soldier settlement, because that is a public purpose.

Mr. SPEAKER: Order!

Hon. Sir H. B. LEFROY: In that case we shall have to pay the value of the resumption. There is no need to enter into the capabilities of the Murchison country, but hon. members who have any knowledge of the subject must be aware that these areas are not Eldorados.

Hon. P. Collier: No. They are all poor land, of course.

Hon. Sir H. B. LEFROY: From the time I entered this House, nearly 30 years ago, the pastoral leaseholder has always been a sort of butt for hon. members to shoot at. I remember the late Mr. G. T. Simpson, who many years ago held the Geraldton seat, once saying, "Everybody looks upon the pastoralists as millionaires, because now and then a pastoralist comes down to Perth and lives at the rate of a thousand a year for a fortnight, whereupon he goes away for another two years without ever returning to Perth." The pastoralists of this State are not in the plutocratic condition that some hon. members seem to imagine.

Not 20 years ago very few of the pastoralists had a feather to fly with. But owing to better prices and better seasons they have recovered their feathers. The fact that a certain pastoralist is now able to send a horse from Western Australia to the East and win some of the classic events there, is no reason why our pastoralists generally should be deprived of the means of purchasing such valuable aids to the advertisement of Western Australia. An hon. member in front of me says that the pastoralist in question is only a little bit of a pastoralist. However, my point is that I have too much respect for hon. members of this House to imagine that they would, even for one moment, refuse to honour a contract entered into by the Government of this country. I am confident that neither members on this side nor members opposite would desire to do anything that would in any way reflect on the House. If pastoralists, be they great or be they small, were deprived of the property legally owned by them for the time being, a great injustice would be done.

Mr. Willecock: They would be compensated. No one suggests that they should not be compensated.

Hon. Sir H. B. LEFROY: Hon. members are apt to look upon the old residents of this country as if they owned half of it. I have not an acre of leasehold land in my name; but I admit I have, and hon. members opposite also have, friends among the pastoralists. I have lived here long enough to know what the carrying capabilities of the various portions of this State are. I know that the Murchison district is a marvellously watered country. It is one of the best watered areas in the whole of Australasia.

Hon. P. Collier: Still, droughts occur there.

Hon. Sir H. B. LEFROY: Worse droughts occur in the Murchison district than in any other part of Western Australia. Apart from the question of our right to resume without the consent of the pastoralists, I am not satisfied that a man is likely to make a success of, say, 50,000 acres of pastoral land on the Murchison. The success which the Murchison pastoralists have been able to obtain has been due as a rule to the fact of their holding fairly large areas. It frequently happens that whilst on one portion of a run there is no rain whatever, another portion receives a considerable amount of rain. That feature is of great utility. It is doubtful whether a man will succeed on a 50,000-acre block of Murchison land. Personally, I do not think he will. I have no doubt that a man with 3,000 sheep can succeed, but he must have a considerable area of country if he is to do any good. The most important phase of this question is this: Have we the power to do this under the present land laws?

Mr. O'Loughlen: Or the inclination to do so.

Hon. Sir H. B. LEFROY: Have we the power to dispossess a leaseholder without his consent?

Mr. O'Loughlen: Of course you have.

Mr. Willecock: It is in the Discharged Soldiers' Settlement Act.

Hon. Sir H. B. LEFROY: We have power with regard to agricultural land, but I do not think we have power to so deal with pastoral areas. Even if we have the power, it would require to be exercised most carefully. Where men have spent years in developing their holdings, where they have shown determination and concentration in an endeavour to succeed, it would be wrong to dispossess them when they have reached the stage of a comfortable living. There is another very important aspect with which I am deeply concerned. I am not quite certain whether this will not have the effect of spoiling the great merino flocks of Australia. This may be one effect of the cutting up of these large holdings into smaller blocks. These flocks have been built up by generations of experts in sheep breeding, and if we are going to cut up these pastoral leases and put them in the hands of men with no knowledge of sheep breeding, I am afraid we will spoil these merino flocks of which we in Australia are naturally proud and, which I might almost say, are the envy of the world. Although I am desirous that the returned soldiers should be entitled to take up pastoral leases where they desire to do so—some of the first men I helped to go upon the land were placed on pastoral leases or Crown lands—I do not think we would be right in passing a motion like this, which to my mind, savours somewhat of a breach of contract with the present leaseholders in this State. If the leaseholders were prepared to part with the land at a price, the State might resume it for the purposes of soldier settlement. As the Premier indicates, however, that would be a costly line of action, and the State could scarcely bear the burden of such expense.

Hon. P. COLLIER (Boulder) [9.4]: I am entirely at a loss to understand the arguments of the member for Moore (Sir Henry Lefroy).

Hon. Sir H. B. Lefroy: It is not your duty to understand my argument.

Hon. P. COLLIER: I do not know whether it is my lack of power to understand or the hon. member's lack of power to make himself understood.

Hon. Sir H. B. Lefroy: The hon. member does me the honour of following me when speaking so very often.

Hon. P. COLLIER: At any rate, I have failed to get at the hon. member's point of view. He does not know whether we have power or not to resume pastoral lands. He admits that he does not know the provisions of the Act he himself introduced in this House.

Hon. Sir H. B. Lefroy: I did not say we did not have the power. I said I did not think we had it.

Hon. P. COLLIER: In the measure the hon. member introduced himself, there is provision for the resumption of these lands.

Mr. Angelo: That was introduced in another Chamber.

Hon. P. COLLIER: It does not matter. It went through this House piloted by the member for Moore, and notwithstanding that that was only three years ago or so, that member is now not quite sure whether we have the power or not. Even if we have the power he says he hopes it will not be exercised. He is quite sure that the returned soldiers themselves do not require any action to be taken of a dishonourable nature. What does he mean by a "dishonourable nature" in connection with the resumption of pastoral leases?

Hon. Sir H. B. Lefroy: This House cannot do anything dishonourable.

Hon. P. COLLIER: This House has laid it down specifically that the Government of the day have the right under the Act I refer to, to compulsorily resume lands. Where does the hon. member get the word "dishonourable"?

Hon. Sir H. B. Lefroy: That is one condition under which agricultural lands can be resumed.

Hon. P. COLLIER: Yes, this land can be resumed for the purposes of settlement. Thus, it is quite honourable to take away the freehold land against the wish and desire of a holder in the agricultural areas, but it is dishonourable to take it against the wish of the holder of a pastoral lease. Does he contend that a man who has a pastoral lease has a greater security or greater right to his holding than the man who owns a fee simple in an agricultural area? Surely we can go no further from the point of view of disposing a man of his rights, than in resuming a freehold property. He has a greater security and greater right than is contained under a leasehold. Yet the hon. member gave that very right in the Act I have referred to, enabling land in the agricultural areas to be resumed for soldier settlement.

Mr. Nairn: What is the good of the motion, if we have the power now?

Hon. P. COLLIER: I do not know; I am not responsible for the motion.

Mr. Nairn: If there is no need for it, seeing that we have the power now, we may simply be wasting time over this.

Hon. P. COLLIER: The power we have over pastoral leases is not such as we would like to have. I think it was the member for Canning (Mr. Robinson) who secured an amendment to a passage in one of our Bills which rendered resumption of pastoral lands practically impossible, because the money would not be forthcoming for the resumption. I was almost overcome with a feeling of depression listening to the doleful tale by the Premier to-night. For over half an hour, the Premier endeavoured to impress the House with the fact that land in the Murchison area was comparatively worthless. There were droughts there, he declared, and it was im-

possible for a man to succeed except under such conditions as enabled him to hold large areas, and so on. I have never yet heard the Premier decry any portion of the State in the manner he has done to-night. Of course there are droughts in the Murchison just as there are droughts in the wheat belt. To such an extent were there droughts in the wheat belt that the effects of the seasons of 1911 and 1913 were responsible for creating a new political party in this State and relegating the Premier himself to comparative obscurity for a few years. Yet to-day the Premier is booming these districts with characteristic optimism. He is not impressing the fact on the public that men going out into these areas are likely to experience droughts in the course of years, or emphasising the difficulties of agricultural settlement there. But when he comes to the pastoral areas it is a case of "hands off" every time. The Premier made much of the fact that the petition was not signed by many returned soldiers. I am not concerned whether it contained the signatures of one returned soldier or more. Are there no others than returned soldiers concerned in the settlement of returned soldiers?

Mr. Davies: Thirty-four housewives signed it.

Hon. P. COLLIER: I do not know of anyone more entitled to be concerned in this question than housewives. I do not see that there is anything wrong in a number of persons submitting a petition to this House urging the introduction of legislation or the resumption of land suitable for the settlement of returned soldiers even if such a petition does not contain the signature of a single returned soldier.

Mr. Teesdale: But you would not call it a returned soldiers' petition?

Hon. P. COLLIER: They might not. Every resident of the State is interested in the settlement of returned soldiers.

Mr. Underwood: But why ring in the returned soldier at all?

Hon. P. COLLIER: The hon. member might as well have said "when we introduced the Repatriation Bill, "Why mention the returned soldier?" It is because it is possible to settle the returned soldier under more favourable conditions than obtain for the settling of any other class of citizen; for soldier settlement plenty of money is available. Moreover, has not everybody proclaimed, not only the obligation of the State, but the general desire, to settle the returned soldier? Then he hon. member asks, "Why mention the returned soldier?"

Mr. Underwood: I asked, why ring him in; why charge it up to him? It is wanted for everybody.

Hon. P. COLLIER: But wanted for the returned soldier first, in fulfilment of the promises given to him. Does the hon. member want to repudiate the pledges he and everybody else gave to the returned soldier?

Mr. Teesdale: But not to be unjust to others.

Hon. P. COLLIER: No, of course not. Who is asking for it? As soon as one mentions pastoral leases our friends opposite assume confiscation. Where is that contemplated in the petition? Has any member on this side ever urged that any injustice should be done to the present holders? Who is asking for that?

Mr. Teesdale: Why cut up a holding into small blocks that will not pay?

Hon. P. COLLIER: Nobody asks that. It would be utterly foolish and ridiculous.

Mr. Teesdale: But 20,000 acres is mentioned.

Hon. P. COLLIER: We are not pledged to 20,000 acres. Surely if we affirm the principle and state that this is a great stretch of country, containing good pastoral lands suitable for the soldiers, the judgment of the officers of the department who will carry out the decision of the House will determine the area suitable. Nobody wants to cut up a holding which is not too large at present into a number of small holdings which would involve in failure those who settle on them. But what I say is that if we have an area of pastoral country adjacent to railways and to a port, as most of this is, it should be available to the soldiers. Even if we have droughts in that area, nevertheless it is the best watered country in the State, outside of the extreme South-West. I have travelled extensively over that country, and I know that anywhere at a depth not greater than 15 feet will be found fresh water, as pure as can be obtained in the hills adjacent to Perth.

Mr. Underwood: I have drunk pretty bad water at Mullewa.

Hon. P. COLLIER: It would do the hon. member good. I say it is a well watered country. If we have holdings there of, say half a million acres, which if cut up into areas of, say, 50,000, 60,000, or even 100,000 acres—the areas can be determined by those competent to judge—

Mr. Mullany: We have a board to do that already.

Hon. P. COLLIER: That is so. If we have an area of half a million acres held by one man, and if cut up into 100,000 acre blocks, that area will maintain in comparative comfort five holders, it is better for the State to have it cut up, and to have five men making a good living, say a couple of thousand a year each, from it, than to have one man making five times that amount.

Mr. Teesdale: Take the cost of resumption.

Hon. P. COLLIER: Of course, all that has to be considered. The petition does not say that we should rush into a proposition which is not a profitable one. Have we not invited a delegation from the Eastern States, appointed by the Commonwealth Government, to come over here and traverse the northern areas? Although this is not in the actual North, still it is on the way up there. Have we not read columns and pages in the newspapers, have we not heard eloquence poured out by hon. members here, upon the

necessity for populating our empty spaces in the great empty North?

Mr. Teesdale: But you cannot eat the North.

Hon. P. COLLIER: This is not the North, I know. The hon. member resents anybody describing as the North any district this side of Twenty-mile Sandy. However, this district is on the way up North, and if it cannot be included in the term "North," it can fairly be included in the term "our empty spaces." And, after all, it seems to me good policy that before we go back 1,000 miles to fill empty spaces we should start by filling empty spaces nearer home, nearer to existing railways, and nearer to ports.

Mr. Teesdale: But this is centralisation.

Hon. P. COLLIER: Centralisation on the Murchison! The hon. member might as well declare to be centralisation the taking of the endowment lands at Subiaco for residential purposes. It seems to me those members who raise obstacles at every opportunity, who talk about dishonourable conduct, who hint at confiscation when one suggests settling soldiers on the pastoral areas, are not sincere. With them, where the shepherd kings of the North are concerned, it is hands off! As one of the shepherd kings of Eucla, I am sorry that I parted with my interests in those holdings before the war came.

Mr. Pickering: How many acres did you have to the sheep?

Hon. P. COLLIER: In all we had half a million acres. When I heard the member for Moore (Sir H. B. Lefroy) speaking of the hardships and trials of the pastoralists in their early pioneering struggles, it struck right home to my heart, because I know the difficulties we met in endeavouring to open up that belt a few years ago. Not only had we to face the possibilities of drought and the difficulties of financing our proposition, but we had to face also a storm of newspaper criticism from one end of Australia to the other. As the result of the advertisement our opponents gave us when they declared that by reason of our inside knowledge, or of the influence we possessed as Ministers, we had grabbed all that great area adjacent to the trans-Australian railway, the rich rolling downs which we, the shepherd kings of Eucla, had managed to acquire, our photographs were published broadcast in all the newspapers of the Eastern States, and day by day we were besieged by letters and telegrams from people wanting to know the possibilities of buying in. Regarding us as so many hungry Labour Ministers who had come into office determined to make the best of our opportunities in our own individual interests, they were satisfied that we had got hold of something good, and they wanted to buy in. But we were determined to keep the thing for ourselves, and to make a bona fide attempt to develop it.

Mr. Maley: You were really the only sheep on it, were you not?

Hon. P. COLLIER: No. As a matter of fact it was a cattle proposition, not a sheep

proposition, although I do not know if we succeeded in getting too many cattle on to it, either. However, that is by the way. But there it is all the time; you must not touch the pastoralists; they are sacred. You must not break a contract. And then the hon. member for Moore said, "Oh, but even admitting all this, is it desirable? Look at the great merino flocks that have been built up by our pioneer squatters. You take those away, put new settlers there, new pastoralists, young men, the returned soldiers. What do they know about merino wool, about merino sheep? Why, the value of our great merino flocks will deteriorate, will be lost, and so the position which we pride ourselves upon will be gone from us forever." It is a smug attitude to be taken by an hon. member who only a week ago derided the application of scientific knowledge to the operations of the man on the land. I venture to say that the young men who are sufficiently interested to endeavour to make a living for themselves out of wool-growing will be able to maintain the standard of our fine merino flocks, just as well as did the old gentlemen who started it 30 or 40 years ago. The principle is not new. It is already in operation. The report of the board dealing with this matter shows that 30 pastoral holdings, aggregating 5,370,848 acres, have been purchased.

Mr. Robinson: Those people were willing to sell.

Hon. P. COLLIER: Ah! that is the point, of course. That is the point of view always taken by our friends opposite.

Mr. Robinson: I was not offering that as an objection.

Hon. P. COLLIER: Well, I will exempt the hon. member.

Mr. Underwood: The people on the Murchison also are prepared to sell.

Hon. P. COLLIER: I daresay some of them are willing to sell, particularly having regard to the terrible conditions confronting them, as enumerated by the Premier. I should think some of those holding land on the Murchison would be quite willing to sell.

Mr. Robinson: If you read the "Sunday Times" you will see there half a dozen stations for sale.

Hon. P. COLLIER: I will investigate that, for I am looking for a station up there myself, although I am not eligible under the returned soldiers' scheme. Five million acres of pastoral land have been already purchased. Of course, the leases have been sold voluntarily; but if we are not able to get by voluntary sale sufficient pastoral land on which to settle the soldiers who are anxious to go into this life, why should not the compulsory provisions of the Act be brought into operation? By the way, I was speaking from memory when I said that we had power to resume pastoral leases. Let me now confirm that statement for the benefit of the member for Moore. Section 10 of the Act provides that the power of resumption conferred on the Government by Section 4 of

the Land Act Amendment Act 1906, may be exercised to enable the land so resumed to be disposed of to discharged soldiers for agricultural, grazing, or pastoral purposes, whereupon the pastoral lessee shall be entitled to compensation for loss or damage sustained thereby. We have already made provision for it, and so the word "dishonourable" ought not to be used at all.

The Attorney General: He is not relying on that; he is asking for other legislation.

Hon. P. COLLIER: It might well be that any member or any section of citizens might consider that existing legislation requires to be amended. That is a matter of opinion.

Mr. Nairn: What further legislation do you think we require?

Hon. P. COLLIER: I am not prepared to say off hand. I do not know what the petitioners had in mind when they asked for legislation. No doubt the member in charge of the motion will be able to tell us. We find that 5,370,840 acres have been purchased; the purchase money was £91,320, the amount advanced £120,725, and the number of soldiers settled 69.

Mr. Teesdale: Is that all pastoral?

Hon. P. COLLIER: Yes. The Crown lands selected for pastoral purposes total 4,097,685 acres, the advances amount to £38,550 and the number of soldiers settled is 38.

Mr. Teesdale: A fine record.

Hon. P. COLLIER: It is not bad, and I am anxious, as also are the member for Geraldton and others concerned, to see the number increased. The more people we can get on to our pastoral holdings consistent with their making a success of it, provided we do not reduce the areas to such a size as will tend to failure, the better it will be for us. This attitude of holding inviolate tens of millions of acres of country for pastoral purposes is something which the Eastern States got away from years ago.

Mr. Teesdale: But they have better country.

Hon. P. COLLIER: Take the Darling Downs in Queensland; that rich country was all held under pastoral lease for sheep carrying purposes. That is only one instance. Right along the main railway from Brisbane to Sydney was all sheep country 30 years ago. Similarly with great areas in New South Wales. There is the Riverina district on which millions of money have been spent for irrigation and where hundreds of settlers are now successful and prosperous producers, where in the days of my youth the country was given over to sheep and was held in two or three holdings. Twenty or thirty years ago the authorities in the Eastern States recognised that, as the population increased, they could not for all time maintain these large pastoral holdings except to the national disadvantage. As population increases so will land in the nearer parts of the State at present used

for pastoral purposes have to give way to closer settlement. The national interests require it. Everyone who has followed the subject knows well that the wool-growing industry laid the foundation of Australia's prosperity. This industry is of immense value to Western Australia to-day, but it must not stand in the way of settlement. It is essentially of more importance that we should have population in these empty spaces, especially where the land can be utilised to as great advantage and where production will not decrease as a result of increased population. The tendency will be in the opposite direction. If, instead of producing a certain amount of wealth from wool in respect of a million acres of land, we place ten or twenty holders on that area, the wealth produced from it ought to and will increase. Therefore, we shall not only get increased population in these areas, but we shall be drawing a vastly increased amount of wealth from them, and that is the policy which ought to be pursued. This policy should first be applied to the pastoral areas that are closer in, to places where the climate and the conditions are comparatively good, places near to our railways and to our ports. This is where we ought to start. The North-West and the Kimberleys and other parts will be the last places to be invaded for closer settlement. In those parts there may be justification for large areas of one million or two million acres in single holdings, but the areas closer in can be more profitably employed, not only for the benefit of returned soldiers, but in the national interests, if we reduce their size and go in for closer settlement.

Mr. MALEY (Greenough) [9.35]: At this stage in the settlement of our returned soldiers, when there should be few remaining of those who really desire to settle on the land, it seems rather late to bring forward a proposition such as this. Human nature being what it is, I suppose there is a sprinkling of soldiers who would not be satisfied with anything short of the compulsory resumption of St. George's-terrace. This petition has been held up to some amount of ridicule, because it bears the signatures of only 11 bona fide soldiers of the Geraldton branch of the Returned Soldiers' League. I understand that in the first place, a petition was circulated in the district and was signed by about 2,000 people, but owing to the fact that there was something irregular in the form of the prayer, it became necessary to get signatures to another petition.

Mr. Nairn: What are they asking for? That is what we want to know.

Mr. MALEY: I will explain that.

Mr. Pickering: Were they all returned soldiers?

Mr. MALEY: Fewer soldiers have been settled in the Victoria district than anywhere else in the State.

Mr. O'Loghlen: That is so.

Mr. MALEY: Over 2,000 men from that part of the State enlisted, and within a radius of 100 miles of Geraldton I do not think that more than 50 soldiers have been settled during the last two years. Therefore, it became necessary to take steps such as these to direct attention to the fact. The Premier now says he is prepared to buy any land in the Victoria district, but the fact remains that soldiers have not been settled there in the same proportions as they have been settled in other parts of the State. I cannot support Clause 4 of the petition owing to the way in which it is worded. It reads—

It is desirable that 20,000,000 acres of pastoral country adjoining the Murchison railway lines and coast line should be resumed for repatriation and closer settlement purposes.

There is more unalienated than alienated land in Western Australia to-day. The pioneering difficulties nowadays are infinitesimal compared with what they were when the Murchison country was first taken up. The bulk of the 220 million acres contained in the Murchison area was taken up over 20 years ago. The pioneers travelled up there with the usual pack horses; they had a precarious route to follow in respect to food and water, and great hardships to contend with in the early years of settlement. Only during the last 10 or 12 years have sheep become anything like profitable. In the early days a sheep was worth half a crown and its wool probably 3d. or 4d. a pound. The pioneers have developed the industry under very adverse conditions, and have brought it to its present state when the Murchison country and the wool produced there are recognised as being equal to the best in Australia. To say that 20 million acres along the railway frontage and coast-line should be resumed is not a fair proposition. A good proportion of the area is in the South-West division of the State, the boundary line of which goes north to the Murchison river and eastward on the Geraldton and Cue railway nearly to Yalgoo, and embraces a very great area of pastoral country which the petitioners request should be resumed. Along the coast-line there is any amount of pastoral country which is worth not a snap of the fingers for any other purpose. If it were, the agriculturists in the vicinity would have taken it up under conditional purchase or grazing lease conditions. It has always been noticeable that the pastoral interests of this State have been admirably protected in both branches of the legislature. Let members carry their minds back to the time when the amending Land Bill of 1917, through an oversight in this Chamber for which another place was equally culpable, was passed giving any one individual the right to hold a million acres of pastoral country in every division of the State. I am well acquainted with public opinion on the Murchison. Even pastoralists themselves admit that the holding of such

large areas of land is not in the best interests of the State. They are quite prepared to admit that a reduction in the size of the holdings, even in this favoured area of the Murchison, is advisable. The Premier to-day gave the leader of the Opposition an assurance by way of reply to a question that it was intended to bring down this session legislation to amend the Land Act. The time is ripe to review the question. Following the re-classification and re-appraisal of the pastoral areas now in progress, a limitation should be fixed to the area of first, second, or third class pastoral land which can be held, just as there is a limitation in regard to the selection of agricultural land.

Mr. Teesdale: You would make it less than it is now?

Mr. MALEY: Decidedly.

Mr. Teesdale: In the far North?

Mr. MALEY: It is almost a crime that any one man should be allowed to hold a million acres along river frontages such as the Gascoyne, and never use the whole of it.

Mr. Teesdale: What are you to do in the case of a drought? One man lost 15,000 sheep this year on a million acres.

Mr. MALEY: It was stated to-night that the stock on the Murchison could not be increased by increasing the number of settlers. It was also said that there are 70 station holders on the Murchison holding 220,000 acres, or a little over 300,000 acres each. Is the member for Roebourne prepared to argue that the Murchison country will not carry more stock and more people?

Mr. Teesdale: The Murchison is all right.

Mr. MALEY: One is always poaching on somebody's preserves when one speaks about a proposition of this sort. Possibly the member for Gascoyne will pick me up with respect to the frontages on the Gascoyne River. Again, one is pulled up by the member for Pilbara when speaking of his electorate, and now one is pulled up by the member for Roebourne.

Mr. Teesdale: Not in the case of the big areas up north.

Mr. Jones: They could not have motor-cars if they were not doing well.

Mr. MALEY: It has been shown elsewhere in the world that initial developments with regard to stock have occurred on big areas, but that eventually these areas have had to be cut up into smaller holdings. History will repeat itself in Western Australia. Many prominent pastoralists on the Murchison have admitted to me that the time is fast approaching when a limitation of holdings, even in this favoured spot, is desirable.

Mr. O'Loughlin: I wish the Premier were here to listen to your remarks.

Mr. Teesdale: They are quite refreshing.

Mr. MALEY: Last session in this House I asked whether the Government were prepared to acquire the holding of the late Francis Pearce. A good deal of litigation has ensued in regard to this estate, but I think it is now being divided and is being held in three or four stations of the average

size. If this petition is desirable, a good opportunity was lost by the Government on this occasion for the settlement of returned soldiers on that estate. The land is highly developed and well stocked. It would be a tremendous task to carry out the terms of the petition, which sets out that 20 million acres of this country are required to be resumed. The Premier is right when he says that on a capital basis it would not be as good a proposition for returned soldiers as is offered by other excellent pastoral country that is available in other portions of the State. There is land along the Great Western Railway, which could have been utilised for this purpose, and kept free from selection pending the decision to make it available for returned soldiers. Nearly all the land out from Kalgoorlie has now been taken up.

Mr. Lambert: Practically all that land is dummied in the name of returned soldiers.

Mr. MALEY: Any amount of pastoral Crown land was available for the settlement of returned soldiers.

Mr. Lambert: Mr. Tymms held a million and a half acres for soldiers who were supposed to have been at the Front.

Mr. MALEY: There is a difficulty with regard to water, but such a difficulty has been overcome in our agricultural districts by the conservation of water in dams. It is just as practicable to conserve water in this way for pastoral purposes as it is for agricultural purposes.

The Attorney General: The evaporation is very great.

Mr. MALEY: There are methods by which the evaporation can very largely be overcome. If people build shallow dams with a large surface area the evaporation is intensified, but if a dam is sunk deeply and properly puddled and covered with some shade, the evaporation is to a large extent prevented. I am sorry I cannot vote for the hon. member's motion. I do not think it is either practicable or just to resume the particular area asked for.

Mr. ANGELO (Gascoyne) [9.52]: I am in sympathy with the desire of the member for Geraldton to settle returned soldiers in the pastoral industry. After some years of experience in the North I find it is an industry which lends itself to success, perhaps to greater success than is the case with many other industries. Whilst I was managing a bank in the North 14 new stations were started, and not one of these ventures proved a failure. In many cases the capital in the first instance was less than £1,000. I am sorry I cannot agree with the method put forward by the hon. member. The Murchison is a district which is already settled, and settled in comparatively small areas. The Premier has pointed out that it is carrying practically as many sheep and cattle as it is capable of holding. If we were to oust the present holders we would be taking away experienced

men who have grown up in the industry and replacing them with inexperienced men. It is not the best district in which to start pastoral settlement on small areas. We have in Western Australia considerable areas of pastoral land that are not being used. In the report issued by the North-West Development League we read that the State contains 624,589,000 acres, and that of this area 248 million acres are now being used for pastoral purposes. There are 357 million acres of unoccupied country, and 284 million acres suitable for pastoral purposes, still unsettled.

Mr. Lambert: This is a report by pastoralists who already have their holdings.

Mr. ANGELO: It is based on the knowledge they have. This report has been sent out to encourage people to go in for the industry. We have heard something about the settlement of the Kimberley areas, and we have been told that they contain 40 million acres of magnificent country well grassed and well watered. It is impossible to settle returned soldiers in isolated settlements, because the natives are so bad there. If the Government were to send up an expedition of these 200 soldiers, referred to by the member for Geraldton, with stores and necessities to keep them going for 12 months, and they make their base one of the harbours that are known to exist between Wyndham and Derby, they would have a better chance of success than they would have if settled upon 30,000 to 40,000 acres on the Murchison. Every month the Lands Department show that new land is being taken up. If the Minister for Lands had followed out the suggestion made by me three years ago, and sent out a circular letter to every pastoralist in the State asking if he desired to sell his station, or any portion of it, for the settlement of returned soldiers, I feel sure we would have obtained all the land required for the purpose.

Mr. Lambert: At a price!

Mr. ANGELO: One has only to see the lists issued monthly by Dalgety & Co., Elder Shenton & Co., and by the Graziers' Co-operative Society, to see the number of stations that are being offered for sale every day. Within the last week three stations on the Gascoyne River changed hands. The New Forrest station is being advertised for sale in the Murchison district. When a pastoralist wishes to sell his station, he should first of all submit it to the Government, and give them an opportunity of acquiring it. The pastoralist would save any commission that he would otherwise have to pay if he sold direct to the Government, and it would be an inducement to him to first of all submit his property in this way. If the price was suitable, one or two of these big stations could be purchased, and cut up into small areas as suggested by the member for Geraldton. We would thus not be asking those people who have made their homes on these holdings on the Murchison to sell against their will. It would be unfair to go back on

the contract made by the Government, as suggested by the hon. member.

Mr. Lambert: You can take all the farming lands in the country but the pastoralist is sacred.

Hon. Sir H. B. Lefroy: We never do that.

Mr. ANGELO: I do not think any farm has been resumed, but farms that have been offered for sale have been purchased. Let the Government do the same thing in regard to these pastoral areas, if they can be obtained at a reasonable price, and cut up one or two of them to begin with.

Mr. Lambert: The farmers have not been on such a good wicket as the pastoralists.

Mr. ANGELO: I will go further with the member for Geraldton. In the Bill to amend the Land Act that is coming forward, I would not mind seeing a clause inserted that a pastoralist who desires to sell his property must first of all offer it to the Government. This would ensure that the Government had an opportunity of acquiring such a property. I believe in the suggestion of closer settlement, but it should be carried out on properties that are sold to the Government and not on properties that are resumed from the owner. I think members will agree that the particular district referred to is poorly supplied in the matter of rainfall. (Close to Geraldton there is a rainfall of from 18 to 19 ins., but some 40 miles away there is a considerable drop in the rainfall recorded. It is nearly all a 7-inch rainfall. When travelling through the Murchison district a few months ago, I was disappointed with what I saw of the country, which is very different from the Gascoyne and Ashburton districts. In those districts the top feed is of a lower nature, being only from four to five feet high, and consequently the sheep can reach any portion of it. But on the Murchison, I noticed, the top feed is eight and nine feet high; and from what I could see the sheep had eaten almost as far as they could, and still the bush was living and sprouting from the top. I am much afraid that the carrying capacity of the Murchison district will grow less and less every year; and if that country is to be cut up into smaller areas and more heavily stocked, it will not last for many years unless it gets long periods of spell. The Government could do a good deal in the way I have suggested. The circular letter will not cost more than a pound or two to send to every pastoralist in the North-West. Every pastoralist there should be asked to give the Government a first chance of acquiring any property he wishes to sell, whether it is a whole station or portion of a station.

Mr. Jones: That suggestion will increase values all right.

Mr. ANGELO: If it is pointed out that the purchase by the Government would be free of commission and that the land is required for returned soldiers, I feel sure the State will get all the land that is required in order to meet the desire of the member for Geraldton, with which I sympathise, to put as many returned soldiers as possible into the

pastoral industry; and I feel sure also that that will be accomplished without any injury to existing rights.

Hon. W. C. ANGWIN (North-East Fremantle) [10.4]: There seems to be an opinion that the member for Geraldton (Mr. Wilcock) has got up a petition for the purpose of swaying this House. The Premier dealt caustically with that petition.

The Premier: Will you examine the signatures?

Hon. W. C. ANGWIN: The Premier was told repeatedly that this particular petition had to be got up hurriedly because the previous petition was not in accordance with the Standing Orders of this House. The present petition has been got up by returned soldiers, and they are responsible for its presentation.

The Premier: It is a wonder they did not sign it.

Hon. W. C. ANGWIN: I have already explained that the petition was got up hurriedly. The original petition was, according to the members for Geraldton and Greenough, who reside in the districts affected, signed by a very large number of returned soldiers. With regard to our pastoral areas, it is my belief that Parliament in the session of 1916-17 committed a crime against the State.

The Premier: You are wrong.

Hon. W. C. ANGWIN: Recently I was travelling in the train with a gentleman who had been to the war and had been wounded, and who previously had been for years employed in the pastoral industry of Western Australia. He asked me the reason why pastoral lands had increased so much in value during the time that he was at the Front. He was trying to arrange for the purchase of some pastoral land to settle upon. I informed him, and informed him very properly, that the Government of the country were responsible for the increase in the value of pastoral land, owing to their having given the pastoral leaseholders an extension of 20 years.

The Premier: I suppose you did not tell him about the increases in the prices of cattle and wool.

Hon. W. C. ANGWIN: I told him the increase in the value of pastoral lands was due to want of foresight on the part of the Government holding office in 1916-17.

The Premier: You are wrong.

Mr. Angelo: If the term had not been extended, no financial house would have assisted the pastoralists.

Hon. W. C. ANGWIN: At that time there was still 11 years of the tenure to run, and the areas should have been thoroughly inspected and where possible subdivided with a view to bringing about an increased population in the northern portion of the State. But, for some reason or other, perhaps owing to pressure from financial houses, a measure was hurriedly put through Parliament extending the term of the leases by 20 years. I stated then, and

I state now, that that extension was a crime. The Premier himself, in connection with a Bill introduced last session, showed that the extension was detrimental to the best interests of Western Australia, inasmuch as the measure in question included a provision that not more than 500,000 acres of pastoral land should be transferred to any one person. I do not profess to know much about our pastoral lands. My knowledge of them, like that of the member for Boulder (Hon. P. Collier), is derived from what was called the "Eucalypt grab," on which, nevertheless, the "grabbers" spent some money for development purposes. I trust the time is not far distant when action will be taken to cut up into small areas the pastoral lands adjacent to the Great Western Railway. We know that certain people are trying to get a hold there. We know that several million acres of the best country adjacent to the railway, from Kalgoorlie eastward, has already been taken up. But, unless the conditions of the leases have been altered recently, the tenure is only for a period of 12 months, at the end of which the right of the lessee is gone. I heard recently that some people known as the Karonie Pastoral Company—Heaven knows who they really are—had taken up considerable areas of this country; and a large pastoralist from the Eastern States is said to have taken up several million acres along the line. I should be thankful to know that these persons hold their areas for only 12 months. The land should be cut up into such blocks as returned soldiers will be able to work. Reverting to the extension of 1916-17, I say there was no hurry for it whatever. The Labour party realised the difficulty of the pastoral leaseholder's position, that a person could not establish a station in nine or 10 years, such a tenure being too short to allow of his obtaining assistance from a financial institution. But the Labour party also realised that before legislation amending the terms of pastoral leaseholds was introduced, those leaseholds should be thoroughly inspected, and if necessary subdivided.

The Premier: You did not do it, though.

Hon. W. C. ANGWIN: We had not time.

The Premier: You had five years.

Hon. W. C. ANGWIN: One of the Ministers of the Labour Government personally went through that area to see what should be done, and the matter was discussed on more than one occasion. It was even suggested that officers should be sent out to do the work of inspecting and subdividing. However, we had not been out of office two months before a measure was brought down to extend the terms of the leases for 20 years. Thus the rights of the people were sacrificed. The birthright of our people was nullified for 20 years.

Mr. Pickering: Would you advocate the repeal of that legislation?

Hon. W. C. ANGWIN: I would not hesitate to repeal it to-morrow. I say that something which was wrongly done should be altered at the first opportunity. I for one would vote to repeal that legislation.

Mr. Pickering: That is what the petition asks for.

Hon. W. C. ANGWIN: The petition does not go so far. The petitioners say that they are prepared to pay compensation for the land to be resumed.

The Premier: And the sheep too.

Hon. W. C. ANGWIN: The sheep will be an asset for the money paid. I have heard the member for Mt. Magnet (Mr. Troy) say on more than one occasion in this House that the holders of small areas in the Murchison district are making incomes of £1,000 to £2,000 off them; and that that was so even before wool was bringing its present price. I have also heard the hon. member say that the pastoralists themselves realise that the time has come when their holdings must be reduced in the interests of the State. The member for Greenough (Mr. Maley) has said that pastoralists have told him personally that in the interests of the State the large holdings must be reduced at an early date.

Mr. Teesdale: All over the State?

Hon. W. C. ANGWIN: It all depends. In some places, no doubt, large areas are necessary to feed the stock that is carried. Each district must be dealt with according to the number of cattle or sheep it can carry. But I agree with the member for Geraldton (Mr. Willcock) and the member for Boulder (Hon. P. Collier) that it is far better to have five men on a payable proposition than to have one on it—far better in the interests of the State. That being so, I think the Parliament of this State—though this present Parliament is now dormant, and has been dormant for three years—should take the first opportunity of giving effect to what I believe to be the desire of the great majority of the people of Western Australia and amend our land legislation so as to provide areas for settlement. What we require in order to increase settlement is areas such as will enable a man to obtain a fair livelihood in return for the work he puts in. Areas of four or five million acres are no use for that purpose. It has been stated here by Ministers of the Crown on more than one occasion that Vestey Bros. hold between four and five million acres of land in this State. Is that in the best interests of the State?

The Premier: It all depends to what use it is being put. There is plenty of land up there.

Hon. W. C. ANGWIN: That is all very well, but it is necessary to have more settlement. Only recently it was reported in the Press that there are thousands of Japanese settling in the north of Australia. The matter has never been directly contradicted, and it was mentioned in the House of Commons

as well. Why is that so? It is because the Government have taken action which tends to prevent the increase of the white population. If we reduce the area and bring in a greater white population, it will counteract any such tendency, but it is rumoured that others are coming here for the express purpose of securing areas that the Government will not throw open for a white population. I do not know what has come over the Premier to-night.

Mr. Lambert: He was in a funny mood.

Hon. W. C. ANGWIN: During the past 13 or 14 years I have been in Parliament I have never heard him so pessimistic as to-night.

The Premier: I was not pessimistic, I was only reasonable.

Hon. W. G. ANGWIN: I never heard anything like it from him before. I hope that we get good rains during the course of a few days and then he will be better. The lack of rain has damped his optimism.

The Premier: Not at all.

Mr. Pickering: You mean the lack of rain has withered him up.

Hon. W. C. ANGWIN: It has dried him up truly. We even had the member for Kimberley (Mr. Durack) condemning that portion of the State a little while ago, stating that it could not touch the Queensland areas, that it had long periods without rain, and that, what with white ants and other pests, the land there was almost worthless. And now we have the Premier stating that this land is no good.

The Premier: Under 40,000 acres is not sufficient.

Hon. W. C. ANGWIN: According to the Premier, a man cannot carry on with a small area up there. If any one had told me that the present Premier had stated that any portion of the State was no good, I would have said such a person was a liar and that the Premier would not say anything of the kind.

The Premier: That is quite right.

Hon. W. C. ANGWIN: Something has come over the Premier, and I hope that with rain, he will cease to be a blooming pessimist and revert to his former position of blooming optimism.

Mr. Teesdale: A few inches of rain will restore it all right.

Hon. W. C. ANGWIN: And will restore the position, so far as Western Australia is concerned. However, something requires to be done regarding these pastoral areas. We have large areas back from the sea-board which people can settle on. Why drive people away into the interior of Australia and allow a few favoured persons to hold large areas adjoining the coast? I was one of those who said that we were entitled to do everything we could for the soldiers when they returned from the Front. Others said the same thing, and for my part I intend to carry it into effect. I believe the Premier himself realises that something should be done, and certainly he has done something regarding land settlement, although I do not agree with him altogether. He has made a splendid settlement

so far as soldier settlers are concerned, although I do not agree that he followed the correct method. Had he opened up new areas it would have been better for the State and it would have left us the richer.

The Premier: I think so too.

Hon. W. C. ANGWIN: The Premier certainly has done something in this direction, and I regret that he strongly opposed any action being taken regarding the further settlement of the pastoral areas.

The Premier: I did not do so. I said that 40,000 acres was not enough there.

Hon. W. C. ANGWIN: The Premier stated that we objected to the purchase of single farms for the purpose of putting another man on, but we never objected to repurchased estates where one man was put out to settle a dozen in his place. There are about 40 or 50 estates purchased and subdivided into smaller areas in order to increase settlement. This petition merely asks for the same thing in the pastoral areas. We never objected to that, and while the Premier thinks it right to buy out single farms, apparently he thinks it is wrong to buy out pastoralists.

The Premier: No, we have bought out a lot of them.

Hon. W. C. ANGWIN: I was surprised that the member for Moore spoke against this motion. His own Bill provides for the same thing that is asked for to-day.

Hon. Sir H. B. Lefroy: It does not provide for the alteration of leases in existence.

Hon. W. C. ANGWIN: It provides for compulsory resumption.

The Premier: I have no objection to that.

Hon. W. C. ANGWIN: When the member for Moore says it was dishonest to do that, why was it put through in that Bill?

The Premier: I agree that if we want the land for the soldiers we should have it.

Hon. W. C. ANGWIN: I believed at the time the Bill was introduced that we were doing an injury to this State in extending the terms of the lease as we did, and I would vote for the repeal of that Bill to-morrow.

Mr. PICKERING (Sussex) [10.25]: I would not have spoken to-night if it had not been for the stress laid upon the point by the leader of the Opposition and the member for North-East Fremantle that they asked for the resumption of pastoral leases.

The Premier: Twenty million acres are asked for right away.

Mr. Smith: Is this the statement of policy for the Country party?

Mr. PICKERING: If the member for North Perth gave more attention to the work of the House and less to interjections, it would be better for his electorate. The petition sets out—

1. That by the Discharged Soldiers Settlement Act 1918, the pastoral lessee is given the right not only to claim compensation for improvements on leases resumed, as provided in the Land Act, but also for loss or damage sustained by resumption. 2. That the protection thus

given to the squatter is excessive and detrimental to the interests of returned soldiers. 3. That it is desirable that there should be power to resume and lease to discharged soldiers, pastoral leases for agricultural, horticultural, grazing or pastoral purposes. 4. That it is desirable that 20,000,000 acres of pastoral country adjoining the Murchison railway lines and coast-line should be reserved for repatriation and closer settlement purposes. 5. That it is desirable that the re-issue of pastoral leases should be suspended until the section of the Land Act Amendment Act 1917, granting an extension of pastoral leases until 1948, has been repealed. Your petitioners, therefore, pray that your Honourable House will introduce such legislation as, in your wisdom, may seem proper to facilitate the settlement of discharged soldiers on the pastoral leases of the Murchison.

[Mr. Foley took the Chair.]

This petition, therefore, prays for the repeal of certain legislation. Section 10, Subsection 4 of the Discharged Soldiers Settlement Act, reads as follows—

The power of resumption conferred on the Governor by Section 4 of the Land Act Amendment Act, 1906, may be exercised to enable the land so resumed to be disposed of to discharged soldiers for agricultural, grazing, or pastoral purposes, whereupon the pastoral lessee shall be entitled to compensation for loss or damage sustained thereby.

There are two vital factors contained in this petition, and I would like the member for Geraldton (Mr. Willcock), when replying to the debate, to answer a few questions. It is stated that from 50,000 to 60,000 acres would be adequate.

Mr. Willcock: We did not state that.

Mr. PICKERING: It is stated in the hon. member's speech.

Mr. Willcock: That was only in a general way.

Mr. PICKERING: When a member introduces a motion like this, we expect him to give us facts. What does the member for Geraldton consider the minimum number of sheep that a man should have on his land there? It is important, because it is a business proposition. We know that the country in the Murchison area is liable to drought, which is one of the reasons why large areas are required there. The rainfall is uneven, and it is therefore necessary to have large areas for stock to roam over.

Member: They follow the rain.

Mr. PICKERING: That is the position, and if we cut up these areas into blocks of from 40,000 to 50,000 acres it is more than probable that there would be a drought over the whole of that area. It would be a simple matter, the member for Geraldton asserted, to move the sheep 50 miles in two or three days.

Mr. Willcock: That would be the limit for them.

Mr. PICKERING: We may assume, then, that the land required for the purposes of the motion would extend from the position of the line and approximately 50 miles back. What is the position of those areas held by other pastoralists? They would be cut off for that distance of 50 miles without any communication allowed them. It is possible for the member for Geraldton to give us information upon this point, and I rather thought that the member for Greenough (Mr. Maley) would have given us information, too, instead of generalities.

Mr. Lambert: It is all right to talk generalities about the South-West.

Mr. PICKERING: I know what I am talking about so far as the South-West is concerned.

Mr. Lambert: I am glad to hear that.

Mr. PICKERING: If the hon. member knew his business as well as I know mine, it would be better for him.

Mr. Lambert: Can you get anybody to endorse that?

Mr. PICKERING: It is unnecessary. It has been suggested that in the Eastern States this course has been followed, and that between 40,000 and 50,000 sheep have been run on the smaller holdings. I am under the impression that if we want to make a success in the Murchison, we must start with at least 15,000 sheep.

Mr. Lambert: That is your ideal, not your idea.

Mr. PICKERING: No, that is my idea, and it is necessary to have at least 200,000 acres to run them on.

Mr. Lambert: Have you ever been on the Murchison?

Mr. PICKERING: It seems to me that behind this petition is something more than meets the eye. It means really the repeal of certain legislation. When an hon. member desires the repeal of certain legislation, he should come forward frankly with that definite object. Neither the member for Geraldton nor the member for Greenough has definitely laid down the minimum area that can be run at a profit as a pastoral proposition.

Mr. Lutey: There are some very small areas up there proving highly successful.

Mr. PICKERING: Then why were those instances not quoted?

Mr. Willcock: The member for Mt. Magnet referred to them.

Mr. PICKERING: But those small areas consist of picked land. I have seen similar instances in other parts of the State. When the hon. member desires us to agree to a motion, he should give full and definite information on the subject.

Mr. LAMBERT (Coolgardie) [10.31]: I think the most important note was struck by the member for North-East Fremantle (Hon. W. C. Angwin). It is absolutely true that the House was misled as to the amend-

ing legislation concerning the pastoral areas. The House was either misled or misinformed as to the operations of the Land Act dealt with in that amending legislation of 1917, which will always be a blot on the land legislation of Western Australia. The Premier, in rather a jocular speech to-night, stated that 70 pastoralists on the Murchison were sufficient. He appeared to emphasise the fact that although probably under the motion we should have an increase in the number of pastoralists, we should not thereby increase the carrying capacity of the land. It was highly regrettable to hear the Premier make such a statement. Western Australia, admittedly, requires population, and it is not so very long since the hon. member and the party with which he was then associated were crying from the house-tops that, after all, it was manhood that counted. Whether this pious motion is passed or not, the fact remains that Western Australia must tackle the problem of settling in a more intensive way the land adjacent to the railways, not only the pastoral areas, but also the agricultural areas. That they must be utilised by a greater number of people no man would gainsay. I am surprised that the Premier should have made so light of this important question. These lands on the Murchison are the first which should be tackled. I do not think any hon. member would suggest that we should not pay reasonable compensation for any land compulsorily acquired.

The Premier: But you want it in 200,000 acre blocks.

Mr. LAMBERT: I am not like the member for Sussex (Mr. Pickering) who, although having no acquaintance with the pastoral industry and who probably has never been on the Murchison, did not hesitate to lay down specific acreages and quantities of stock as being essential for successful pastoral enterprise on the Murchison.

Mr. Smith: He was even able to give the best breed.

Mr. LAMBERT: And he would probably be equally ready to suggest the best breed for every other undertaking. I am scarcely of opinion that to be reasonably successful a man requires 200,000 acres of Murchison land. No other member has suggested that in the settlement, either of the soldiers or of these lands, we are looking for a pastoral area of a quarter of a million acres, stocked, as suggested by the member for Sussex, with 15,000 sheep. That is absolutely ridiculous, and more or less keeping with the conservative view one would expect to emanate from that quarter. I certainly think that, without any injustice being done to the pastoralists of the Murchison, the Premier could indicate his willingness to have some inquiry made as to the possibility of getting a greater number of pastoralists settled there in a reasonably comfortable and decent way.

The Minister for Mines: What about cutting up a large manganese deposit.

Mr. LAMBERT: I hardly think the hon. member is quite in order. However, when the time comes for considering such a proposition, let me say that I will look upon that suggestion very favourably. Seriously, this question of the Murchison lands is of great importance to the State. I am very pleased that the member for Geraldton has brought it forward. Recently I was in Geraldton when the Minister for Mines was there also.

The Minister for Mines: Your mission was very different from mine.

Mr. LAMBERT: Yes, but none the less pleasing. While there I attended a conference in the council chamber, composed mostly of pastoralists.

Hon. W. C. Angwin: Could you attend a conference at such a time?

Mr. LAMBERT: Yes.

Hon. W. C. Angwin: I am sure I could not.

Mr. LAMBERT: I would not expect a Cornishman to have so much control over himself under those conditions. However, I attended the conference. It was most amusing to see the squirming of the pastoralists there in their endeavour to find a way out of the difficulty created by their reluctance to support a motion declaring for the cutting up of the pastoral areas and the making of them available to the soldiers. Those pastoralists at that conference were the very men who, previously, had gone through the country crying to the young and eligible men to go to the Front and fight for their country—meaning the country owned by the pastoralists. And when the soldiers returned, those pastoralists had the audacity to say to them, "If you want pastoral areas, go beyond the Leopold Ranges, where there are plenty of rabbits and wild dogs."

Mr. Teesdale: Rabbits in the Leopold Ranges!

Mr. LAMBERT: I said rabbits or wild dogs. I hope there are not many like the member for Roebourne because I would prefer an army of wild dogs at any time. This is the attitude of these men to-day; the opposition emanated from the holders of the largest pastoral areas. It is all very well for the member for Moore (Sir H. B. Le-froy) to talk about the good work of the pastoralists in breeding up fine stocks of merinoes. No one wishes to detract in the slightest from the fine services the pioneers have rendered to the State, but it must be remembered that Western Australia is progressing, and with that progress comes the necessity for settling land adjacent to the railways, land which can be utilised to a greater extent than is the case to-day. The Government who are unmindful of this fact must prove themselves to be out of touch with public opinion. Public opinion should demand that all such land which is not be-

ing utilised should be made available for utilisation.

The Premier: I agree with that.

Mr. LAMBERT: The Premier stressed the fact that not many soldiers had signed the petition. It is not for us to require the signatures of soldiers to fashion the policy of the country. The policy of the country should be fashioned by thinking men who know. If we are going to pay our interest and sinking fund on the State's indebtedness, we can only do so by a proper use of the land adjacent to railways, and pastoral lands should not be held sacred when the reasonable demands of the State necessitate their use for other purposes. I hope that a reasonable view will be taken of this petition, that common sense will prevail, and that we shall by this motion erase from the statute-book the infamous legislation passed in connection with pastoral leases in 1916-17. I well remember one remark made by the then Premier (the late Hon. Frank Wilson) regarding that measure, that he would keep the House sitting night and day until Christmas in order to pass it. That was his attitude and doubtless the big pastoralists and moneyed interests were behind the then administration to see that this legislation was passed through before Parliament went into recess.

Mr. Smith: He required money.

Mr. Griffiths: I think that was the reason.

Mr. LAMBERT: I believe that the late Premier was actuated by considerations for the best interests of the State when he forced that legislation through. We should seek to cut up these big areas. That is the policy throughout Australia to-day. Due regard should be paid to the pioneers, for whom much can be said. They have done yeoman service for the State and it would ill-become any member to seek to lay hands on their well earned rewards. At the same time the Premier and the member for Moore must recognise that Western Australia is expanding and that land capable of successful settlement is becoming scarcer. Notwithstanding the pride which the member for Moore might have in merino sheep, the manhood of the country must receive first consideration. I regret that the member for Moore should have placed the manhood of the country after merino sheep. The member for Geraldton said sufficient in support of the petition to influence all unbiassed and disinterested members to do their best to make available not only for soldiers but for other people, these areas of land which are capable of carrying a greater population than is the case to-day.

Mr. WILLCOCK (Geraldton—in reply) [10.45]: I should like to explain my position with regard to the petition. Some members seem to infer that I take full responsibility for the drawing up of the petition. I wish to make it clear that I had no say in connection with it. It emanated purely from the returned soldiers. They asked me, as repre-

sentative of the district, to present the petition, and it was my duty to do so. At the same time it was a pleasant duty inasmuch as I agreed with the whole of the petition. Realising, however, that some members would not agree to the whole of the petition, I thought I would frame a motion which would meet with general approval, and I have heard no argument against the motion. There can be no objection to a motion that it is desirable to introduce legislation to facilitate the settlement of discharged soldiers on the pastoral leases of the Murchison. There is nothing objectionable in the motion from any point of view. If it is passed, the Government will be able to go into the matter, consider it from all points of view, and, if legislation is necessary to give effect to the prayer of the petition, it will be their duty to introduce the necessary measure. The member for Sussex (Mr. Pickering) asked for certain particulars in regard to the land. If the hon. member will turn up the "Hansard" report of the speech delivered by the member for Mr. Magnet (Mr. Troy) last year, he will find that that member gave several instances of individuals who had made good on small areas in the Murchison. I know of three or four men with areas of 20,000 to 30,000 acres who are doing well. One is named Atkinson, another is named Drew. These men have no more than 30,000 acres and they run from 2,000 to 3,000 sheep and are making an income of about £1,000 a year. They have not picked land either; it is land which has been left in small blocks here and there. No one else thought it worth while to take up this land. These men, however, thought it such good land that even in small areas it would prove payable and they have demonstrated that it is payable. I am sorry that none of the members representing this large district is in the House, because they are personally acquainted with individuals holding small areas and would be in a position to give instances. The member for Cue (Mr. Chesson) informed me that he could name 10 or 15 men with small areas in this district who were making good and doing well for the State. When moving the motion, I expressed the opinion that an average area of 60,000 acres would be a reasonable proposition. The Premier told us that there is the equivalent of a million sheep on 20 million acres, which works out at one sheep to every 20 acres. An area of 60,000 acres would enable the holder to run 3,000 sheep and anyone with a knowledge of the industry during the past four or five years is aware that 3,000 sheep in good condition will yield by way of wool and lambs an assured income of about £1,000 a year. The petitioners seek to achieve a very laudable object. They desire this closer settlement on the Murchison. I do not think anyone can say that is undesirable. If instead of 60 or 70 settlers in that particular area we had 400 or 500, it would be better for the State generally. When there was no railway there, it could not be expected that this

land would carry as many sheep as it can carry now. There will shortly be a different aspect placed on the position there, for it is intended to establish freezing works in Geraldton and Fremantle. When it is possible for pastoralists to get an outlet for their stock within a few days, they can double the carrying capacity of their land, because they do not need to retain so much reserve ground to meet any possible drought. If the holders of the million or so acres beyond Roebourne felt that they could get rid of half their sheep within a week, they would double the number of stock they hold. The Premier seems to think that the desire is to raise immediately two or three million pounds and buy out these people. The idea really is to have some legislation brought in so that if necessary certain of these pastoral areas can be resumed and offered as holdings to people who apply for them. If no one applies for the land it will not be necessary to resume any. It is considered desirable that there should be legislation to give power to resume if necessary. There are at least 20 soldiers who would take up land on the Murchison next week if they could get it, but they have been told that there is no need for them to apply as it is not available. If it was stated that on application land would be made available to soldiers, I guarantee that within a week of the announcement at least 50 soldiers would apply for land in this area. The Premier stated that the average pastoral holding in this district was about 300,000 acres. A considerable number of these stations range from half a million to a million acres in extent. It is these areas that the motion is designed to cover. When moving this motion I said that in the case of pastoral areas, on which there had been a considerable expenditure, it was not intended that the returned soldiers should have less than 150,000 acres. It is no use trying to make an expensive plant profitable on a small block. It is said that it would be expensive to resume all this land, but the Premier has shown by his own figures, supplied by the departmental assessors, that the total value of the improvements is only £500,000, which works out at 6d. per acre on the average. The Premier seems to think that this petition was got up from political motives. There was no political motive behind the business. It was inspired by the returned soldiers. They got up the petition and spent a lot of money on it. Returned soldiers travelled throughout the district, addressed meetings, and carried resolutions in public and at their league gatherings. When the Minister for Mines was at the Murchison about a month ago they waited on him as a deputation and put before him the arguments used in the petition. As the member for Coolgardie said, the returned soldiers could get land at the back of the Leopold Ranges or near the South Australian border, but could not get any near rail-

way communication. There is no pastoral land available there. The member for Gascoyne suggests that in the event of a pastoralist desiring to sell his holding he should allow the first option of purchase to lie with the Government. If the Government wish to purchase these areas for repatriation or closer settlement purposes they should, in the interests of the country generally, have the first opportunity of doing so. Their policy in regard to pastoral areas along the main goldfields line is that land within five miles of the Great Western should be cut up into 25,000 acre blocks. Taking them on the average the Murchison pastoral lands are a far better proposition than the lands along the Great Western railway.

Hon. P. Collier: There is no comparison.

Mr. WILLCOCK: No. This is proved by the fact that people took up the Murchison land before there was any railway communication with it, while in the other part of the State that I am referring to no one took it up until the railway was built.

Hon. P. Collier: There is the water difficulty there too.

Mr. WILLCOCK: The policy of the Government, as announced in the "West Australian" on the 24th September, was that this land along the Great Western should be reserved for soldiers in blocks of 25,000 acres, and that the maximum allowed in other cases would be 250,000 acres. They have thus practically agreed to the terms of the motion with respect to the newer settlement, but in the case of the older settlement it is a question of "hands off," and nothing will be done. I thought the Premier would have referred to the question of disturbance. In the case of the agricultural lands it is not proposed to pay compensation on the score of disturbance, but in the case of the pastoral areas not only has the value of the improvements to be paid but payment has to be made for disturbance, although this may involve payment for what these lands would have returned over a period of 25 to 30 years.

Hon. P. Collier: It amounts to good-will.

Mr. WILLCOCK: It means the amount of money that a pastoralist could have made off the property for this number of years if it had not been resumed. This is directly in opposition to the manner in which the agricultural lands are dealt with. The Premier made a fuss about there being only 11 signatures of soldiers on the petition. When I first presented this petition I stated that it was got up in a certain way by the returned soldiers. They alone had anything to do with it. When the time came to present it the discovery was made that it was not in accordance with the Standing Orders of this House. Something like 1,800 signatures had then been obtained, but when the petition was sent round again only a few hundred

signatures were obtained in the limited time that was available. In signing the petition the majority of the soldiers did not disclose the fact that they had been in the ranks. Most of them merely gave the occupations they were following at the moment. The only people who seem to like to retain their military titles, are the brass hats—colonels and majors. I know one man who was a major in the A.I.F., and who has signed this petition, and yet there is nothing in his signature to show that he is a returned soldier. My reference is to Major Kidd, who distinguished himself in Gallipoli and in other theatres of the war.

Mr. Teesdale: But you can cut out the Catholic Bishop; he is not a returned soldier. And then there are the women signatories.

Mr. WILLCOCK: I think there is a Catholic Bishop who is a returned soldier. I believe the Anglican Bishop sometimes refers to his war services at the Front, and I know he wears the returned soldier's badge. Perhaps, if I were in his position, I would be equally proud to wear the badge. However, my point is that one cannot gather from the description which the signatories to this petition give of themselves what they have or have not done in connection with the war. It is possible for anyone who signed the petition to be a returned soldier or a returned nurse. I see that the Premier has just entered the Chamber. It may be interesting to him to learn that the portion of the original petition which I now hold in my hand contains the signatures of 52 men whom I personally know to be returned soldiers. Let me add that I was not responsible in any way for the getting up of the petition. The petition was got up by the returned soldiers themselves, and they asked me to present it. I do not think there can be any objection to the motion which I have moved.

The Premier: The motion and the petition are one.

Mr. WILLCOCK: Yes, but there can be no objection to voting for the motion. It is so worded that anyone can agree to it. Indeed, it is so worded that even the Government cannot take any strong exception to it. Although much more might be said on the subject, I think sufficient has been said to convince the House of the necessity for carrying the motion.

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

Ayes	..	..	..	..	10
Noes	..	..	..	..	14

Majority against 4

AYES.	
Mr. Angwin	Mr. Munsie
Mr. Collier	Mr. Rocks
Mr. Griffiths	Mr. Willcock
Mr. Jones	Mr. O'Loughlin
Mr. Lambert	(Teller.)
Mr. Lutey	

NOMS.

Mr. Angelo	Mr. Pickering
Mr. Broun	Mr. Plesse
Mr. Draper	Mr. Scaddau
Mr. Harrison	Mr. Teesdale
Mr. Hickmott	Mr. Underwood
Sir H. B. Lefroy	Mr. Hardwick
Mr. Maley	(Teller.)
Mr. Mitchell	

Question thus negatived.

House adjourned at 11.8 p.m.

Legislative Assembly,

Thursday, 21st October, 1920.

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

QUESTION—WATER SUPPLY, DEPARTMENTAL AGREEMENT.

Mr. ROCKE asked the Minister for Works: 1, Is it a fact that the Water Supply Department demand an agreement for an annual payment of £2 2s. 4d.; in addition to the statutory rate, before granting a water supply service to residents and others desiring to build on Cockburn Sound Location 134? 2, If so, by what authority is the additional charge of £2 2s. 4d. per annum made? 3, In view of the fact that the estate has paid water rates during a period covering 25 years, for which no service has been rendered in return, will he remove the hardship operating against the interests of citizens of the working class, by giving them the necessary water supply service without the enforcement of the demand for the additional payment of £2 2s. 4d. per annum?

The PREMIER (for the Minister for Works) replied: 1, Yes. 2, Section 38, Metropolitan Water Supply Act, 1909. 3, The department require sufficient annual revenue to cover annual expenses, interest, etc., on each main extension. If rates do not produce sufficient revenue, a guarantee of deficiency is required as in this case. The total water rate on the whole estate is £3 15s., which is levied because the estate was held in one ownership, and portion thereof was with-in the prescribed distance of our mains.

QUESTION—WHALING STATION MACHINERY.

Mr. MUNSIE (for Mr. O'Loughlen) asked the Minister for Railways. 1, Was the Railway Department the purchaser of the machinery dismantled at the whaling station at Albany? 2, Is it a fact that engineers and fitters from the Railway Department were engaged in removing this machinery and plant? 3, What was the price paid? 4, Has the plant been since sold, if so, what price was realised?

The MINISTER FOR RAILWAYS replied: 1, The Department purchased the tanks and tank plates (83 tons), and one lathe. 2, Boilermakers were employed on the removal of the tanks. 3, £2,000 for the tanks and plates; £260 for the lathe. 4, One 97,000 gallon tank, and three small tanks (weighing 17 tons) have been sold to the Water Supply Department for £1,180.

QUESTION—RAILWAY PROJECT, YARRAMONY-NORTH BAANDEE.

Mr. HARRISON asked the Premier: Seeing that the Railway Advisory Board's report on the proposal to construct a railway from Yarramony to North Baandee is favourable, and that the railway is likely to bring in a surplus of £1,793 per annum over working expenses, excluding interest, is it his intention to introduce a Bill authorising the construction of this railway during the present session?

The PREMIER replied: The question will have consideration.

QUESTION—INDUSTRIES ASSISTANCE BOARD, COMMISSION AND ADVANCES.

Mr. HARRISON asked the Premier: 1, What was the amount of commission paid by merchants to the Industries Assistance Board on super. supplied to board clients for the year 1919 (1919-20 crop)? 2, What was the amount of commission received by the Industries Assistance Board on account of the purchase of machinery, jute goods, and other supplies to farming clients of the board for the same period? 3, What was the total amount of commission received from all sources? 4, Were these amounts paid to revenue or used for the cost of the administra-