

very short period it was floated in London for £700,000. Within 12 months of that company commencing operations it was recognised on all hands that the mine was a miserable failure. That is not the only instance we have of one mine said to be the best in the world, or the richest in the State, proving a failure. Hon. members must recollect the Wealth of Nations. It would be amusing to peruse the reports in the newspapers which were published when that mine was first discovered, a mine which, I think, was sold for £100,000. That mine never justified in the slightest degree the anticipations of its success. Coming to more recent times, members will recollect the Queen of the Earth at Yerilla. That, again, was described as extremely rich; in fact, it was said that the gold could be seen in the ore as though it was moss growing on a rock. All these mines, said to be extremely rich and with the most prosperous future, have petered out. They are isolated instances, and if a railway had been built to each one of those mines it must have proved an undoubted failure. Are we any better off to-day in building a railway to this one mine called the Bullfinch than we would have been if the Government had built a line to the Londonderry or the Queen of the Earth or the Wealth of Nations years ago? It is stated here that this mine is extremely rich; and that therefore so far as this mine is concerned it is quite unnecessary to build a railway, but that we have to consider the mining industry. We know, too, that the discovery of this mine has given an immense incentive to prospecting in the neighbourhood. Prospecting parties are out in all directions and it is probable that other mines, let us hope of a permanent nature, will be discovered and in a short time, I venture to think, we shall be in a much better position to know where the railway is to go than we are now. If information had been laid before this House to-night showing that there was an immediate necessity for the building of the railway to this one mine, a necessity not as regards this one mine but as regards the mining industry, I would gladly have supported it, but I regret

that information of that character has not been forthcoming. The time may come when it will be necessary to build this railway; if so, I can only hope that the House will pass the line immediately, but at the present time, if we are going to build the railway to the one mine, there are very likely other mines in the State which can make an equal claim. What is the justification put forward by the Government for the line? Not expenditure of money for the development of the State, but expenditure merely on the basis of a commercial speculation. We have enough work to do in this State out of borrowed funds in the direction of developing our resources. We have more than we can manage and at the present time we are not justified in borrowing money to indulge in works that are put before the House merely as commercial speculations.

On motion by Mr. Troy debate adjourned.

The House adjourned at 11.14 p.m.

PAIR.

Mr. Keenan

| Mr. Davies.

Legislative Assembly,

Wednesday, 16th November, 1910.

	PAGE.
Questions: Railway construction, Mt. Magnet-Sandstone	1498
Education Department, Assistant Inspector	1498
Public Servants and Defence Forces, School Teachers	1498
Land Transfers, Wongan Hills	1498
Railway Construction, Wongan Hills	1499
State Hotel for Southern Cross	1499
Miners' wages, Bullfinch	1499
Sweating, Mr. Brennan's statement	1499
Redistribution of Seats	1499
Paper presented	1502
Motions: Railways action, Faiching v. Commissioner	1502
Lands Department and charges of corruption, Commission of Inquiry	1502

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

QUESTION—RAILWAY CONSTRUCTION, Mr. MAGNET-SANDSTONE.

Mr. HEITMANN asked the Minister for Works: 1, What was the amount of the lowest tender for the construction of the Mt. Magnet-Sandstone railway? 2, What was the estimate of the department? 3, What was the cost of the Work?

The MINISTER FOR WORKS replied: 1, £86,979. 2, £74,215. 3, Cost to date, £71,876.

QUESTION—EDUCATION DEPARTMENT. ASSISTANT INSPECTOR.

Mr. COLLIER (for Mr. Bath) asked the Minister for Education: 1, Is it the intention of the Education Department to appoint an assistant inspector of schools as advertised? 2, If not, why did the department change its opinion concerning the appointment after having advertised for applicants for the position?

The MINISTER FOR EDUCATION replied: 1, No. 2, It was desired to leave open the possibility of re-appointing the officer in question to the teaching staff after a period. It was found that, if this proviso were made, he could only be appointed under the Public Service Act as a temporary employee—a position which would not be satisfactory. He has therefore been appointed as advisory teacher, remaining on the teaching staff.

QUESTION — PUBLIC SERVANTS AND DEFENCE FORCES.

School Teachers.

Mr. COLLIER (for Mr. Bath) asked the Minister for Education: 1, Is it a fact that the Education Department has refused permission to school teachers to act as area officers in the Commonwealth Defence Forces on the ground that it interferes with duty? 2, If so, in what way does the acceptance of such positions interfere with school teachers' ordinary duties? 3, Has leave been granted to teachers on full pay to attend church and other conferences during periods when the schools were not on holiday? 4, If so, why is such differentiation made? 5,

Is it because of antagonism to the Federal authorities?

The MINISTER FOR EDUCATION replied: 1, Yes. 2 (a) It would necessitate six weeks' leave of absence at once. (b) It would necessitate a fortnight's leave each year for a camp of instruction. (c) It would necessitate frequent leave of absence during school hours. Amongst other duties the area officer has to supervise junior cadets, who can only be seen during school hours. In many cases he would have to travel to places from which he could not possibly return in time for his school work. 3, In one case a teacher was allowed to deduct for this purpose one month from long service leave, which would have fallen due in the next year. 4 and 5. Answered by answer to 3.

QUESTION—LAND TRANSFERS, WONGAN HILLS.

Mr. SCADDAN asked the Minister for Lands: 1, Who were the original holders of the following lots, situated at or near Wongan Hills, 1406, 1407, 1409, 1420, 1421, 1451, 1454, 1440, 1438, 1442? 2, Have any of these lots been transferred? If so, to whom, and how long after first approval? 3, Has a caveat been lodged by any person or persons, other than the Agricultural Bank, against the transfer of any of these lots? 4, If so, which lots, and by whom?

The MINISTER FOR LANDS replied: 1, Location 1406, H. T. Kelsall; location 1407, H. T. Kelsall; location 1409, S. N. Radford; location 1420, S. Gargell; location 1421, C. G. Linke; location 1451, C. G. Linke; location 1454, F. T. Radford; location 1440, W. C. R. Simmons; location 1438, W. Levi; location 1442, P. Levi. 2, Yes, with the exception of location 1440 they have been transferred as follows:—Location 1406 to C. B. Douglas; about 3 years. Location 1407 to Mrs. H. B. Douglas; about 4 years. Location 1409 to E. Campbell; about 4 years. Location 1420 to O. L. Bernard; about 4 years. Location 1421 to C. Wilding; about 4 years. Location 1451 to C. Wilding; about 4 years. Location 1454 to A. T. Norrie; 1 year, 3 months. Location 1438 to W. Robert-

son; 3 years, 5 months. Location 1442 to D. J. Robertson; 2 years. (Location 1409 was transferred by order of the Court.) 3, Yes. 4, Location 1420 by C. B. Douglas as mortgagee; Location 1440 by P. Wholley as purchaser; Location 1438 by the Commercial Bank as mortgagee.

QUESTION—RAILWAY CONSTRUCTION, WONGAN HILLS.

Mr. SCADDAN asked the Premier: Will he explain why the Goomalling-Wongan Hills line is not being constructed the full length provided in the Act authorising its construction?

The PREMIER replied: The Engineer-in-Chief recommended that the line should stop for the present at the temporary reserve at the 34-mile from Goomalling until it was definitely decided as to the direction for its continuation to junction with the Geraldton-Cue Railway.

QUESTION—STATE HOTEL FOR SOUTHERN CROSS.

Mr. TROY (for Mr. Horan) asked the Premier: In view of the inadequacy of the hotel accommodation at Southern Cross, will the Minister take into consideration the advisability of establishing a State hotel at that centre?

The PREMIER replied: The Government have no such intention at present.

QUESTION—MINERS' WAGES, BULLFINCH.

Mr. TROY (for Mr. Horan) asked the Minister for Mines: 1, In view of the announcement made that Mr. Richard Hamilton is associated with Mr. Doolette in the management of the Bullfinch mine, is there any connection with this circumstance that accounts for the reduction of the miners' wages from 12s. 6d. per shift as formerly paid, to 10s. 10d. as now enforced. 2, Recognising the advantage that must accrue to the State where peaceable industrial conditions prevail in a new mining field, will the hon. Minister exercise his influence in bringing to-

gether the parties concerned with a view to the restitution of the original wage paid by Mr. Doolette, and thus save a reference to the Arbitration Court?

The MINISTER FOR MINES replied: 1, I have no information upon this matter. 2, I will always do what I can to settle any industrial dispute in which I may be asked by those interested to intervene.

QUESTION—SWEATING, Mr. BRENNAN'S STATEMENT.

Mr. TROY asked the Premier: 1, Has the Premier received a reply from Mr. Jas. Brennan in connection with his statement regarding the existence of sweating in the city of Perth? 2, If so, what action does the Premier intend to take to wipe out the evil?

The PREMIER replied: No reply has yet been received, and a reminder has been sent.

REDISTRIBUTION OF SEATS.

Mr. SCADDAN (Ivanhoe): May I, with your permission, Mr. Speaker, make a short statement in connection with the answer given to my question without notice yesterday. I asked the Premier whether he would state to the House when the Government proposed to bring down the Redistribution of Seats Bill, and I again desire to draw attention to this question, and to ask again that the Premier might go so far as to introduce the Bill, and have it printed so as to allow members to see what is contained in the measure which is of such vital importance, not only to the Government and supporters of the Government, but also to every constituency in the State, and to every member for every constituency. It is of such vital importance that we contend the Bill should be presented to Parliament at the earliest possible date. It is absolutely unfair to continue the business of this Chamber, as we are continuing it during this session, with a measure of such vital importance to the whole of the community held up until such time as it will be brought to the House when all other business is disposed

of, held, so to speak, like a revolver at the heads of members. I contend, if there is no ulterior motive on the part of the Government to keep it back until the last moment, there can be no reason why the Government do keep it back. If there is no truth in the statement repeatedly made that the Government are desirous of jerrymandering electorates there can be no reason why the Bill cannot be presented to the House. It is true the Government require an absolute majority of members of the House to carry the Bill; we recognise that; but there may be a possibility that if there is justice in the redistribution, members of the Opposition will be prepared to support the Government in getting that statutory majority. Moreover, let me say for every member of the Opposition, we recognise the necessity for a redistribution of seats; and so long as it is done in a fair and open fashion, there will be no opposition towards the Bill from any member of this side. That is the attitude of the Opposition in this matter; it is well to be open and fair. I may point out that if the Bill is brought down there is no compunction on the part of the Government to bring it forward on the Notice Paper until they have a majority to pass it into law; but is it fair to ask the Opposition to assist the Government in keeping the business going, while at the same time the Government are keeping back until the last moment something which is of vital importance to the whole being of the community, with the object of forcing it on the country without the Opposition having the opportunity of knowing what it is? I again request that the Premier will bring down the Bill in order that members may see it. I contend that it will facilitate the business of the Chamber if that course is adopted. There can be no reason why the Government should not be open and frank with the House on a matter of such vital importance, instead of keeping the measure back and bludgeoning it through at the last moment. If it is a fair redistribution there can be no reason why the Bill should not be brought down without waiting until the last moment to do it.

The PREMIER (Hon. Frank Wilson): The hon. member is quite aware that I intend to bring a Redistribution of Seats Bill down at the very earliest opportunity. He is also aware, because I have discussed the matter with him and told him, and he has explained to-day, that we must have a statutory majority.

Mr. Scaddan: To pass the second reading only.

The PREMIER: We must have an absolute majority of the House to pass the second and third readings of the measure. I thank the hon. member very much for his offered assistance, but I would remind him it is not customary for any Government to rely upon the Opposition in the passing of measures of this description.

Mr. Johnson: It should be so on a Redistribution of Seats Bill.

The PREMIER: If the hon. member will guarantee me the statutory majority I do not mind bringing down the measure at once for the second reading.

Mr. Holman: That shows it is ready.

The PREMIER: If you guarantee me the majority I will bring it down at once.

Mr. Holman: If you guarantee it is a fair and reasonable redistribution you will get all the support necessary.

The PREMIER: I guarantee it is a fair and reasonable measure, but I am not assured I will get the hon. member's support.

Mr. Scaddan: You are not bound to have the second reading at once.

The PREMIER: I must be prepared to have the second reading immediately I produce the measure. The second reading and the introduction must be made so that people will understand what the measure is.

Several Opposition members interjected.

Mr. SPEAKER: Order. One member at a time. Members must not interject like this.

The PREMIER: I must be prepared for the second reading division as soon as I introduce the measure—there is no question about that—and I am not going to leave myself in the position of being at the tender mercies of the Opposition.

Mr. A. A. Wilson: You do not want us to buy a pig in a poke, do you?

The PREMIER: It is no use members asking me to put myself in the hands of the Opposition. I shall not do it.

Mr. Heitmann: Do you not think courtesy demands that we should know the contents of the Bill?

The PREMIER: The custom is that you should not know the contents of the Bill until it is presented to Parliament, and courtesy demands that the explanation of the Bill should be given when the Government have their members at command to carry the second reading. I propose to bring the measure down as soon as I possibly can. I have stated that I hope to bring it down within a fortnight, when I hope the member for Wellington will be well enough to be in his place. As soon as I know that I have his presence assured I will be prepared to submit the measure. It will not take hon. members long to grasp it.

Mr. Angwin: The people in the country want to know something about it too.

The PREMIER: It is for the House to consider, not the people in the country. I am going to submit it to hon. members for their consideration, and there will be ample time for hon. members to grasp all the provisions of the measure. I would also remind members that they represent the country and there is no necessity for them to go to their electors and refer matters of this description to them. Members represent the people of the State, having been elected to represent them.

Mr. Bolton: Do you think it will be a fair thing to carry the second reading on the day that you introduce the Bill?

The PREMIER: I did not say I was going to move the second reading as soon as it was introduced.

Mr. Scaddan: Why are members sitting behind the Government aware of the contents of the Bill?

The PREMIER: Why should they not be aware of the contents of the measure; why should they not be consulted about the legislation the Government intend to introduce?

Mr. Scaddan: And why should we not be consulted?

The PREMIER: Because hon. members opposite are not members of the Government party. It is absurd to talk like that.

Mr. Walker: It is your duty to take the House into your confidence.

The PREMIER: I do not require the member for Kanowna to teach me my business.

Mr. Walker: It seems so.

The PREMIER: I know my duty to the House and I know my duty to my colleagues and my party, just as the leader of the Opposition consults his caucus as to every move he takes.

Mr. Scaddan: We know our duty to the country.

The PREMIER: The hon. member, apparently, does not know his duty to the country. Let me repeat, in conclusion, that I propose to bring the measure down at the earliest opportunity, and the hon. member opposite must allow me to be the judge of that opportunity. When he is in my position I am sure he will endeavour to carry on the business of the country as I propose to do.

Mr. HOLMAN: He will do it honestly.

Mr. SPEAKER: The hon. member must withdraw that remark.

Mr. Holman: I cannot withdraw the remark. Must I say that he will not do it honestly?

Mr. SPEAKER: The only construction that can be put upon the remark is that it is offensive, and the hon. member must withdraw it.

Mr. Holman: It is an impossibility for me to withdraw it. All I said was that the leader of the Opposition would do it honestly if he gets over there.

Mr. SPEAKER: The remark is offensive and it is usual to withdraw offensive remarks. I will ask the hon. member to withdraw.

Mr. Holman: Very well, I withdraw.

Mr. SCADDAN: It is due to members on this side of the House as well as to members sitting on the Government side of the House that they should know at the earliest moment the intention of the Gov-

ernment in connection with the Redistribution of Seats Bill.

The Premier: They will know.

Mr. SCADDAN: I contend that there is no reason why other business should be transacted until such time as we know what is going to happen in connection with this particular Bill. The Premier imagines that he can carry on the business of the House without the assistance of the Opposition. Probably we will give him the opportunity of trying.

PAPER PRESENTED.

By the Premier: Contributions paid by local bodies under the District Fire Brigades Act (return ordered on motion by Mr. Piesse).

MOTION — RAILWAYS ACTION, FAICHING v. COMMISSIONER.

On motion by Mr. GILL, ordered: That all papers in connection with the case Faiching v. Commissioner for Railways, that came before the Local Court, be laid on the Table of the House.

MOTION — LANDS DEPARTMENT AND CHARGES OF CORRUPTION.

Commission of Inquiry.

Mr. SCADDAN (Ivanhoe) rose to move—

That the proposed Commission of Inquiry into the administration of the Lands Department is unsatisfactory.

He said: Before I proceed with the motion may I ask the Premier what is the intention of the Government with regard to the Royal Commission?

The Premier: The intention of the Government is to appoint the Royal Commission as indicated.

Mr. SCADDAN: May I outline to the House the proposed scope of the Commission as given to me by the Premier in a communication received on the 3rd of this month. It is as follows:—

To the Honourable Robert Furse McMillan, a Judge of the Supreme Court of Western Australia, greeting:—Whereas on the twelfth day of October, one thousand nine hundred and ten,

allegations or implications were made in the Legislative Assembly of the existence of corruption in the administration of the Department of Lands and Surveys, and, particularly, that a Government advertisement was inserted in the *Sunday Times* to prevent adverse criticism of the said department in connection with the grant of block 73 on the Stirling Estate to Mr. Dunkley: and whereas it is desirable that a Royal Commission be appointed to examine into and report upon the said charge and to invite persons to bring forward charges of corruption—

I desire to lay emphasis on the word "corruption." The document proceeds—in the administration of the said department, and to inquire into any charges that may be brought forward pursuant to such invitation: Now therefore I, the said Governor, do hereby appoint you, the Honourable Robert Furse McMillan, to be a Royal Commissioner within the meaning of the Royal Commissioners Powers Act, 1902, sitting alone for the purpose of examining into and reporting upon the said charge and of inviting persons to bring forward charges of corruption in the administration of the said department and of inquiring into and reporting upon charges that may be brought forward pursuant to such invitation: and I do hereby desire and request that you do as soon as the same can conveniently be done (using all diligence) report to me in writing your proceedings in virtue of this Commission. Given under my hand and the Public Seal of the said State of Perth this 1st day of November, One thousand nine hundred and ten. By His Excellency's Command.

The Premier submitted that to me with the following covering letter:—

As promised I now enclose for your information draft copy of proposed Commission appointing His Honour Mr. Justice McMillan to inquire into the charges of corruption against the Lands Department, and shall be glad to learn that members of the Opposition who believe those charges are prepared to give

evidence before the Royal Commissioner.

To that letter I sent the following reply:—

Re proposed Royal Commission to inquire into alleged charges of corruption in the Lands Department. In reply to yours *re* the above of the 3rd instant I have the honour to state that I have consulted with the Opposition and find they are at one with me in dissenting from your proposal. They do so on the grounds, first of all, that the accusations being made in Parliament should have been answered in Parliament and nowhere else. It is altogether objectionable and, moreover, unconstitutional to refer speeches of members of Parliament to the censorship even of the Supreme Court Judges. Responsible Government means nothing if it does not mean that the Minister is responsible to Parliament for his administration of his department, and criticisms of that department made in Parliament should be answered by him in Parliament and nowhere else. We object to delegate these obligations to any outside body by whom, whence, or how appointed. We also object to being turned into public prosecutors, especially whilst only possessed of the means of obtaining the information of private citizens. We hold most strongly to the view that it is the duty of members to state grievances and ventilate abuses freely in their places in Parliament and, further, that it is the duty of a Government to inquire into the matters represented to them. The criticisms levelled against the Lands Department were supported by abundant facts, and the evidence adduced was such as to justify an immediate and full inquiry. It is the duty of the Government to authorise and conduct such inquiries, and I say that nothing short of such a free and full inquiry into the whole administration of the Lands Department is likely to satisfy the public.

The Premier: You sent that this morning.

Mr. SCADDAN: Yes; this morning. I want to point out in connection with this

matter we hold the opinion to-day that in connection with Royal Commissions, and even as strongly after Royal Commissions have submitted their reports, that members of Parliament have the duty devolving upon them as representing constituencies to freely criticise the administration of a department controlled by any Minister, and we propose to do so in the future just as we have done in the past.

The Premier: Criticise?

Mr. SCADDAN: And in the manner we think desirable. We absolutely decline to permit this Government or any other Government to compel members to act as public prosecutors because they dare to criticise Ministers. The right to free criticism is almost as old as the House of Commons itself, and the only power to deal with a member for criticising, is the House itself.

The Premier: No.

Mr. SCADDAN: We will see how far a member can go.

The Premier: What did the Parnell Commission do?

Mr. SCADDAN: The point is this; as to what Royal Commissions may have sat in the past to inquire into criticisms levelled against either a Minister or a public officer by any member of Parliament outside of this Chamber, or outside of Parliament itself, we have no concern. But the point remains that the criticisms levelled against the Lands Department were made by an hon. member in his place, and for those criticisms he is responsible, first of all to his constituents, and secondly, to the House, and the only tribunal in the State that can deal with that hon. member is the House itself. I want to say that if the Government imagine for a moment that the threat of a Royal Commission hanging over a member for any criticism he may make against a Minister or public officer is going to compel hon. members to cease their criticisms in the future they are making the greatest mistake in their lives. We are going to criticise departments as we think fit, and threats of Royal Commissions will not affect us in the slightest degree. We must remember that when those criticisms

were made in the House, Ministers opposite had the opportunity of replying to them and showing that the statements which were made were false or otherwise. What happened? The Minister for Lands proceeded to his electorate at Northam while that criticism was proceeding in this Chamber, and he cannot plead that he had no knowledge that charges would be made against him. I first of all formulated charges when moving the motion of no-confidence, and he must have been able to discover just as other members did, the fact that the no-confidence motion was an attack on the administration of the Lands Department. That being so, the Minister could not be ignorant of the fact that other members would follow up the criticisms made on his department during the progress of that no-confidence debate, and had he been desirous of defending himself and his administration he would have remained in the Chamber to hear the charges, and afterwards replied when the opportunity presented itself. Now let me say that the Minister for Lands came to me prior to the sitting on the Wednesday, and asked whether I would agree to Mr. Swan accompanying him to Northam in order that he might attend the show. The Minister said he had not missed a Northam show since being a member, and did not desire to miss that one. I saw Mr. Swan, and indeed I may go so far as to say I induced him to accompany the Minister; but the Minister told me definitely in the corridor that he would return to Perth to be in his place in the Chamber after the tea adjournment. I also pointed out to the Minister that I would not agree to Mr. Swan accompanying him unless it was definitely understood that no division would be taken on the no-confidence motion during their absence, as Mr. Swan, with other members, was desirous of recording his vote. The Minister therefore promised me definitely that they would be back after the tea adjournment. We soon discovered, however, that the Minister was so little concerned about the criticisms on his department that he did not think it worth while to return to Perth that day, or indeed that evening; he remained in

Northam till next morning, and the Premier, although aware of the fact that the responsible Minister was away, permitted the vote to be taken—indeed, he arranged it with the Minister over the telephone.

The Premier: You forced the division yourself.

Mr. SCADDAN: That is an absolute misstatement. No member on this side forced the division. Let me tell the Premier the only members who spoke that evening in connection with the no-confidence motion were members on this (Opposition) side of the House; and we twice moved the adjournment of the debate but the Premier declined to agree to it.

The Premier: I offered you an adjournment if you would complete your charges and the discussion on the next day.

Mr. Bolton: You did not.

Mr. SCADDAN: That was after we had had a wordy warfare across the Chamber with regard to the desirability of the Minister for Lands having an opportunity of replying to the criticisms. Almost the last words before the division was taken were, "Will you agree to complete the debate to-morrow evening?" That was a remark by the Premier, and I said "I will agree to nothing."

The Premier: Exactly.

Mr. SCADDAN: But I take no particular responsibility when I say I will not agree. It was considerably after midnight, and the Premier, controlling the Chamber, could have adjourned the House any time he felt desirous of so doing. Members on this side had been the only speakers on the motion that evening and had twice moved for the adjournment of the debate; consequently it cannot be correctly stated that we forced the division. Moreover, it is an admission of want of control of the Chamber for the Premier to say that we did so.

The Premier: Not at all.

Mr. SCADDAN: I say it was a sign of weakness that the Premier should have permitted the division to be taken before the Minister for Lands, who was being attacked, had time to reply. Let me tell the Premier he has some difficulty in front of him to convince the

people of the country that it was not done deliberately to prevent the Minister for Lands from replying.

Mr. Collier: Especially the people in the farming districts.

The Premier: The people are perfectly satisfied.

Mr. SCADDAN: The Premier is apparently satisfied, but from correspondence I and others are receiving every day I fancy the Premier will find the people are not as satisfied as he imagines. All fair-minded people in the State are of the one opinion, namely, that the Minister for Lands should have been here and should have had an opportunity of replying before the motion was put to a division. And it is not only the public outside who are of that opinion. The Member for Murray absolutely refused to vote on the no-confidence motion because the Minister for Lands was not given an opportunity of replying. Will the Premier deny that, and will the Premier deny that other members supporting the Government took up the same position although they were not sufficiently courageous to carry it to the same lengths as did the member for Murray?

The Premier: You had better put your question to the member for Murray.

Mr. SCADDAN: I do not want to put any question to the member for Murray. The fact remains that the member for Murray next day made a public explanation in the House, furnishing his reason for not voting, namely, because the Premier refused to give the Minister for Lands an opportunity of replying.

The Premier: I did nothing of the sort.

Mr. Collier: You did.

Mr. SCADDAN: I have heard the Premier frequently put up weak arguments, but his statement now is the weakest I have ever heard.

The Attorney General: We wanted to make an arrangement, but you said you must have it in black and white.

Mr. SCADDAN: I am prepared to admit that.

The Attorney General: You made use of the insulting remark that you must have it in black and white.

Mr. SCADDAN: What has an insulting remark to do with the fact that the Premier refused his colleague an opportunity of replying to these criticisms? I want to know whether the personal feelings of the Premier in connection with any statement made by me or any other member of the Opposition should weigh more with him than the reputation of his colleague when attacked as he was that night. I know the Attorney General sufficiently well to be sure he would never permit such a thing to occur if an attack had been made on the administration of his department. The Minister for Lands showed a want of backbone when he came next day and sat in his place without entering any protest against the action of the Premier. There are not many members who would have permitted such a thing to go without the strongest protest. The Minister for Lands should have entered such a protest and, in fact, should have tendered his resignation as a Minister of the Crown until he had been given an opportunity of replying to the criticisms. I do not know that I have ever read of anything in political life that would equal the want of backbone displayed by the Minister for Lands and the want of consideration for a colleague displayed by the Premier on that occasion.

The Premier: You have not read very much.

Mr. SCADDAN: Perhaps not, but I do not think many members of Parliament would have permitted anything of the kind without a very strong protest against the action of the Premier. Dealing with the proposed commission of inquiry, I may say the members of the Opposition have no objection to a full inquiry into the general administration of the Lands Department—in fact they would welcome it.

The Minister for Works: By Parliament?

Mr. SCADDAN: I do not care by whom so long as it is not in the direction proposed by the Government. We do not want a commission of inquiry to whitewash the Minister and his colleagues, and the proposed commission cannot possibly

have any other effect. The Government are asking that the member for Albany shall come before the commission and formulate a direct charge.

The Premier: No; merely that he shall prove the charge he made.

Mr. SCADDAN: He proved it in this Chamber. The Premier was here at the time and if he had listened to the debate, as he should have done, he would have seen that the member for Albany absolutely proved every charge he made.

The Premier: He proved nothing.

Mr. SCADDAN: He proved everything, there is not the slightest doubt about it.

Mr. Monger: That is absolutely incorrect.

Mr. SCADDAN: What is the hon. member going to tell us?

Mr. Monger: I will tell you something pretty strong outside.

Mr. Holman: Is the member for York in order in threatening the leader of the Opposition?

Mr. SCADDAN: Let me repeat that the hon. member proved every statement he made.

The Attorney General: Which member are you referring to when you say he proved the charge?

Mr. SCADDAN: The member for Albany, who probably in the course of this debate will be able to repeat the charge, and show you also that he proved it.

The Minister for Works: What did he prove?

Mr. Heitmann: Undue influence.

Mr. SCADDAN: He proved the charge respecting the block of land granted to Dunkley and let me say—

The Attorney General: A charge of corruption?

Mr. SCADDAN: Charges against the maladministration of the Lands Department. I am not going to allow the Attorney General to put words into my mouth. He wants me to say that the member for Albany made a charge of corruption against the Minister for Lands or against the officers of the Lands Department.

Mr. Price: Did I make use of the word corruption?

Mr. SCADDAN: The Attorney General was here and heard the debate, so he will know what I am referring to.

The Attorney General: I believe you mean the charge of corruption; I may be wrong.

Mr. SCADDAN: The Attorney General will be given plenty of opportunities during the debate to make himself right; it is not unusual for him to be wrong.

The Attorney General: I would like to know to what charge you are referring.

Mr. SCADDAN: The charges made by the member for Albany as recorded in *Hansard*. If the Attorney General wants to make himself right, let him look up *Hansard*.

The Attorney General: Then that is the charge of corruption.

Mr. SCADDAN: All right, I am not going to object; have it your way. What we contend, Mr. Speaker, is that when criticisms are made against the administration of any department controlled by a responsible Minister, it is the duty of the Government to either disprove these statements or give the House the reasons why such maladministration has taken place. But there was no attempt either by the Premier or any of his Ministers to disprove the statements made.

The Premier: I disproved all of them.

Mr. SCADDAN: The Premier in the course of the debate only gave the details of those matters concerning which I had furnished the outline, and in giving those details he proved that there had been maladministration in the Lands Department in connection with the matters I referred to. The member for Albany in discussing the motion gave further details which the Premier carefully avoided, and which went to show that the charges made were more serious than apparently the Premier was prepared to accept. I contend that the Government should have taken the earliest opportunity of getting the full particulars in connection with each of these charges, and the Minister should have replied to the criticism. I would like to say I am supported by the best of authorities in the view to which I gave

utterance at the commencement of my remarks on this motion, namely, that it is unconstitutional to call any member to book, to call him before any outside authority to explain or substantiate any criticism made in Parliament. This, I say, is proved by the best authorities. Todd, in *Parliamentary Government in England* says—

It would be unconstitutional to refer to a Royal Commission subjects which are connected with the elementary duties of the executive Government and with its relations to Parliament;

Can the Premier deny that the administration of the Lands Department comes under that category—"Subjects which are connected with the elementary duties of the executive Government and with its relations to Parliament?" Will the Premier deny that, or that it is unconstitutional? It goes on—

(or) to appoint a Royal Commission with a view to evade the responsibility of Ministers in any matter, or to do the work of existing departments of State who possess all needful facilities for obtaining information upon questions of detail, and who are directly responsible to Parliament.

Can anything be more definite than that? That exactly meets the case which is at present before the House. Criticism was made against a department controlled by a responsible Minister who is responsible in the first place to Parliament, and who was given an opportunity of replying to those criticisms; and to appoint a Commission on this particular matter is in my opinion just another of the actions of the Government to avoid the responsibility which rests upon Ministers controlling public departments. That being the case, I contend that there is no warrant for the Government appointing a commission on the terms indicated in the letter sent to me by the Premier. As a matter of fact the scope of that Commission is only with regard to the alleged charge of corruption made by the member for Albany in connection with the granting of block 73 on the Stirling Estate to a Mr. Dunkley. The Government are assuming that that charge, and the criticisms in connec-

tion with the administration of the department, are nothing more or less than a charge of corruption against the Government. That in my opinion is where the Government have made a mistake.

The Premier: Is it not a charge of corruption?

Mr. SCADDAN: No; the remarks which the member for Albany made are in *Hansard*, and do they contain any reference whatever to corruption? Did he make any reference to corruption when he levelled his criticism against the Lands Department? This Commission states—

Whereas on the twelfth day of October, One thousand nine hundred and ten, allegations or implications were made in the Legislative Assembly of corruption—

Does the Premier imagine for a moment that the people are going to formulate charges of corruption? If he wants charges against the administration of the Lands Department he can get them. I could give him a sheaf of letters which have been sent to me since that commission was appointed, all of them making complaints about the Lands Department, but I am not prepared to say that any one of them can be taken as a charge of corruption against the department. At the same time I propose when the Lands Department estimates are under consideration to make a few more criticisms against the administration, criticisms just as strong as those made during the no-confidence debate, on matters brought under my notice since the Government proposed to appoint this inquiry. In my opinion the object of the Government was to prevent people outside sending information to members of the Opposition with regard to the mal-administration of the Lands Department. But they made a grave mistake if they thought that the appointment of a commission was going to have that effect, because I have had a considerable number of letters sent to me since. I do not know that it is necessary for me to say any more on the point at this stage. I hold that there has been sufficient criticism levelled against that department, not only by members but also in the columns of the Press. In the Press

one writer went almost so far as to say that officers of the Lands Department had received sums of money to get things done which were not in accordance with the law of the land, but no notice whatever has been taken of the statements in the public Press. And yet it is proposed to hold a commission of inquiry into a statement made by the member for Albany that the *Sunday Times* acted as agent for a person who had been getting a block of land outside the regulations. We hold, irrespective of what action the Government may take, that there is no member on this side of the House who, if I have any influence in the matter, will appear before that commission. If the member for Albany chooses to appear, he will not be doing it with my consent, because I hold that it would be contrary to the constitution of Parliament that a member should hold himself answerable to any other authority but Parliament for a statement he makes in the House. He makes such a statement here as a representative of his constituency, and is answerable to that constituency and to Parliament; and as leader of the party I will not consent to any member on this side appearing before that Royal Commission in connection with those particular charges. Moreover I will not for a moment ask any member on this side to desist in any degree from criticising any department just as freely as the Lands Department was criticised during that debate. I beg to move the motion standing in my name.

The MINISTER FOR LANDS (Hon. J. Mitchell) : I should like first to say that I regret, of course, that I was not here to reply to the criticisms levelled against me and my department during the no-confidence debate. It is perfectly true that when I went to Northam I intended to return that evening, and it is also true that I arranged with Mr. Swan that we should pair for the rest of the day. However, I took the only course that seemed open for me on my return when I asked for the appointment of a Royal Commission. It did seem to me that the leader of the Opposition had said that there was corruption here quite equal to the worst that had taken place in New South Wales.

Mr. Scaddan : Did I say that?

The MINISTER FOR LANDS : Yes.

Mr. Scaddan : Well, read it.

The MINISTER FOR LANDS : It is gratifying now to know that hon. members did not wish to make a charge of corruption, or attach to me all blame in connection with the administration of the department.

Mr. Scaddan : I see you have been suspending officers lately.

The MINISTER FOR LANDS : I have suspended some officers, and I hope I shall always deal with officers as they should be dealt with. Let me say that I welcome any inquiry into the administration of the department I control. I have been four and a-half years controlling State departments, and the Lands Department, of which I have been in charge for 15 months, was never in better order than at the present time, nor had it ever been worse than it was in 1904-5. There have been mistakes, of course, and there always will be mistakes, and, when you remember that there are 46,000 leases dealt with there, it is not to be wondered at. When these charges of corruption were levelled at me by the leader of the Opposition and the member for Albany, it seemed to me that they wanted some inquiry.

Mr. Holman : Give us proof of that statement?

The MINISTER FOR LANDS : Yes, I can give proof, and I will before I am done, because the methods that apply now have been introduced during the last 12 months.

Mr. Holman : You state that that is so. Prove it.

The MINISTER FOR LANDS : I will endeavour later to give proof of it. Everyone knows that statements made in this Chamber are privileged, and that a member can say what he likes without any very serious result to himself, but I think members ought to remember that it is a duty to Ministers sitting opposite, and a duty to the country, to state nothing but facts when they get up to speak in the Chamber. I only ask that if members have charges to make against me that they should go before a Royal Commission where they can give evidence on oath.

Surely that is not a great thing to ask. So long as I am in Parliament I trust I shall always be prepared to go before any tribunal and repeat any statement I make in the House.

Mr. Holman: You are now before the highest tribunal in the land.

The MINISTER FOR LANDS: The leader of the Opposition explains that members opposite are not prepared to avail themselves of the opportunity of going before this Royal Commission.

Mr. Scaddan: Why did you limit the scope of the inquiry?

The MINISTER FOR LANDS: I am perfectly prepared to make the scope of the inquiry just as broad as hon. members wish. I venture to say that the public outside have not judged this question as the leader of the Opposition imagines, and I believe that after his speech to-day those people will wonder why he hurled insinuations across the House in the course of his attack upon the Government. The leader of the Opposition made statements that he ought to be prepared to prove. There is no shadow of doubt about that. He has the opportunity now of going before a Royal Commission in order that he may prove those charges.

Mr. Scaddan: As a responsible Minister you have the information and you ought to be able to disprove them.

Mr. Gordon. You will not accept the disproof.

The MINISTER FOR LANDS: Any information which I have at my hands is available to hon. members. No member will say that I have ever denied him access to a file, or other information when he has asked for it. Many charges were made during the debate on the no-confidence motion, and I should like before replying to them to say a few words in regard to what the leader of the Opposition stated in connection with the change of my opinion of the present Premier. I wish to say right here that I did oppose the idea of Mr. Wilson becoming Premier four and a-half years ago, but I now see that I was wrong in so doing. I was less experienced then than I am now, and I was inclined to judge him, perhaps, as he was judged by other people.

Mr. Holman: Judge him on his face value.

The MINISTER FOR LANDS: That would be a very high value indeed, and I am prepared to do that. There is no man in Western Australia who deserves to enjoy the confidence of the people more than my hon. friend the Premier. I also want to make some reply to what the leader of the Opposition had to say in connection with my attitude on the land tax. When I came into politics I realised early in my political career that I had misjudged the position of affairs from outside. Very soon I realised that we had a shrinking revenue, a revenue that was daily becoming less as a result of Federation. I was chock-full of enthusiasm, and the desire to do something. I saw men out of work, and I saw stagnation on all sides, and, with other members sitting here, I decided that something must be done, and that if we were to have the opportunity of infusing life into this great State of ours we would have to impose additional taxation. Well, I very willingly did it, notwithstanding I knew full well I would have to pay a considerable sum to the revenue each year, and notwithstanding the fact that I knew many of my friends would do so also. Surely members will admit that I only did the right thing, and did my duty when I came down here to Parliament. The member for Guildford (Mr. Johnson) does not always stick fast to his opinions. A little time ago the member for North Fremantle (Mr. Bolton) had an opportunity of saying something to the member for Guildford in connection with the very vexed question of public saleyards. The member for Guildford believes in nationalising all things, he wants to nationalise all industries and all means of distribution. There are private saleyards at Midland Junction, and I proposed to erect public saleyards at North Fremantle—as a matter of fact they are now in existence—because I believed that all producers should have an equal opportunity of selling; but the member for Guildford evidently does not now believe in nationalising all means of redistribution, or that nationalising the saleyards means assist-

ance to agriculturists. It would be rather interesting to know from the hon. member what he will say by way of explanation, as to why he opposed the State saleyards at North Fremantle, in order that he might support privately owned saleyards at Midland Junction. I would like to say just a word or two in connection with the charge made by the member for Albany (Mr. Price) as to an advertisement which appeared in the *Sunday Times*. The hon. member inferred there was some connection between the giving of this advertisement and the Dunkley case. I want to assure the House, and the hon. member will believe me, when I say there was no connection between the giving of this advertisement and the Dunkley case.

Mr. O'Loughlen: He said it was a remarkable coincidence.

The MINISTER FOR LANDS: No, he said a little more than that. The advertisement was approved by me on the 7th September and the cost was to be £20, subject to the approval of the Treasurer who controls the advertising vote; and the expenditure was approved by the Treasurer on the 10th September and the insertion was authorised for the 11th September. The advertisement actually appeared on Sunday the 25th September, but the letter referred to by the member for Albany in connection with the Dunkley case was dated the 19th September. I mention these dates because, as hon. members will see quite plainly, they have no connection with the advertisement. That advertisement was given because the *Sunday Times*—and the hon. member for Albany know something about newspaper work, and knows it is customary—were issuing a special agricultural number dealing with the Geraldton district, and it is the custom of the department, when a newspaper becomes enterprising and spends money in advertising the resources of the State, to make use of the opportunity to insert an advertisement. We regard the *Sunday Times* as an excellent advertising medium. It is widely read and we believe that it is our duty to let the people of this State know just what we have to offer them, just as hon. members will

agree that the people of the old world should be informed of the advantages that Western Australia holds out to immigrants.

Mr. Gill: It advertises a lot more than land.

The MINISTER FOR LANDS: There is no reason why it should not. Of course there is a good deal more than agricultural life to offer to the people in Western Australia. I think it will be readily seen there was absolutely no connection between this advertisement and the Dunkley case, to which I will refer a little later.

Mr. Holman: When did that special correspondent return from Geraldton?

The MINISTER FOR LANDS: I have not the dates, he is not on my staff. Something was said about the Reisbeck case. On the 30th June last Mr. Osborn was granted locations 14,500 and 14,504 at Geetarning, one under residence conditions and the other under non-residence conditions. On the 3rd July he informed the department that he was not satisfied with the land. This is usual; we have no desire to keep people on land they are not satisfied with; our desire is to make them contented and prosperous farmers. Mr. Osborn said he was not satisfied with the land and requested a transfer of his money to Nunajin; he was unsuccessful at Nunajin; but before his application was decided by the land board he applied for land at Kumminin under Sections 55 and 56 conditions, paying the necessary deposits; that is to say, paying the deposits a second time. This land board granted him location 15888 (applied for under non-residence) conditionally on his accepting it under the residence clause. The application was dealt with as an amendment of the block at Geetarning. Geetarning location 14500 was approved to Reisbeck on the same date as the board allotted location 15888 to Mr. Osborn. Mr. Molloy's appeal was received by the department on the 24th September, Mr. Reisbeck, who has since been granted the Geetarning land granted to Mr. Osborn, on hearing that Mr. Osborn had relinquished it, approached the department and asked that he be granted it without delay. This

was done. It was wrong I admit, and when his approval came before me I had it withheld, and the land was thrown open again for selection. Since then it has been applied for by Mr. Reisbeck, and as he was the only applicant it was granted to him.

Mr. Johnson: Why was his original application at Narrogin refused?

The MINISTER FOR LANDS: I do not know that it was.

Mr. Johnson: Do you know anything about that wire that went down saying "Reserves for Mr. Osborn;" is that not on the file?

The MINISTER FOR LANDS: It may be on the file. Hon. members can have the file. There is a good deal more on it than I can read to the House. However, there was nothing that was not absolutely fair in the transaction, and Mr. Reisbeck has the land. I do not know what the hon. member means when he says the land was held up for Mr. Osborn. It was granted to Mr. Osborn and he relinquished it.

Mr. Johnson: It is not a question of granting, it is a question of why Reisbeck did not get land at Narrogin when he applied at Narrogin and put up the money.

The MINISTER FOR LANDS: He did get it. When Mr. Osborn withdrew, Reisbeck got it, and he has it to-day; he is the owner of this block at Geetarning to-day. At any rate it seems to me, while the department made a mistake in granting the land without advertising that it was open, it was only a mistake, and that mistake was rectified by the withdrawal of the approval notice and advertising the land again as open to the public. I do not know what more hon. members would have me do in the case. The land in the ordinary course should have been advertised, and if it had been advertised I take it Mr. Reisbeck would have been the owner without the bother to which he has been put. I may say in this connection the officer responsible has been dealt with as officers should be dealt with who make mistakes of that sort. Now, the hon. member for Guildford had something to say in regard to a block of land that was granted to a lad named

McCorry, who proved to be under 16 years of age. It is perfectly true an application was lodged on the 5th March, 1910, and the department were advised by Messrs. Stacy and Williams that the lad was under age. McCorry was immediately communicated with and the father supplied a declaration that he was under 16 years of age. The matter was sent to the Solicitor General at once and the land will be forfeited and thrown open again for selection.

Mr. Johnson: Why all this delay? Why was it not done months ago?

The MINISTER FOR LANDS: Because the Solicitor General advises that McCorry must be written to and asked to relinquish his holding. The delay from the 16th August cannot do much harm, the land will be made available to the public by advertising in a few days from now. Of course this case is one the department can hardly guard against. This lad represented himself as over the age, and the statement was accepted in all good faith, and the land was granted by the department, but as soon as our attention was called to it we set to work to rectify the error. Something has been said with regard to obtaining deposits on the first year's rent on application. The member for Guildford has contended, I think—I am not quite sure—that we should not charge any rent for the first two or three years with conditional purchase holders.

Mr. Troy: Hear, hear!

The MINISTER FOR LANDS: I am quite sure that if the member for Guildford were Minister he would agree to deposit money being made under certain circumstances. It often happens that the would-be selector has his money in the Savings Bank and has not it with him at the moment, and on two or three occasions the department have accepted small deposits on applications, and the transaction has been completed of course before the approval notice has been sent out. It was only done to help the intending selector. Until the last few months if we refused to do all possible to induce a man to go on the land we would have been cen-

sured. This custom has probably obtained for years; at any rate until the rush for land had become acute, as it has become acute in the last 12 months, there was nothing ever said against the system, and I hope that hon. members will not object to the department assisting some deserving settler who wishes to put in an application though he has not for the moment the money in his pocket.

Mr. Bolton: No, but treat them all alike.

The MINISTER FOR LANDS: We do. Discussion such as we have had may do some good, and probably will, but on the other hand it may do some harm and cause a little inconvenience to men perhaps who honestly desire to put in applications. It may cause the officers of the department to be a little less flexible than otherwise they would be, and of course that will reflect in inconvenience to the men of small means.

Mr. Bolton: Flexible is a good word.

The MINISTER FOR LANDS: Yes, you find it in the dictionary.

Mr. Bolton: And in the Lands Department also.

The MINISTER FOR LANDS: Yes, I think you will find it wherever you find brains. Something was also said by the member for Guildford in connection with the Booth, Webster, and Rose Brothers' case. These selectors when they landed at Albany were introduced to Surveyor Ridley. I want to make it quite clear that Mr. Ridley is a contract surveyor and absolutely free to do what he pleases so long as he carries out a sufficient number of surveys. As long as he sends in a certain number of blocks no inquiry is made as to any time he may take off. He may go timber hewing, or he may go farming, or anything else at all, but it did appeal to me that he should have helped these people, and quite apart from his capacity as a surveyor he took them in hand and placed them on the land. They were, apparently, quite satisfied; if they had not been satisfied there was land which they could have obtained elsewhere.

Mr. O'Loughlen: They took the advice of this man and fell in.

The MINISTER FOR LANDS: They have not fallen in as a result of the action of the department. They say that they were misled by Mr. Ridley, and, of course, it is always easy to blame the other man. These settlers attach all the blame to Mr. Ridley. Mr. Ridley appears to have gone to a good deal of trouble to enable them to settle on land to the west of Mount Barker.

Mr. O'Loughlen: And as a result of his advice they are just about ruined.

Mr. Heitmann: They might have taken other people's advice and still be ruined.

Mr. Price: Have you received another report from Mr. Ridley?

The MINISTER FOR LANDS: Mr. Ridley states that he discussed the question of selection very fully with these people, and, I believe, he explained to them that they could get wheat land if they cared to go farther east. They said they wanted to settle on the land to the west of Mount Barker, and he took them around and showed them the land. Inspector Uhde of the Agricultural Bank inspected the land in connection with the application made, and stated that the land was second class, free from poison, fair grazing country, and contained some swampy patches suitable for potato growing. Hon. members know that swampy land is very suitable for potato growing. The member for Albany knows that some of the best potato land in the State is in the Albany district.

Mr. Price: Not where Webster was.

The MINISTER FOR LANDS: I said it is to be found in the Albany district. The hon. member also knows that the Mount Barker district is famous for its apples.

Mr. Troy: Hear, hear.

The MINISTER FOR LANDS: I hope the member for Mount Magnet will not be disappointed when I tell him that we have some very good apple country in Western Australia. Patches of land suitable for fruit growing were selected by Booth and party. This land is of excellent quality, and if they had persevered to the end they would have come out successful settlers. I am prepared to admit that they were uncomfortably placed, particularly during the winter months, with

the bad roads and other inconveniences, but new-comers must suffer in the early stages of settlement in the State. The Surveyor General inspected this land, and he states that although it is not of the best quality, he thought that it was adapted for gardening and fruit growing, and would probably carry sheep. The settlers also complained that Mr. Ridley sold them a wagon and other things. I do not know that that has anything to do with the department; the wagon did not belong to the department. At any rate it was said that the department was held not to be blameless because Mr. Ridley sold these people some part of his surveyor's outfit. They also complained that Mr. Ridley made a charge for showing them around. I do not think it is desirable that contract surveyors should make a charge for showing people around the country; but it must be borne in mind that while Mr. Ridley was away he was not earning any money as a surveyor and as he only charged them £5 for his services and supplied food for two days I do not think that that could be said to be excessive. After the inspection by Mr. Uhde, the Agricultural Bank were prepared to make some advance against the land. I mention this because hon. members know how fearful the trustees of the bank are in regard to making advances on poor land, and it will be realised that the bank would not have agreed to advance £225 if the land had not been considered good. It is true that land inspector Moore was instructed to inquire fully into the case, and it is quite true that he reported adversely.

Mr. Price: Moore reported adversely and condemned the whole thing.

The MINISTER FOR LANDS: He was not very cheerful about it. It must be remembered that as against this officer's report there are the reports of the Agricultural Bank inspector, the Surveyor General and Surveyor Ridley.

Mr. Price: Did not the Surveyor General say that there was no first class land there, and very little second class land.

The MINISTER FOR LANDS: The Surveyor General said that although it was not of the best quality it was adapted

for gardening and fruit growing, and would probably carry sheep. Surveyor Moore said that the land was of an inferior class, and that the quality for fruit growing was very doubtful. There might be, he added, some small patches of suitable land, but experienced orchardists reported unfavourably upon them. We have not the names of those experienced orchardists.

Mr. Price: I will give you the names. They are Mitchell and Sounness, and they condemned it.

The MINISTER FOR LANDS: Mr. Sounness ought to know, he is an experienced orchardist and grows apples there. Inspector Moore said that there was paper bark and swampy land there, but the land in the district was particularly valuable for potato growing in the summer months; and the value of the land was put down at 8s. 6d. per acre. Hon. members know that we sell third-class land as low as 3s. 9d., so this could not be so bad, when it was valued at 8s. 6d.

Mr. Price: Did he value the lot at 8s. 6d. per acre?

The MINISTER FOR LANDS: Yes. These settlers told Inspector Moore that notwithstanding that the roads were bad and ringbarking and clearing expensive they decided to take Mr. Ridley's advice. They say that they did not like the land, and I do not know why they decided to take that advice, seeing that there was so much land available there. Later, they say that they accepted the advice of Mr. Mitchell and Mr. Sounness, who reported against the land.

Mr. O'Loughlen: You just told us that you had no names.

The MINISTER FOR LANDS: I had not come to the names on my notes, but it was the selectors who referred to them. In connection with these people the department will refund them the money which they paid, as we do in other cases where people have suffered a disappointment. Something was said by the member for Guildford in connection with the flora and fauna reserve. I want to say that was altogether without justification; in fact, if the hon. member had taken the trouble to inquire into the matter he

would have applauded me for my action in this connection. When I took charge of the Lands Department, which includes the Forestry Department, some months ago, it seemed to me that we had not reserved a sufficient area of jarrah to meet the requirements of the Government. I sent to the departments interested and asked them to acquaint me of the area that they would need to have reserved to meet their requirements for all time, with the result that we have now set apart a total of 750,000 acres, including 117,000 of flora and fauna. Not only have I not allowed one acre of this 117,000 to go, but I have added to it, until to-day the area is 750,000 acres. The 117,000 acres of flora and fauna will always be a timber reserve, but I wish to cut out the good patches of land, because I believe these patches of land in our timber areas should be surveyed and sold to the timber workers, and if the men can be induced to become settlers they will be a valuable asset to the State. At any rate they will be on the spot, and will be able to deal with the matured timber under strict supervision, and, after all, it will be better to have experienced men living in the jarrah forests. The history of this flora and fauna reserve provides rather interesting reading. The member for Guildford might remember something about the dealing with this reserve because he must have been conversant with what happened in the past. At any rate the member for Forrest knows that when Sir Newton Moore cut off 24,000 acres and had it thrown open for public competition, a board allotted an area to the Timber Workers' Co-operative Union. This body is now erecting a mill, and they propose to make use of this reserve at an early date. The idea of Sir Newton Moore was to provide traffic for the Marriup railway. Twenty thousand acres were thrown open during the time the Labour Government were in power, or at least were allowed to be leased by Messrs. Whittaker Bros. I do not know that I need go into the details of the case, but it does seem strange that the member for Guildford should attack me in connection with our timber reserves, seeing that the

Government with which he was associated let Messrs. Whittaker Bros. have an area of 20,000 acres out of the flora and fauna reserve without the usual formalities.

Mr. Troy: It would be interesting to have the explanation of the present Minister for Works.

The MINISTER FOR LANDS: It has been the custom to allow timber mills to cut logs on these reserves. In 1903 Messrs. Whittaker Bros. were granted a commission to cut logs under royalty. Provision was then given to mill logs already felled. In April, 1903, the Government decided to again allow the cutting of milling logs.

Mr. Foulkes: Who was the Premier at that time?

The MINISTER FOR LANDS: Sir Walter James. They were allowed to cut with the permission of the Minister. In July, 1903, the cutting was absolutely stopped, and in August, 1904, Messrs. Whittaker Bros. moved again for permission, and Mr. Drew approved of the cutting of milling logs. I think hon. members will agree it is rather strange that the member for Guildford, who was a member of the Labour Administration during the whole of its life, should have attacked me in connection with the timber forest areas, seeing that I have not taken one acre away from them, but, on the other hand, have added over 600,000 acres. Probably the hon. member did not know that when he made the attack. If that is so I am certain he will be generous enough to admit frankly that I have done nothing to justify him in saying it is unsafe to entrust me with the control of the timber forests.

Mr. Johnson: You did not give a very satisfactory reply as to your intentions with regard to the new mill Millars' have put up.

The MINISTER FOR LANDS: I did not give any reply.

Mr. Johnson: But I told you about it.

The MINISTER FOR LANDS: I do not remember. Anyhow, it has nothing to do with me. What does the hon. member suppose it would have to do with me what new mills Millars' had put up? The fact remains that the Government with

which he was connected reduced the area, whereas I have increased the area, and I intend to protect the jarrah forests.

Mr. Johnson: I would do the same thing again to-morrow.

The MINISTER FOR LANDS: I am certain of that, but I am also certain that so far as I am concerned the needs of the State shall come first. We are building railways all over the place and will need timber for sleepers, not only for new sleepers but for renewals. In addition to reserving this enormous area to meet our own requirements I have stopped altogether free selection in the jarrah forests and the timber areas. I found that under free selections before survey blocks were sometimes alienated which contained good timber. The applicant, of course, set out on the plan the block he wanted, and a forest ranger was instructed to go to that block, which might be a couple of miles from the nearest survey peg, and make an inspection and report. It often happened that he did not reach the land applied for, but mistook his distance and inspected land which did not contain timber, whereas if he had inspected the block actually applied for he would have found timber on it, and would have realised that it was his duty to refuse the application. Under this system applicants sometimes got land that ought not to have been sold. We believe that the jarrah forests should be reserved from sale. Once a jarrah forest always a jarrah forest, is the idea of the department. Not only are we reserving large areas, but we are taking care that all the jarrah country the State possesses shall remain in the possession of the State, and shall be used for the purpose nature intended it for.

Mr. Jacoby: Does that include suburban areas in the hills?

The MINISTER FOR LANDS: I do not know that there is any available forest land very near to Perth, but if so it will be reserved, unless it becomes necessary to sell some of it in order to provide for people who desire to have their homes close to the City. Whilst on the subject of timber I would like to say that

the pine plantation at Hamel has been most satisfactory, notwithstanding anything stated to the contrary. We are planting on a fairly large scale at Ludlow, and I have ordered an inspection of land near Albany for the purpose of establishing a pine plantation in that district, the idea being to supply timber for the fruit cases required in the south. I am hopeful that some timberless land will be found suitable for the purpose. The inspection will be made in the course of the next few days.

Mr. O'Loghlen: Who is making the inspection?

The MINISTER FOR LANDS: Mr. Macfarlane, the officer in charge of our forests. The member for Albany referred to the case of G. A. Dunkley and Stirling Lot 3. Mr. Dunkley was granted lot 73 in April, 1909, by mistake. He expressed his willingness to accept lots 208 and 209 in lieu of lot 73. Those lots were thereupon reserved, but after consideration it was decided to make them available for selection by those who already held land in the estate, and the board dealing with the applications selected that of Dunkley.

Mr. Price: But Dunkley did not hold land in the estate.

The MINISTER FOR LANDS: I will explain that. Mr. Krygger was granted lot 209. It is quite true that Mr. Dunkley did not hold land in the estate, but the mistake had occurred in the first place by reason of the fact that G. Dunkley did hold land in the estate. There are two Dunkleys, one being George, and the other George Arthur, and the mistake arose in supposing that the Mr. Dunkley who applied was the owner of land in the Stirling Estate.

Mr. Heitmann: But in regard to lots 208 and 209; did they not say they would give them to Dunkley by way of rectifying the original mistake?

The MINISTER FOR LANDS: Yes; that was in April, 1909, and in endeavouring to rectify the mistake they landed themselves in this trouble.

Mr. Price: Can you explain why lots 208 and 209 were thrown open for public

competition, seeing that it was intended Dunkley should get them?

The MINISTER FOR LANDS: They were thrown open because it was thought Mr. Dunkley was a resident.

Mr. Price: But Mr. Dunkley had already been promised these lots in lieu of lot 73.

The MINISTER FOR LANDS: No; he expressed his willingness to accept them, but he had to go to the board for them.

Mr. Price: Suppose he had not got them.

The MINISTER FOR LANDS: Well, I am afraid under the Land Act he would have had no redress. To save outside applicants unnecessary trouble the office decided to throw open these two lots to people already having land on the estate.

Mr. Heitmann: But was it not unfair to bring people to Perth for this competition when the lots had been promised to Dunkley?

The MINISTER FOR LANDS: Mr. Krygger got one and Mr. Dunkley the other. Had we not thrown them open Mr. Dunkley would have got both, but as it happened Mr. Dunkley got lot 208 and Mr. Krygger lot 209. The mistake will still have to be considered, and it is questionable whether it will not be found necessary to throw the land open again.

Mr. Price: I have no objection to allowing those on the estate to have more land. The objection is to putting up the blocks when they had been promised to one man.

The MINISTER FOR LANDS: But Mr. Krygger got one of them. It is true some of the holdings down there are too small, and it is also true that the department made a mistake in connection with lot 73, and it was necessary, therefore, that the department should do all it possibly could to rectify that mistake. Hon. members will not object to that, surely.

Mr. Jacoby: Was it legal to restrict competition to those already on the estate?

The MINISTER FOR LANDS: Yes; it is perfectly legal where it is desired to restrict the applications to people on the estate. It was quite legal to throw these

small blocks open to the people living there. Hon. members will see that with two names so nearly alike it was very easy to make this mistake. It was because of this the mistake occurred.

Mr. Heitmann: But you must have known.

The MINISTER FOR LANDS: No; I did not see the applications.

Mr. Heitmann: But the applicants have to make a statement as to whether or not they hold land on the estate.

The MINISTER FOR LANDS: Yes; in this case the applicant had to state that he held land.

Mr. Heitmann: But he could not have stated that.

The MINISTER FOR LANDS: He ought not to have done so, but I suppose he thought the fact of his having had lot 73 granted to him, though in mistake, would serve to bring him within the limitation set upon lots 208 and 209.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR LANDS: I had just explained the transactions in connection with the Dunkley case, to which the leader of the Opposition referred this afternoon. He would have this House and the country believe that this is a deadly serious case and that an error in the Lands Department justified him in hurling his charges at me. I dare say that to his suspicious mind this is a very serious case but it is simply an error, as I have endeavoured to show, and not one which justifies the attack made by the hon. member. The hon. member says that he has his pockets full of complaints. Let me say that I too get letters and sometimes they are written about the hon. member opposite. If he wants cases of this kind I will always be pleased to supply them. Some of them date back five years. Of course there are always complaints, but probably there was never so little trouble of this kind as there is now, notwithstanding that there is so much more work doing. I think the hon. member did quite right in coming to the House this afternoon and telling the country that he had no intention in his speech on the no-confidence motion in

charging me with corruption. The member for Albany will admit I am sure that there is no reason at all to connect the letter sent by the *Sunday Times* to Dunkley with the advertisement which appeared in that paper.

Mr. Collier: Will you not admit that the letter of the *Sunday Times* was extraordinary?

The MINISTER FOR LANDS: No, I do not admit that it was extraordinary.

Mr. Collier: Are they in the habit of offering to make deals with the department?

The MINISTER FOR LANDS: They made no deal with the department.

Mr. Scaddan: They said, "We have arranged with the department."

Mr. Troy: You know that the *Sunday Times* runs your office.

The MINISTER FOR LANDS: I had nothing to do with the *Sunday Times* in connection with this case.

Mr. Collier: Well, some of your officers did. They wrote and said that the department was agreeable.

The MINISTER FOR LANDS: I cannot help what they said.

Mr. Price: Did not the department give them a plan with certain marks upon it and suggest that they should apply for that land?

The MINISTER FOR LANDS: Certainly not to my knowledge; this is the first I have heard of it. I am told that the *Sunday Times* had nothing at all to do with the case.

Mr. Price: Then the original letter sent by the *Sunday Times* is altogether untrue.

The MINISTER FOR LANDS: It has nothing at all to do with the department.

Mr. Collier: They allege that it has.

The MINISTER FOR LANDS: I say that it has not.

Mr. Troy: Then you are giving the *Sunday Times* the lie direct.

The MINISTER FOR LANDS: I do not mind again pointing out that this advertisement was approved by me on the 7th of the month, the letter was written on the 19th and the advertisement, although appearing in the *Sunday Times* on

the 25th, was actually in the hands of the *Sunday Times* on the 11th.

Mr. Price: The *Sunday Times* says, "We suggest something with the approval of the department"; is that right or wrong?

The MINISTER FOR LANDS: Wrong.

Mr. Jacoby: If it was true, there would be nothing very wrong.

The MINISTER FOR LANDS: Of course not. Several other cases have been referred to. There is the case of Nielsen with which the hon. member for Mount Magnet dealt at some length. Nielsen's application was dealt with on February 19th and he had six months in which to take possession. The hon. member knows quite well that residence has to begin within six months. These six months expired on the 19th August. Mr. Moor had been agitating for the forfeiture of the lands in June and naturally was advised by the department that nothing could be done until the six months had expired.

Mr. Troy: You cannot tell me anything about that case; I know all about it.

The MINISTER FOR LANDS: I am going to tell what I have here in the papers. The department could do nothing until six months had expired, notwithstanding that we knew that Nielsen had left the State. We had no guarantee that he would not return, and it would have been ridiculous on our part to have forfeited the blocks while he could still legally take possession. The blocks were forfeited in September and thrown open for selection on October 11th. The hon. member for Mount Magnet stated that the department would have approved of the transfer to Higgin and Beattie had not Mr. Moor forced the forfeiture. Nothing of the sort would have happened.

Mr. Collier: Have they ever approved of transfers under those conditions?

The MINISTER FOR LANDS: The department has lasted for 80 years and that may have been done.

Mr. Collier: But during the last two years?

The MINISTER FOR LANDS: It is not the custom to approve of transfers.

except in special cases, unless the improvements have been done.

Mr. Collier: There must be a good number of special cases.

The MINISTER FOR LANDS: None so far as I know.

Mr. Troy: I can tell you of dozens of them.

The MINISTER FOR LANDS: The department would not have approved of the transfer from Neilsen to the purchasers until the improvements had been effected.

Mr. Collier: Who has got these blocks now?

The MINISTER FOR LANDS: Haggie and Beattie.

Mr. Collier: So they did get them?

The MINISTER FOR LANDS: I do not know why they should not. I had nothing to do with the board; in fact I do not know who sat on the board to deal with that application. The hon. member overlooks the fact that although selectors holding land under residence conditions are required to take possession within six months, they nevertheless have up to two years before they need satisfy the department as to any statutory improvements. The hon. member for Mount Magnet draws attention to Section 33 of the Act which prescribes that forfeited lands shall be advertised in four issues of the *Government Gazette* and sold by auction, but the hon. member overlooks the proviso at the end of that clause which sets forth that "if the Minister shall so order any forfeited land shall revert, together with all improvements thereon, in His Majesty for his former estate thereon." In this case Neilsen's reversionment was so ordered according to the usual office procedure, and therefore it was within my power under the provisions of the Act to deal with this as ordinary Crown land is dealt with, that is, by making it available for selection without submitting it to auction, and by giving notice in three consecutive numbers of the *Government Gazette*, which was done in this case. I have the power to order the value of the improvements to be paid with the applications.

Mr. Troy: What section of the Act gives you that power?

The MINISTER FOR LANDS: I will tell the hon. member directly. I have power to order the amount of the improvements to be paid with the application. It is quite true that the hon. member referred to Section 147 of the Act as amended. This relates to improvements effected on Crown lands or purchased lands, and provides for the value of such improvements being extended over the full term of the lease. The pastoral leases resumed contained improvements, and at the time this amendment was put forward considerable improvements were being effected by the Government on some of the subdivisions being made in the South-West and the Eastern districts, and it was clearly to deal with such improvements that Section 147 was amended. Section 20 of the Land Act Amendment Act, 1906, provides that—

The Governor may for any cause he may deem sufficient, direct the amount received by the Crown from an incoming lessee or licensee for improvements on the forfeited holding to be paid to the former lessee or licensee after deducting any rent or other moneys due from him to the Crown.

This is the section the hon. member for Mount Magnet was asking for. Section 21 of the Act of 1908 gives the Minister power to insert such conditions as may occur to him as necessary in the public interest.

Mr. Troy: It does not give you power to act contrary to another section of the Act.

The MINISTER FOR LANDS: I am not acting contrary to other sections of the Act at all. Where land is improved by the Crown the Government have power to extend the payment for improvements over the full term of the lease. This was not improved by the Crown; therefore, I ordered the amount to be put up with the application. It should not have been any great hardship for the applicant to put up the amount which those other people had spent in improving the property.

Mr. Troy: But it is not legal.

The MINISTER FOR LANDS: I say that it is legal. In any event what right had Mr. Moor or any other applicant to expect that he would get 20 years in which

to pay these men the value of the work they had done to the land?

Mr. Collier: He had more right than Neilsen had to get a transfer.

The MINISTER FOR LANDS: That may be so. I am sorry that he got his transfer, and I am sorry that he is not in the country now in order that these people might recover what they paid him. I believe they paid him £350. There was a personal covenant in this matter which he knew he could not fulfil when he boarded the ship, and so far as I can see he obtained money illegally because he knew that he could not fulfil the residence conditions and knew that these unfortunate people who had paid him £350 had very little chance of getting their money back.

Mr. Collier: But he says that he is coming back.

The MINISTER FOR LANDS: Well, if he does come back I hope that it will be possible to deal with him. If I can do anything to help to bring him to book I shall be very pleased indeed to do so. He must have known he had no intention of taking up residence within the six months as the Act requires. Any man who does as he did ought to be made to answer for his misdeeds. He, no doubt, obtained £350 knowing full well he would not be back to fulfil one of the most important conditions of his lease. There were many other cases mentioned during the course of the debate. I do not know that I need go into them all to-night. I understand I will have the opportunity of answering some more when the Estimates come along, but there is the case of Lilly and Springett I wish to mention, because I want members to realise that in the department we do the best we can for the people who select land and for the people who desire to become farmers. In this case no doubt the land was undoubtedly forfeitable, and it was thrown open. Springett applied for it as a homestead farm, but Lilly applied for reinstatement on the ground that the survey fee was unpaid through inadvertence during his absence owing to ill health. I think it was a very good excuse. No hon. member would ask us to treat our selectors without consideration, particularly where,

as in this case, it was a case of ill health. Springett's application was refused under Section 75, by which every application for a homestead is required to be made by statutory declaration, and that had not been complied with. Lilly was reinstated on his homestead farm, and I think members will agree rightly so. Naturally Springett was aggrieved, and I suppose he wrote to hon. members. Hon. members will naturally find plenty of complaints. It is only to be expected that where there is so much business being done by a department, and where, as happens now, we sometimes have a large number of applications for one block, there will be some disappointed people; and if they can get hon. members to ventilate their grievances, no doubt they will avail themselves of the opportunity. I have no objection to hon. members criticising the department; I have no objection to these cases being brought before the House; but I do object to these trivial mistakes being magnified into matters of first importance. I desire that the work of the department should go on smoothly and without error, but is there a man among us who does not make mistakes? I ask the leader of the Opposition if he does not make mistakes? We know the Chairman of Committees never makes mistakes, but I hope for his own sake the leader of the Opposition will admit he does sometimes make mistakes. Some other cases were referred to, but those cases will be dealt with on the Estimates. They are all as trivial as those I have mentioned, and all capable of explanation.

Mr. Underwood: Then, what do you want a Royal Commission for?

The MINISTER FOR LANDS: Oh, the Royal Commission! Why do you not have it? I believe that hon. members opposite will agree that the department have done as they would have done had they been the officers who dealt with these particular cases. I would now like to refer to the work of the department, since, apart from these cases, charges of corruption in my administration have been brought into the question. In connection with the timber leases I have introduced common sense matters that

will result in protection for our forests for some time, and I have shown interest in those people working in the forests. My desire is where possible to settle them near to their work.

Mr. Hudson: Your intentions are honourable, but your actions are doubtful.

The MINISTER FOR LANDS: I am very much obliged to the hon member for that much. If hon. members will just bear with me a moment while I mention some things that have been done in connection with the Lands Department, they will see that I have had a pretty active 15 months. When I went to the department I found that the work was congested, and I appointed three assistants to the under secretary, men who would push on the files in the next office to the under secretary without increasing the staff at all. I suppose there is no department in the State that deals with so many matters as the Lands Department. There are 46,000 leases now existing, and each lease, of course, means a half-yearly payment and creates a good deal of trouble from time to time. Improvement conditions have to be enforced, and inspections made, and surveys issued, and a great deal of detail has to be done that would not be done by a person controlling an ordinary estate.

Mr. Hudson: You have to go through the alphabet from A to Z.

The MINISTER FOR LANDS: It is not a bad thing to do. These assistant under secretaries have endeavoured to meet the public and do for them the business they want to do. I have heard it said repeatedly, and by some members in the House, that it is a great convenience to the public to know exactly the men they are to go to. These assistant under secretaries, always dealing with the same set of men, know the business of those who come to them; they are able to answer questions much more satisfactorily than if they had to rely altogether on the files in the office records.

Mr. Collier: It is an improvement.

The MINISTER FOR LANDS: Yes; it is an improvement, and a very decided one.

Mr. Foulkes: But these under secretaries of yours have been absent a great deal from their work.

The MINISTER FOR LANDS: Yes, from various causes.

Mr. Foulkes: They have been away half the time.

The MINISTER FOR LANDS: At any rate there is always someone acting for them. Of course it is not the same thing, but we cannot help sickness. There is one away now, and unfortunately we lost one of them by death the other day. I was faced with the position when I entered the department that the accountancy branch was most unsatisfactory. When my predecessor took over control of the department he endeavoured to have these accounts put into something like order, and a good deal of work was done, but in my time I have had the books balanced for the first occasion in the history of the department.

Mr. Price: As a matter of fact was it not you that made the first step to balance the books?

The MINISTER FOR LANDS: Sir Newton Moore had an accountant appointed, because he recognised there was considerable room for improvement. It is perfectly true that I insisted upon a balance and took in some men who were capable of making a balance.

Mr. Price: You had to get outside men to do it.

The MINISTER FOR LANDS: We had to get a good many temporary men. At any rate we had it done, and had the accounts put in order for the first time in the history of the department.

Mr. Collier: The department has been reorganised every year or so for the last 10 years.

The MINISTER FOR LANDS: I am stating the position as it is. It has been said that my administration has not been all it ought to have been, and I am showing the House that at any rate we are doing something to improve it. The accounts have been put in order, and the work of the department I hope will be kept up to date and in perfect order in the future. It is of the utmost importance that these books should be perfect; because, unless we have perfect records,

mistakes are possible, and fraud is possible, and trouble is more than likely to arise. The whole work of the department really hinges on correct accountancy.

Mr. Price: Is it not a fact that you have left the same officers you appointed in charge?

The MINISTER FOR LANDS: Just now there is no accountant in the office, but the Public Service Commissioner is taking steps to fill the position, the other accountant having retired from the service. We have also done good work in the correspondence branch. We have endeavoured to get the registrations right, and the correspondence in order. The member for Dundas will know something about the conveyancing branch. When I took over the control of affairs of the Lands Department the banks were afraid of the registrations. They thought they were not safe, that there was a little carelessness; and the matter was so unsatisfactory to them that they asked to have the registration put under the Titles Office.

Mr. Hudson: You put it under the Attorney General because you were incompetent to manage it.

The MINISTER FOR LANDS: The banks drew my attention to it and asked me to put the matter in order, because they knew I was competent to do it. They would never have gone to a lawyer, with all due respect to the hon. member. At any rate we gave the people who desired to register mortgages an opportunity of transferring leases to the department controlled by the Attorney General, but they have not availed themselves to any great extent of the opportunity. As a matter of fact to-day they are registering with the Lands Department, and for the most part they are absolutely satisfied that the registrations are safe. If hon. members would visit the conveyancing branch they would find that Mr. Cook, the officer in charge, is quite willing to show them what is being done. The banks are willing to lend money on the registrations registered in the department, showing that they, at any rate, are satisfied we are doing good work in a proper manner.

Mr. Hudson: In the Titles Office they will not allow you to put things through unless they are regular.

The MINISTER FOR LANDS: They would not do so in the Lands Department.

Mr. Hudson: That is news.

The MINISTER FOR LANDS: I hope the hon. member does not put through irregular documents.

Mr. Hudson: Certainly I do not, but I know others who do.

The MINISTER FOR LANDS: I do not think you could get them through if you tried. The Information Bureau has been made very useful. Those members who go there—I have seen the member for Kanowna looking out for blocks for some of his friends, and other members go there on behalf of their constituents—will agree that, although it is not very well situated, and that the building is not too good, things are up-to-date and the bureau is a credit to the State. I think its position should be in the main street, and not where it is. But if hon. members will cast their minds back to the time when the member for East Fremantle was Honorary Minister and doing something in connection with an information bureau, they will agree with me that the present bureau is a very different proposition. The accounts of repurchased estates have been referred to during the debate, and I was censured for having the accounts balanced. If members will look at the annual report supplied by the Under Secretary for Lands they will see that we expect the result to be most satisfactory in connection with land purchased and sold under the Agricultural Lands Purchase Act. Some objection was taken to the work I had done in this connection. I find when the estate accounts come to be wound up we will have something like £50,000 to the good.

Mr. Johnson: When!

The MINISTER FOR LANDS: If hon. members get the report of the Under Secretary for Lands, which has been laid upon the Table, they will see in it a statement about these estates.

Mr. Collier: How is Denmark going on?

THE MINISTER FOR LANDS: We have sold practically the whole of our repurchased estates. It is true that Denmark is hanging fire a bit; it is the best estate that we have purchased, but it is not popular just now.

MR. O'LOGHLEN: It never will be at these prices.

THE MINISTER FOR LANDS: The prices are not high, but we will yet find purchasers. A day or two ago I was advised that some potato growers from Victoria were coming over to have a look at the estate.

MR. O'LOGHLEN: Help those who are here now; never mind about the Victorians.

THE MINISTER FOR LANDS: I have helped them by making their rents as low as possible over the early years. I have provided that by the amending Act. I know down there that early development is expensive and difficult, and of course, unlike wheat land, one does not reach a large profit quite as early. There will be some difficulty in getting rid of that estate but the day will come when the wet lands will be as greatly sought as wheat lands are sought to-day.

MR. HOLMAN: Why do not the Agricultural Bank give assistance down there?

THE MINISTER FOR LANDS: They do but not for the whole of the estate.

MR. UNDERWOOD: What are you selling it at?

MR. BOLTON: Sixty-six guineas; that is on the file.

THE MINISTER FOR LANDS: The survey has only just been completed and the prices were fixed only yesterday. I will let hon. members have the plans showing the prices as soon as they are published. Hon. members will find, when this estate is placed on the market and the plans prepared, that the prices are very reasonable indeed. On the Annandale estate farmers will be able to make a living straight away, and I am hopeful that we will get a number of settlers on to the working men's blocks. I think I have shown that I have taken some steps to re-organise and bring the work up to date. As to the Survey Department, I find that there were about 7,000 leases

which had never been issued; some of them of course are pastoral leases, but the majority of them are leases which should have been issued, but were allowed to accumulate for many years. I insisted that all the leases that could be issued should be issued right away and that has been done. The work of survey before selection was undertaken more actively in my time than ever before. The system has been in practice for many years in Western Australia, almost for the last 20 years, but there was never any life in it. A sub-division of the Alma estate near Northampton hung fire for about seven years and the last block was sold only 12 months ago. The position to-day is changed because the information which we supply is complete. This work of survey before selection is no light work. When I entered the Lands Department I found that there were 40 surveyors there; now the number has been doubled. I had to engage a number of unlicensed men and put them on with the licensed surveyors, and in the last 15 months we have surveyed over three million acres, which is easily a record for Western Australia. Under this system of survey before selection we put before the public a perfect plan of the land which we desire to sell them, and it is probably due to the fact that we have been supplying this information that the demand for land has set up in the manner that we know of. We have had some little trouble lately with the people who are so desirous of going on the land, because there have been so many applications for the same block. It was only natural to expect trouble of that kind to arise, and notwithstanding the fact that we have been able to greatly increase the surveys we have not been able to meet the demand. Under survey before selection we are able to provide water supplies and to clear roads, which is a considerable help to the selectors. That also provides considerable work for the department to undertake. During the past 12 months we have surveyed 577 miles of roads in the various districts of the State. With the enormous work which is passing through our hands there must be trouble, and this

trouble we recognised could best be minimised by the appointment of district surveyors. The country, as members know, is patchy, it is not all good. I have appointed district surveyors to the charge of various divisions of the State and draftsmen in future will accompany these district surveyors to the various centres, while the whole work in connection with the preparation of blocks will be done at the district offices. This should expedite matters and give satisfaction in the various districts. I have had a letter from one local authority congratulating me upon the change, because it was realised that it would mean to the people a considerable saving of time. When I tell hon. members that the surveys for the 12 months ended 30th June last totalled 2,664,000 acres, as against 1,779,000 acres in the previous year, which was a record for Western Australia, the nature of the work done by the department will be realised. Although there has been this increase of 885,000 acres, members will believe that this could be done only at a considerable cost, yet it will be found that the cost to the country has only been £947 more than it was in the previous year.

Mr. Underwood: I do not know what we would do without you.

The MINISTER FOR LANDS: We could do very well without the hon. member. The area surveyed in 1908-9 was 865,000 acres greater than that of the previous financial year and up to 1909-10 it had increased by 885,000 acres. I can claim that my administration has been satisfactory, at any rate from a financial point of view, because there have been surveyed in the last 12 months 885,000 acres in excess of the total of the previous year without any great additional cost to the country. I would like to point out that the area surveyed constitutes almost a record for Australia. According to the figures which have been prepared for me, New South Wales in 1886 surveyed 4,700,000 acres, and the surveyed area last year in Western Australia comes next. Our expenses have not been materially increased, notwithstanding the enormous additional amount of work done, our

revenue has of course been continually on the increase. Our total revenue last year was £331,095 as against £292,750 in the previous year. The land selections during the first nine months of this year total, under C.P. conditions, 1,287,000 acres, as against 580,000 acres in 1909. Hon. members will agree that that is a very respectable increase of conditional purchase lands selected; nothing more could have been expected, indeed I doubt whether hon. members could have foretold that we would have had the rush for land which we have experienced. The great thing in connection with these applications is that most of them are coming from people within the State, largely goldfields people who have been attracted by the plans submitted to them. This increase in the settlement of local people is, I think, entirely due to the improved methods of offering land to the public. I would like to point out to hon. members, especially to those who apparently imagine nothing is being done to improve the lands which have been sold, that in 1905 we had 2,129,000 acres of land cleared, or partially cleared, and that to-day the total is something over 5 million acres. In the last five years we have improved land far in excess of the total area improved in the previous 75 years. The statement has been made that the land now being sold is not being improved. Let me say that five years ago there were 327,000 acres under crop, as against over 900,000 acres to-day. Altogether one can say that the work of improving is proceeding at a pace that was never known before, and it is to some extent due to the fact that the inspectors have been doing their work, and largely also to the fact that the Agricultural Bank has been lending money liberally. Just now there are 2,300 inspections ordered to be made by the various land inspectors. I have endeavoured to show that the administration of the department in my time has not been what hon. members seem to think. The leader of the Opposition has been good enough to say there is nothing in this charge of corruption; but he has also said the administration is not all it ought to be. At any rate I

have endeavoured to make it clear that all that could reasonably be expected of me has been done during the past 15 months. The position, of course, in regard to the broad acres of Western Australia is totally different from that of four or five years ago, when men had no faith in our lands, and all croaked about the future of the State or, at least, many of them did. To-day people have a better knowledge of the country, and a greater faith in it, with the result that the entire situation is changed. Four or five years ago no one took any interest in the lands or in the Lands Department; the thing was allowed to wander on much as it pleased. The position, happily, is altogether different to-day. Probably every member of the House has land, or desires to get it, and so it is with the general public. It is difficult to find a man who has no land and does not desire any.

Mr. Scaddan: Some of them do not hold it long if they have a chance to get out.

The MINISTER FOR LANDS: At all events they do not take it away with them.

Mr. Scaddan: However, it serves to show that there is a good deal of speculation going on.

The MINISTER FOR LANDS: I do not know that. At any rate I early realised that this country could only be made by the aid of the poor man, and I set about the work of making it possible for a man without means to become a possessor of land. I remember promising in an early statement that I would endeavour to do this. The work has been done, the improvement made. And it is a great improvement, because, notwithstanding that for some little time we have not had any sensational gold discoveries, the State has become buoyant, the people prosperous, work plentiful, and wages good—all because of this development in agriculture. And this development has taken place largely because by my administration I have made it possible for the poor man to take up land and work it. When I took charge of the Agricultural Department as Honorary Minister—and I may remind members that I was Hon-

orary Minister of that department for three years—I found that the Agricultural Bank was not as fully alive as it is to-day; as a matter of fact, during the year preceding my administration the member for Brown Hill, who was for a short time in charge of the Lands Department, lent through the Bank the magnificent sum of £39,000. Last year we lent £252,000.

Mr. Bolton: Mr. Bath was in charge for six weeks.

Mr. Holman: How much did you say for last year?

The MINISTER FOR LANDS: I said we lent £252,000. And during the past few months I have set against the blocks sold the sum of £463,000; that is to say, before the land is applied for the bank has fixed the amount to be loaned, under the system I introduced.

Mr. Holman: Then, according to your figures, the average of the member for Brown Hill for six weeks is much higher than yours.

The MINISTER FOR LANDS: He did not do it in six weeks; it took him 12 months.

Mr. Price: It does not follow that because you have set that value against the blocks the whole money will be loaned.

The MINISTER FOR LANDS: The successful applicants have the right to get it from the bank. Against land I have recently sold the sum of £463,000 has been set by way of available loans.

Mr. Bolton: But Mr. Bath lent; he did not merely promise to lend.

Mr. Gill: The successful applicants can only get the money on conditions laid down by the bank.

The MINISTER FOR LANDS: Naturally; the money cannot be loaned without security. When a man pays £12 10s. for a thousand acre block, he can set his axe in motion, and if he does the work satisfactorily he can draw against the block up to the value specified.

Mr. O'Loughlen: Very few draw the full amount.

The MINISTER FOR LANDS: That is so; but the hon. member's interjection serves to remind me that the amount set against these blocks is not the limit the

bank will go to. As a matter of fact, the £400 is about one-half of what may be drawn against most of the blocks if the work done is satisfactory; so it will be seen that it really paves the way for an advance of £600 or £700.

Mr. Scaddan: You do not grant that amount on them.

The MINISTER FOR LANDS: We are willing to do so.

Mr. O'Loughlen: But it is not applied for.

The MINISTER FOR LANDS: At any rate we offer it. Moreover, I would repeat that this is done for the man with small means. The setting aside of this money against the blocks is done in order that the man with limited capital may become a farmer. Under the old free selection system a man had to wait for his survey, and then for a bank inspection, which often took months.

Mr. Foulkes: To-day he has to wait for the land.

The MINISTER FOR LANDS: Whilst it often took him 12 months to get his land. Again, in those days he had to go out in the bush and find the spot he required, whereas to-day it is looked out for him.

Mr. Holman: Notwithstanding which he cannot get it.

The MINISTER FOR LANDS: They got more than twice as much this year as they were getting four or five years ago; therefore, it is not right to say they do not get it. There is more life in the whole business to-day when everybody wants land. Of course they cannot get it all at once; at any rate I would be sorry if I had many more blocks than applicants. It is true we have large tracts of land in the South-West where we could settle people to-morrow, and probably they would be well advised to go there.

Mr. Holman: You sent some there and have had to give them Government billets since to save them from starving.

The MINISTER FOR LANDS: At any rate, there are people down there who do not want any Government billets. I have nothing to say against the South-West; it is a magnificent country, and if it were anywhere else it would bring

pounds instead of the shillings we ask for it here.

Mr. O'Loughlen: It would break a man's heart.

The MINISTER FOR LANDS: I know a few stout hearts down there unbroken. It is a struggle, I admit.

Mr. Holman: You are struggling yourself now.

The MINISTER FOR LANDS: If you will listen for a moment I will endeavour to tell you the reason why there has been this enormous increase in agricultural development. When I took over the control of the Agricultural Bank it advanced up to 75 per cent. of the value of the work done, and it was the want of that other 25 per cent. which made it impossible for the people to become farmers in Western Australia. I early realised that, and very soon induced Cabinet to amend the Act in order to give struggling settlers the full value of the work done up to £400.

Mr. Scaddan: Did you do that?

The MINISTER FOR LANDS: Yes. I do not think the suggestion was ever made by anyone else before I made it—at all events, I have never heard of it. I have endeavoured to show that during my administration Western Australia has benefited, and also the people of Western Australia, particularly the people of limited means. Surely after all that has been said about my administration I am entitled to do this. I claim that great good has come to the people of Western Australia by my administration. I could read something that was said of the land by the Royal Commission on immigration, which sat in 1905. The report of that commission is signed by four or five gentlemen, amongst whom was the present leader of the Opposition. I notice that my friend claimed some credit for the work of the Agricultural Bank in the House the other day. This is what the commission said about it—I do not want to read too much of it—

Mr. Scaddan: No. it is not advisable from your point of view.

The MINISTER FOR LANDS: Yes, it is. I will read the lot if you like.

Mr. Scaddan: If you did you would find the success of your administration has been based on that report.

The MINISTER FOR LANDS: I have read it all; it is not bad, but some of it is extremely funny. This is what the leader of the Opposition then said about the Agricultural Bank—

Closely associated with the development of land settlement during the last few years have been the operations of the Agricultural Bank, and while the problem of economical clearing and cultivating was being solved, its aid was invaluable to the struggling settler as well as beneficial to the State in aiding in securing abundant practical proof of the value of our land. Having accomplished these purposes, the time appears to be opportune for considering what is to be the future scope of this institution. Is its aid required in demonstrating the capabilities of our land? The commission is of opinion that the sworn testimony of the clients of the bank, and its own records, give ample proof that its aid is no further needed to prove the high value of the State's agricultural lands. The remaining province left to the bank would thus appear to be mainly philanthropic, namely financial assistance to persons with little or no capital. The question may then be asked: Is the State justified in following this philanthropic practice, after having, in conjunction with the pioneers of the newer methods of farming, shown to the world the excellent opportunities open to farmers with moderate capital upon its wheat lands? The commission is of opinion that the time is approaching—if it has not already arrived—when the funds of the bank should not be available for persons outside the State, and consequently should no longer be used as a means of attraction. Splendid work has been done by settlers and the bank in demonstrating the great field open to farming enterprise, and it is reasonable to require of those who desire to avail themselves of the opportunities thus displayed that they must bring money or credit wherewith to establish them-

selves, or wait till they have earned either one or the other. Why should the savings of the people, it may be asked, or the credit of the State be absorbed in giving monetary aid to strangers, while thousands of residents are hampered.

Mr. Scaddan: Yes, they drew it from our own people and gave it to strangers.

Mr. O'Loughlen: Why should the savings of the people be given to strangers?

Mr. Scaddan: Our objection is to using the savings of the people, through the Agricultural Bank, to induce people to come here who have no means.

The MINISTER FOR LANDS: You did not give them much because you lent them the money on good security at 5 per cent.

Mr. Holmaan: You cannot take credit for much either.

The MINISTER FOR LANDS: I am taking credit for the liberalisation of the Agricultural Bank, and for the fact that during the last four and a half years I have increased the capital of the bank from £600,000 to £2,500,000. This is probably some small answer to the charge of maladministration of the affairs of the Lands Department. I have simply endeavoured to prove that I have responded to the opportunities that have presented themselves to me and that I have done something for this State. I can almost hear the leader of the Opposition still yelling about the Dunkley case, which he says is a very serious matter.

Mr. Scaddan: I have heard something about cows, too.

The MINISTER FOR LANDS: And so have I. But you never helped the people much by providing them with cows or anything else. The land board also came in for attack but, as usual, there is no suggestion made. I am very willing to improve the land board if hon. members will offer a suggestion as to how that may be done. The land board is a statutory body and does its own work.

Mr. Scaddan: But you are the responsible Minister.

The MINISTER FOR LANDS: I am the responsible Minister, but the members of the board are responsible for the work they do. If there is any improve-

ment possible in the system of allotting land I shall be only too pleased to consider any suggestion that hon. members may make. Some means of allotting land to applicants is necessary; it is impossible to carry on without it under a system of survey before selection, because all must have equal opportunity, and it is useless criticising the board unless something can be done to improve it. I should like to see what better system could be adopted. Evidence is taken on oath, and the members are responsible and conscientious men, and I believe that as a rule their decisions are absolutely correct. I have not very much more to say. The leader of the Opposition has said that it is not his intention to take advantage of the Royal Commission which has been offered in order that hon. members might make any charges they felt inclined to make against myself, or the officers serving under me. I should have been very pleased, indeed, if the statements made here could have been made on oath before a judge of the Supreme Court.

Mr. Scaddan: Do not worry about it, they are true enough.

The MINISTER FOR LANDS: I do not admit anything of the sort. I do admit that mistakes have been made in the department, and mistakes will be made again in this and every other department; but the charges of corruption which were made were absolutely untrue, and hon. members should be prepared to take the responsibility which attaches to a member who, in the House, makes charges of that serious character. I repeat that I am perfectly willing that an inquiry should be held, and any inquiry that hon. members think fit.

Mr. Scaddan: Well, hold an inquiry.

The MINISTER FOR LANDS: The broader the scope of the inquiry the better pleased I shall be. I say again that the department was never in better order nor was it ever doing better work. Nothing but the demand which exists for land has brought about this criticism. If I had been content to drift along and do very little nothing much would have been said about the department, but just now people are desirous of acquiring land, and in their

anxiety to get it they have doubtless gone to hon. members, with the result that hon. members have brought these charges before the House. Before my time the State probably spent tens of thousands of pounds in endeavouring to set up this demand for land which is now coming actively into the work of the department, and we are getting much more money for our land than we ever got before. Probably we have obtained £500,000 more for the same amount of land during the last 12 months than was paid during the previous year, and land which we then sold at 10s. is to-day being sold at £1. A demand has been established, and though the prices are not up to the full value of the land they are higher than those obtained 12 months ago. I believe inquiry would reveal the fact that the administration of the department is as perfect as it can be made. I do not wish to say that mistakes have not been made, but I do say that my officers do their best to meet the wishes of the people. Hon. members who have endeavoured to do business with those officers will, I am sure, readily admit that the officers of the Lands Department are most obliging. It has never been claimed by us that we can avoid error, but I want to make it clear to the House that the errors made are not as great in proportion to the work we are doing as were the errors made in previous years. I assert positively that that is the case. I say also that there are life and activity in the department such as were never known in the Lands Department before, and the work of settlement has been expedited in a way that was never suggested by any member opposite. I wish to add, in conclusion, that I shall be very pleased to face the fullest inquiry into my work or into the work of the officers of the department.

Mr. Scaddan: Are you not going to tell us anything about the suspension of Bertoli and other officers?

The MINISTER FOR LANDS: I do not propose to do that now. The last case has not yet come before the Public Service Commissioner, and I do not think it would be right to discuss it here to-

night. When the Estimates come on I shall be very pleased to give the leader of the Opposition all the information he requires, but I think he will agree that it would be inadvisable to go further into the matter on this occasion.

Mr. WALKER (Kanowna): It is gratifying to hear the concluding remarks of the Minister for Lands, in which he courts the fullest and most ample inquiry into the management of his department, and states that the broader the scope the more satisfactory will the inquiry be to him. Now, I am sure that there is no member on this side of the House but applauds the spirit of that action, because it is precisely what has been asked for all along, however the request may have been worded, and with whatever indiscretions some interjections may have been made that have formed the basis of the hysterical attitude of the Premier. Contrast what has just been said with what the Premier asks the House to submit to. I want to draw attention to the fact that the Premier has committed a positive outrage on this institution by the proposal he has made. He has suggested that a judge of the Supreme Court shall be appointed—

The Premier: You asked for it. The member for Brown Hill by interjection asked for it.

Mr. WALKER: The Premier knows that he has no right whatsoever to demand that any member of the House shall be taken before a Chief Justice, or any other judge of the Supreme Court, to be tried for any utterances he may have made in this House. There is no such instance on record.

The Premier: We are taking the Minister and his department before a judge.

Mr. WALKER: You are taking the department before a judge, but you cannot try any member of the House for any utterances he has made in the House.

The Premier: We are not trying them.

Mr. WALKER: Undoubtedly you are. I may not go any further than this letter addressed to the leader of the Opposition and the letter addressed by His Excellency the Governor—

To the Honourable Robert Furse McMillan, a Judge of the Supreme

Court of Western Australia, greeting:—Whereas on the twelfth day of October, one thousand nine hundred and ten, allegations or implications were made in the Legislative Assembly of the existence of corruption in the administration of the Department of Lands and Surveys, and, particularly, that a Government advertisement was inserted in the *Sunday Times* to prevent adverse criticism of the said department in connection with the grant of block 73 on the Stirling Estate to Mr. Dunkley: and whereas it is desirable that a Royal Commission be appointed to examine into and report upon the said charge and to invite persons to bring forward charges of corruption in the administration of the said department, and to inquire into any charges that may be brought forward pursuant to such invitation: Now therefore I, the said Governor, do hereby appoint you, the Honourable Robert Furse McMillan, to be a Royal Commissioner within the meaning of the Royal Commissioners' Powers Act, 1902, sitting alone for the purpose of examining into and reporting upon the said charge and of inviting persons to bring forward charges of corruption in the administration of the said department and of inquiring into and reporting upon any charges that may be brought forward pursuant to such invitation.

I do not need to go any further with this. An appointment of a judge of the Supreme Court—

Mr. Scaddan: He ought to know better than to accept such a commission if he knows anything.

Mr. WALKER: The Act of 1902 gives the Commissioner power to summon witnesses, and penalties are attached for contempt or disobedience to the orders of the said judge. Under this Commission those members particularly who made what might be construed into a charge, who made allegations, or who even made implications, could be subpoenaed, compelled to give evidence, and so to answer in the Supreme Court for their conduct in this Assembly. I want to know if the leader of the House protects the House in

this way. I ask the Premier if he knows of any precedent to the appointment of a commission of a like character.

Mr. Brown: Yes, three years ago.

Mr. WALKER: Where?

Mr. Brown: In this House.

Mr. WALKER: I do not know what was done in the House. I believe the Premier alluded as an example to the case of Charles Stuart Parnell. Am I right in taking that as a precedent? I ask the Premier if he stands by that?

The Premier: I answered the leader of the Opposition that that instance had taken place in the British House of Commons.

Mr. WALKER: And it is the precedent for this?

The Premier: No. I did not say that. It is on a parallel.

Mr. Brown: I was in the same position as that three years ago.

Mr. WALKER: And you were wrongly treated, unconstitutionally and unjustly. The Premier, in spite of his boast that he requires no tuition, I venture, does not know the circumstances of the special commission that inquired into the allegations regarding Charles Stuart Parnell. I venture to say he does not know the facts that took place on that occasion. At that time the commission was objected to as unconstitutional. Herbert Paul's History of Modern England deals with the circumstance. We have this feature strongly brought home to us that even the British House of Commons dared not appoint such a commission without going through the process of making it law. They had to bring in a Bill, which had to be introduced, read a first time, read a second time, taken through Committee and passed through its third reading and then sent to the House of Lords. This is what happened in the case of Parnell—

Mr. Parnell had very sensibly offered that the authenticity of the letters should go before a committee without an Irish member on it. To let three Englishmen determine an international dispute between England and Ireland was a very different thing indeed. But it was a thing upon which the Government were bent. Not only did they

carry the Bill over the heads of the Irish members. They forced it through the House of Commons by the same methods employed to close debate upon the Crimes Bill the year before, although on this occasion the plea of urgency could not with any show of reason be set up. The Bill came to the House of Lords early in August—

I may say it passed on the 13th August, 1888—

and that House according to the theory of the Constitution should have brought it to a speedy end. It was what the Romans called a *privilegium*, the precise opposite of what we mean by privilege, a special law directed against individuals obnoxious to the majority. Lord Herschell, in a speech which for judicial weight and gravity has seldom been surpassed, implored the Peers to consider how dangerous was the precedent they were making in the confusion of judges with politicians, of legislators with administrators of the law.

Upon the same point John Morley's *Life of Gladstone* deals more fully with the unconstitutional aspect of the appointment, and shows that it could only have come in times of great trouble, of passion, and of stirring-up episodes. It was just after the Crimes Act had been passed to subdue the spirit of independence which was in Ireland. And in the midst of all that excitement *The Times* had sought to ruin a patriot of Ireland, a statesman, a man of remarkable ability who will live in history and the memory of humanity long after the petty struggles that sought to strangle him are buried and forgotten. We are told here by no less an authority than John Morley—

Stormy scenes marked the progress of the Bill through committee. Seeing the exasperation produced by their shifting of the ground, and the delay which it would naturally entail, Ministers resolved on a bold step. It was now August. Government remembered the process by which they had carried the Coercion Bill, and they improved upon it. After three days of commit-

tee, they moved that at one o'clock in the morning—

We see where this Government got all their spirit from—

at one o'clock in the morning on the fourth sitting, the chairman should break off discussion,

They moved that at one o'clock in the morning—

put forthwith the question already proposed from the Chair, then successively put forthwith all the remaining clauses, and so report the Bill to the House. This process shut out all amendments not reached at the fatal hour and is the most drastic and sweeping of all forms of closure. In the case of the Coercion Bill, resort to the guillotine was declared to be warranted by the urgency of social order in Ireland. That plea was at least plausible. No such plea of urgency could be invoked for a measure which only a few days before the Government had considered to be of such secondary importance, that the simple rejection of it by Mr. Parnell was to be enough to induce them to withdraw it. The Bill that had been proffered as a generous concession to Irish members, was now violently forced upon them without debate. Well might Mr. Gladstone speak of the most extraordinary series of proceedings he had ever known.

Where therein is the precedent that the Premier so confidently quoted at the commencement of this House—a precedent denounced in England as unconstitutional, as one passed amidst unexampled violence and public disturbance, and the product of fevered spirits, as one that in normal times would have been absolutely rejected in its incipency by every member? The Premier is relying upon that incident to support his appointment of a judge of the Supreme Court—to try hon. members of the Opposition. That is what it means. And try them for what? For having done their duty, for having stated what they knew, what was public report, what was everywhere current in reference to the management of the Lands Department, and which we have heard answered tonight by the Minister for Lands to the

extent that he deemed it necessary. And after all this judge of the Supreme Court is still to be appointed. What excuse can the Ministry make for such outrageous conduct? This is advertising the Ministry with a vengeance! What is the object of it? It is to say, "Oh, we had a judge there and we invited them to come and bring their charges, and like a pack of cowards, they backed down, and we so defended ourselves." That is the theatrical game the Premier is playing. It is too thin. It would be too thin if he had the power to play it, if it is right for him to play it; but it is worse than that when he violates the constitution to do it. Our dearest privileges are evolved in this matter. Notwithstanding the Premier's conviction that he requires no tuition, I venture to think he has forgotten a good deal he must have learned in the course of his studies, or he could never take the attitude he is doing tonight. How long have we indulged in this privilege of free speech in Parliament? How long have we proclaimed that no court in the land can review or take us to task for what is said here? And rightly so; for is it not here where all the grievances of the people can be voiced; is it not here where no power of intimidation can prevent the utterance of truth; is it not here where no sceptre or weapon can intimidate one who speaks in vindication of suffering humanity wherever it may be; is it not here where, for the redress of wrongs, we must have absolute liberty, unchecked from any other source than that which is within these walls, to utter whatever high thoughts we have or whatever disagreeable truths it may be necessary to speak?

The Attorney General: Or whatever libels you may wish to utter!

Mr. WALKER: The hon. member again with his sneers! He who should stand here the protector of the liberties of the members of the House, to speak the truth even against Ministers—

The Attorney General: But it follows, does it not?

Mr. WALKER: He who should be the guardian of the law and of the constitution is suggesting its breaking, is defending its violation. No wonder the As-

sembly is held up to the scorn and contempt of mortals when they who should be its pillars, its protectors, its champions, are those who sully it, and pollute it, and degrade it.

The Attorney General: You have the fullest opportunity of saying what you like, and you have also the fullest opportunity of libelling as well as speaking.

Mr. WALKER: The hon. member uttered that so that it might be reported in the Press, and thus reach the eyes of the multitude and deceive them. What is the answer? The answer is that if a libel be uttered by a libeller here he must be answered and brought to task here. This is the court that shall try the libeller within these walls; this is the court that has the power to punish a member who exceeds his duty; this is the court that has the power to try and punish even to the extent of expulsion, a man who abuses the privileges or violates the rules of honour within these walls.

The Attorney General: And do you suggest that you and your friends are impartial judges?

Mr. WALKER: Do I suggest that I and my friends are impartial judges? Do I ever dream that the hon. member the Attorney General could be a judge under any circumstances! If within my bosom there were not a greater sense of justice, if there were not a sense of sympathy with my fellow men, a sense that desires to do them right greater than that possessed by the hon. member, I should hide my head in shame and never exhibit my face in public more. The hon. member who has just come home from school in London requires also to be reminded of a little lesson in history so long ago as in the days of that king, James I., who has many of the qualities that are reminiscent or which survive in the Attorney General. In the early part of the reign of that monarch the Commons passed resolutions to this effect—

1. That their privileges and liberties are their right and inheritance, no less upon their very lands and goods;
2. That they cannot be withheld from them, denied or impaired, but with apparent wrong to the whole state of the

- realm; 3. That their making request, at the beginning of a parliament, to enjoy their privilege, is only an act of manners, and does not weaken their right; 4. That their house is a court of record, and has been ever so esteemed; 5. That there is not the highest standing court in this land that ought to enter into competition, either for dignity or authority, with this high court of Parliament, which with his Majesty's royal assent, gives law to other courts, but from other courts receives neither laws nor orders.

That is in the days so long ago as James I., and mark the difference in the spirit of those members in that House of Parliament subsequently to that, and the spirit we see exhibited on the Treasury bench here, when they thus resolved in 1621—

The commons now assembled in parliament, being justly occasioned thereunto, concerning sundry liberties, franchises, privileges, and jurisdictions of parliament, amongst others not herein mentioned, do make this protestation following:—That the liberties, franchises, privileges, and jurisdictions of parliament are the ancient and undoubted birthright and inheritance of the subjects of England; and that the arduous and urgent affairs concerning the king, state, and the defence of the realm, and of the church of England, and the making and maintenance of laws, and redress of mischiefs and grievances which daily happen within this realm, are proper subjects and matter of counsel and debate in parliament; and that in the handling and proceeding of those businesses, every member of the house hath, and of right ought to have, freedom of speech to propound, treat, reason, and bring to conclusion, the same; that the commons in parliament have like liberty and freedom to treat of those matters in such order as in their judgment shall seem fittest; and that every such member of the said house hath like freedom from all impeachment and molestation (other than by the censure of the house itself) for or concerning any bill, speaking, reasoning, or declar-

ing of any matter or matters touching the parliament or parliament business; and that if any of the said members be complained of and questioned for anything said or done in parliament, the same is to be showed to the king by the advice and assent of all the commons assembled in parliament, before the king give credence to any private information.

But that was only the resolution of the Commons. In Taswell-Langmead's History of the Constitution, it recites that the last occasion on which it was directly impeached (that is the right of freedom of speech) was in the celebrated case of Sir John Eliot—

The Attorney General: No one disputes that.

Mr. WALKER: I do not suppose they do. They do not until they come here and try and put all this aside by the appointment of a judge to question the freedom of speech in this House. The last occasion when precisely the same thing was done was in the celebrated case of Sir John Eliot, Denzil Holles, and Benjamin Valentine and others who had taken the king to task, who had accused the king in a dignified form, of corruption, and the king resolved to take them prisoners. We know what it cost King Charles, but before the great event and the arrest of these members, we know what Eliot suffered, and it was about the last time this dodge was tried of taking before the judges men who had dared to speak their minds in the Commons, whose prosecution was one of those acts which hastened the ruin of Charles I. Taswell Langmead says—

In the fifth year of his reign (1630) a judgment was obtained in the Court of Kings Bench against these members for their conduct in Parliament; the statute of the fourth Henry VIII. being falsely assumed to be merely a private Act for the relief of Strode and not of general application. In 1641 the House of Commons declared all these proceedings in the King's Bench to be against the law and privilege of Parliament; and in 1667, after the Restoration, they passed another

resolution: That the Act of Parliament in the fourth Henry VIII., commonly entitled "an Act concerning Richard Strode," is a *general law*, extending to indemnify all and every the members of both Houses of Parliament, in all Parliaments, for and touching any Bills, speaking, reasoning, or declaring of any matter or matters in and concerning the Parliament to be communed and treated of; and is a *declaratory law of the ancient and necessary rights and privileges of Parliament*. They subsequently resolved that the judgment given, 3 Car., against Sir John Eliot, Denzil Holles, and Benjamin Valentine, in the King's Bench, was an illegal judgment and against the freedom and privilege of Parliament. On a conference both these resolutions were agreed to by the Lords; and finally on a writ of error, the judgment of the Court of King's Bench was reversed by the House of Lords, on the 15th April, 1668.

This is the point that is law with us. The privilege was confirmed for the last time by the Bill of Rights, the ninth article of which declared that the freedom of speech in debates or proceedings in Parliament ought not to be impeached or questioned. I draw the Attorney General's attention to that, and the Premier's attention also, that it ought not to be impeached or questioned in any court or place outside of Parliament. That is the 9th clause of the Bill of Rights, a pillar in the foundation of British liberty.

The Attorney General: That is where I am with you entirely.

Mr. WALKER: That is the law of the land, and we cannot undo it except by the enactment of another law.

The Attorney General: I hope you do not wish to undo it.

Mr. WALKER: The hon. member knows he is wishing to undo it now.

The Attorney General: No, I do not.

Mr. WALKER: The hon. member if he agrees to this would undo it. What does this mean? It means that the Royal Commission has been appointed with power to send for a member of Parliament.

The Attorney General: A figment of the imagination.

Mr. WALKER: We have heard a lot of this imagination. I will take the exact words of the commission which has been read out to-night. The commission says—

The said Governor do hereby appoint you the Honourable Robert Furze McMillan to be a Royal Commission within the meaning of the Royal Commissioners' Powers Act, 1902.

And Section 2 of this Act declares—

It shall be lawful for any Royal Commission, appointed or to be appointed by the Governor, to summon, by writing under the hand of the chairman of the commission, any person whose evidence shall, in the judgment of the commission, be material to the subject matter of the inquiry to be made by such commission, to attend the said commission at such place and time as shall be specified therein.

Section 3 says—

If any person on whom any such summons shall have been served by the delivery thereof to him, or by the leaving thereof at his usual place of abode, shall neglect or fail to appear according to the exigency of the summons requiring his attendance, or being present shall refuse to be sworn or to give evidence, or to make answer to such questions as shall be put to him by any member of such commission, touching the subject matter of the inquiry, or if any person having the custody or control of such books, papers, documents, and writings, shall, upon being summoned as aforesaid, fail or neglect to produce them at the time and place named in such summons, such person so offending shall forfeit and pay to His Majesty, for every such default, any sum not exceeding one hundred pounds, to be recovered in a summary way before any Court of summary jurisdiction, by any person authorised by the commission so to do.

The Attorney General: That is punishing somebody for refusing to speak.

Mr. WALKER: It gives the power to summon members of the House. Who else has spoken; who is it intended shall be summoned as witnesses? Members of the House, and, Sir, one member is distinctly selected, one who has said something about the *Sunday Times*. Oh, it is belittling to this child of the mother of Parliaments to have this pettifogging, tiddlywinking, periwinkle sort of charges exalted upon a pedestal of this kind. The *Sunday Times* has been mentioned; then let the criminal be brought before the Chief Justice, or before Mr. Justice McMillan. Dare he say anything about that paper? Then he shall stand to answer for it before a judge of the land. That is the position. Was it worth noticing; was it worth being put upon paper; was the incident so to be immortalised—was it deserving of this immortalisation? Has the Premier lost all sense of proportion that he could so forget himself as to issue a document of this kind, and by this process make known his credulity throughout the world? It is humiliating. But I remind the Premier again that, however anxious he may be to advertise himself and his Government for pluck and boldness, there was not the power for him to do it. It was an absolutely illegal proposal; absolutely illegal, and I charge the Attorney General to deny the fact that it was illegal.

The Attorney General: Oh, I deny it, certainly.

Mr. Holman: You would deny anything.

Mr. WALKER: We have, apparently, no sense of right, for whenever the truth has to be spoken from this side of the House it must be denied on that. Now. I will not believe that the Attorney General is so ignorant as not to know that even the House of Commons itself could not appoint a special commission to inquire into the case against Charles Stuart Parnell, without going through the steps of passing a Bill through all its stages in the Commons, and sending it to the Peers. He cannot be ignorant of that. If only fresh from school he must know it. Then what is the good of denying the illegality of the step taken by the Premier? And whilst we have the Bill of Rights

existing as part of the laws of the Commonwealth, a step taken such as that adopted by the Premier, is absolutely—and the Attorney General must admit it—illegal. Now, in defence of the rights and liberties of every member of the House, I, at least, protest against the course taken. I desire to expose its hollowness, the pretence of it; because it is not real, it has no foundation in fact, this attempt to make a mountain out of a molehill of debate. And if we adopt this precedent, if we are to make laws in defiance of the British laws that have protected our liberty, where should we ultimately end? There would not be a member in the House making the slightest charge but he could be intimidated by the threat of a Royal Commission.

Mr. Holman: They will not intimidate me.

Mr. WALKER: And by degrees we should get into a subserviency that would be perfectly despicable; no member would dare to ventilate a wrong or expose a grievance; we should all be absolutely subservient. It is not in the blood of Australians to tolerate that sort of thing. The spirit that animated our ancestors, that inspired the language breathed against King James I., that found expression in written verbiage in the sacred Bill of Rights is alive to-day in this very Assembly, and we resent this species of intimidation, of coercion. We shall not submit to it, and I venture respectfully to say that if that commission be appointed and any member on this side of the House is summoned, or subpoenaed to attend before his Honour, without any suspicion of contempt on his Honour or his court, or his appointment, without any disrespect whatsoever to him, but in vindication of the rights of the House, the member so summoned shall refuse to attend. They will stand as the guardians of the liberties of this land, and they will do so because they will be able to say, wherever the High Courts of the Empire are appealed to, that such a commission, seeking to summon members to explain their speaking in the House, is against the law of the land, and against the most sacred traditions of the British race.

The ATTORNEY GENERAL (Hon. J. L. Nanson): The motion moved by the leader of the Opposition declares that the proposed commission of inquiry into the administration of the Lands Department is unsatisfactory. It would, Sir, have been more convenient if, in introducing that motion, the leader of the Opposition had explained more fully than he did on what grounds he regards the proposed commission of inquiry as unsatisfactory. Is it that the scope of the inquiry is too wide; is it that the scope of the inquiry is not wide enough; is it that the inquiry should be conducted by some other functionary than a Supreme Court Judge; or is it, Sir, that hon. members opposite wish no inquiry at all?

Mr. Scaddan: Read my reply.

The ATTORNEY GENERAL: I have the hon. member's reply and will deal with it shortly.

Mr. Holman: You have not read it yet.

Mr. SPEAKER: Before the hon. member proceeds further I would ask hon. members to be kind enough to pay the same respect to the Attorney General as was paid to the member for Kanowna; and that there will not be these frequent interjections.

Mr. Holman: Why did you not speak to the Attorney General when he interjected half a dozen times?

The ATTORNEY GENERAL: There is apparently a division in the camp of hon. members opposite, because we have some hon. members apparently of opinion that the inquiry does not go far enough, that it should cover the entire administration of the Lands Department, and, on the other hand, we have other hon. members, like the member for Kanowna who has been exhausting all his singular powers of eloquence in trying to persuade the House that there should be no inquiry at all.

Mr. Walker: No.

The ATTORNEY GENERAL: No inquiry at all—

Mr. Walker: No.

The ATTORNEY GENERAL: The hon. member says "no," but what is the burden of his argument? I am not sur-

prised that, quoting from the learned tomes at his elbow, he was compelled to go back to the times of King James I., when apologists were found for what is known as the doctrine of high prerogative. Those were the days when there were persons of great eminence, of eminence so great as that of Francis Bacon, who argued that the king could do no wrong, who argued in favour of the divine right of kings. Since that time, something like three centuries have passed, and we now find the member for Kanowna arguing in favour of the divine right of Parliaments; and he suggested that in appointing this commission we are interfering with the liberty of members of Parliament.

Mr. Walker: So you are.

The ATTORNEY GENERAL: On the other hand, it is complained in this motion that the scope of the proposed commission of inquiry is unsatisfactory, and I ask for what reason is it unsatisfactory.

Mr. Scaddan: I ask you again to read my reply to the Premier's letter.

The ATTORNEY GENERAL: I will refer to the reply, the somewhat contradictory reply, contained in a letter from the leader of the Opposition. And I gather from that letter that the hon. member regards this inquiry—

Mr. Scaddan: You have not read it yet.

The ATTORNEY GENERAL: I gather that the hon. member regards this inquiry as unsatisfactory on the ground that the accusations having been made in Parliament should be answered in Parliament and nowhere else. Am I to take that as meaning that there should be a Parliamentary inquiry, that there should be a select committee, or that the House as a whole should sit here and perform judicial functions, resolve itself into a commission and take evidence, and have witnesses here and probe certain allegations to the bottom?

Mr. Scaddan: Read the next paragraph.

The ATTORNEY GENERAL: Well, we come to the next paragraph, "It is altogether objectionable," the hon. member continues, "and moreover unconstitutional, to refer speeches of members

of Parliament to the censorship even of Supreme Court Judges." Well, I am glad to have found one passage in this letter with which I am in hearty agreement. Of course it is highly objectionable. Moreover, as the hon. member points out, it may be argued that no doubt it is unconstitutional. But that is what the Government never intended and what this Commission does not intend. I begin to fear that some members opposite have a somewhat uneasy conscience in regard to this Commission. It is true that if a member makes charges, whether they be outside this Chamber or inside it, there is one tribunal before which he can be brought. Even although the member for Kanowna has tried to dissuade us that a member of Parliament is sacrosanct, that he can say things in this Chamber that he cannot say out of it, all of which is true as regards his liability in a court of law, there is still a tribunal before which even a member of Parliament is answerable, and that tribunal is the tribunal of public opinion. If hon. members make charges of corruption, or charges of an equally serious nature, either against members sitting in this Chamber or persons outside of it, and on investigation it is found that there is no shadow of foundation for those charges, that they were made recklessly, without sense of responsibility, and under the cowardly cover of Parliamentary privilege, then, if these be proved, there is—and we may be thankful for it—the tribunal of public opinion before which they will be tried for their cruel, reckless, and unscrupulous conduct. The leader of the Opposition does admit in this letter that there is ground for what he calls an immediate and full inquiry, not only, I assume, in regard to the charges of corruption, but also in regard to the general administration of the Lands Department. I join issue with him on that point entirely. When charges of corruption are made, it is desirable in the public interests that it should be shown whether or not there is any foundation for those charges. I do not mean to say that on every occasion when an irresponsible member gets up in the House and charges an hon. member or

some outside person with corruption, we should appoint a Royal Commission to inquire into his statement, but there is this unfortunate feature which has come into great prominence during the last few sessions, that some hon. members seem to make charges in this House and indulge in language without quite realising what is the full meaning and effect of their words. Even when you have so great a master of language as the member for Kanowna—even he on occasions seems unable to weigh the words at their exact value according to their meaning, because we find only a few minutes ago that that hon. member in referring to the charges of corruption made in this Chamber described them as “pettifogging and tiddlywinking charges.” I do not know what is the precise meaning of tiddlywinking, but I presume that it is intended to suggest a degree of insignificance. What were the charges indulged in? They arose out of this Dunkley case, and the fact that an advertisement was given to the *Sunday Times* at about the same time as that journal interested itself in the case. The member for Albany in referring to that case drew attention to what he regarded as a coincidence and a connection between the appearance of that advertisement in the *Sunday Times* and the interest of the *Sunday Times* in this Dunkley matter. The member for Cue immediately acted as chorus for the member for Albany, and when the latter drew attention to this singular coincidence, as he regarded it, the member for Cue stated “It is a rotten, dirty piece of corruption; the Government cannot get out of it.” That is what the member for Kanowna wishes us to regard as a pettifogging, tiddlywinking charge.

Mr. Walker: Why do you not be fair? I was dealing with the Dunkley charge, and I expressed my surprise that the Premier should magnify that affair into the necessity for a Royal Commission.

The ATTORNEY GENERAL: I am very glad of the hon. member's explanation. Of course, the marvellous thing is that the member for Albany could ever have based upon it this tremendous charge

of corruption that is brought against the Lands Department. Now, we have here the statement made by the member for Cue that this was a rotten, dirty piece of corruption which the Government could not get out of, and I am glad to have the assurance of the member for Kanowna that he does not regard a charge of that kind as of a pettifogging, tiddlywinking nature. It was not as if the member for Cue made that statement only in the heat of the moment, because he returned to the charge again and again. I find that a minute or two after using the language to which I have referred he went so far as to say that the Minister for Lands should be impeached immediately. If the member for Kanowna thinks that a member of Parliament should only be impeached before this Chamber—

Mr. Walker: Do you say that he should be impeached anywhere else?

The ATTORNEY GENERAL: If a member of Parliament brings himself within the meshes of the criminal law by accepting a bribe he should stand in the dock just the same as anybody else. If it could be proved against the Minister for Lands or myself, or any other member of the House, that he had accepted a bribe he should pay the penalty for his offence just in the same way as any ordinary member of the community. I am surprised that the member for Kanowna, by his language and speech, should create the impression that there is a peculiar sanctity about a member of Parliament not enjoyed by any of his constituents. But that is not so. There is no sort of sanctity against evil-doing even by a member of Parliament. We have the member for Cue saying that this is a rotten, dirty piece of corruption and that the Minister for Lands should be at once impeached. Then we have another member joining in. There might be some excuse for the member for Cue, because we know from experience during this session that he is of a somewhat excitable nature and may have been carried away for the moment, but the member for Brown Hill is ordinarily one of the coolest and most temperate members in the House, and we

find this cool and scholarly member, who deals in constitutional points, reinforcing the charges made by the member for Cue. The member for Brown Hill said that "a Minister who would sit down under the charges made"—presumably by the member for Albany—"would sit down under anything"; and then, of course, the irrepressible member for Cue said again that the Minister for Lands should be impeached. The member for Brown Hill, going one more than the member for Kanowna, says—"Yes; he should be impeached either before this Chamber or before a judge." Therefore, although it is an enormity and almost beyond the vast powers of language possessed by the member for Kanowna to describe the iniquity of a Government that would propose a commission to inquire into a charge of corruption—not inquire into the actions of members in this House—and although it is conduct which cannot be described in too strong language, yet the Government are doing the very same thing as his friend, the member for Brown Hill, said should be done in regard to the Minister for Lands. In other words, the Minister for Lands, according to the member for Brown Hill, is to be hauled before a judge and made to answer for his actions. That statement, of course, met with the unqualified approval of that convenient chorus, the member for Cue, who again repeats, for the third time, that it is absolute corruption from start to finish. Apparently then the Deputy Speaker, thinking that things were getting a little warm, appealed to hon. members for order, but the irrepressible member for Cue refused to be called to order, and for the fourth time said, "I say it is corruption." The hon. member at any rate had the courage of his convictions. The member for Guildford stated some days ago that he did not believe in this charge of corruption, or that the Opposition had no intention of bringing any charge of corruption against the Minister for Lands or anybody else, and I think that the leader of the Opposition on another occasion gave a somewhat similar assurance.

Mr. Scaddan: Did I?

The ATTORNEY GENERAL: I will be pleased if even now the leader of the Opposition will say whether he does or does not make that charge.

Mr. Scaddan: What did I say? Repeat it.

The ATTORNEY GENERAL: I will give the hon. member credit if he likes for saying publicly that he does not make a charge of corruption.

Mr. Scaddan: You made a deliberate statement just now, and I am asking you to prove it.

The ATTORNEY GENERAL: I was under the impression that the leader of the Opposition had stated on one occasion that there was no intention of making any charge of corruption against the Minister for Lands or anybody else.

Mr. Scaddan: We will have to turn up *Hansard* again to find what you did say.

The ATTORNEY GENERAL: If you did not say it, say so. I am simply trying to get out of the hon. member what he did say. There is no difficulty in refreshing one's memory as to what he did say in the House. I regret indeed to say that the hon. member did make a charge of corruption in the House; because when the Premier in an interjection asked him to go on with the debate, the hon. member told the Premier that the Premier should reply to some of the charges made—charges of corruption; and, therefore, we may assume that at that time, whatever may be the present frame of mind of the leader of the Opposition, on the 12th October he said that charges of corruption had been made and that those charges should be replied to.

Mr. Scaddan: Did you not consider they were charges of corruption?

The ATTORNEY GENERAL: I consider charges of corruption were made. Undoubtedly this commission would never have been appointed had it not been considered that charges of corruption were made. At any rate it is satisfactory, that the leader of the Oppo-

sition and I are in agreement on this one point, that on the 12th October in this Chamber certain charges of corruption were made by certain hon. members of the House. We are on plain ground there; there is no dispute as to that. That being so, we have to ask ourselves what is the right course to take in regard to these charges. I said earlier in my remarks that it would be unreasonable to suppose that on every occasion when some hon. member, labouring under excitement and, possibly, some baser passion, got up in the House and made entirely unsupported charges against some one—it would be unreasonable to suppose that on every such occasion a Royal Commission should be appointed; because, unhappily, we know that there are some hon. members in this Chamber—I regret to say it, and I try not to say it offensively—who have gained an evil reputation for speaking wildly against the characters of others. We had an instance only last night in the House in the speech of the member for Murchison of the wild way in which charges are made against persons outside the House. In that speech again and again we heard the words “boodler” and “booster,” “robber” and “plunderer” and utterances like that, all directed against certain persons who are not in the Chamber. After making charges of this sort, after saying the most offensive things possible against myself—I can remember one occasion during the tramway strike when the hon. member used most offensive epithets against me—after I stood for two or three hours the full brunt of the hon. member’s attack the hon. member came across the Chamber with that broad expansive smile of his we know so well, and approached me as a dearly beloved friend, apparently expecting me to treat everything he had said as a little persiflage. That may be the way of looking at these things in the circles in which the hon. member moves, but hon. members on the Government side of the House at any rate are accustomed to attach some amount of importance to language, and I cannot understand the frame of mind

which permits hon. members of the Opposition to actually—if not in plain language, at any rate as nearly as the rules of the House will permit—call a member of the House a scoundrel, and afterwards approach him here or in the lobbies as if he were a personal friend. If the hon. member thinks of me and some other members as badly as he professes to think of us when he is delivering his philippics in the House, why does he speak to us outside. If what the hon. member says is true, we would not be fit to associate with him; we would not be fit to be in the House. I have been accused of being a liar.

Mr. Swan: We are unfortunately compelled to speak to you on public business.

The ATTORNEY GENERAL: Some members opposite profess to believe that these charges are true. If they do regard me or some hon. members of the Government as men of honour, surely we cannot be men of dishonour in this Chamber and men of honour when we go into the lobby?

Mr. Holman: We have only spoken on matters of public business. A man who will deny his word I have no time for.

The ATTORNEY GENERAL: Mr. Speaker, you see the sample of the hon. member’s arguments. That brings me back to the point I wish to make, that we cannot always have Royal Commissions simply because hon. members have used heated language, the effect of which, to do them justice, they do not really appreciate. They do not look upon it in the same light as we on this side of the House do. But there are occasions when, in the public interests, it does become necessary to take notice of charges made in the Chamber. Hon. members are all familiar with the old fable of the wolf, how when the cry of “wolf” was repeated again and again no wolf appeared, the shepherds got careless and the flock was destroyed. There is very evident danger to this community, if members of Parliament under the cloak of privilege make wild charges in the House and nothing follows from these charges, that ultimately we may get so case-hardened in the House—we who have to bear them have to steel ourselves against that sort of thing,

and those hon. members who indulge in charges of the kind also become careless in the making of them—that the time may come in the history of the State when these matters will be regarded by the public at large as absolutely of no importance, as merely the playful amenities of Parliamentary debate, and under that carelessness, that callousness, and that indifference of the public to this sort of thing, it is possible that very grave abuses and very flagrant corruption may take place.

Mr. Holman: Now quote the “skunk” incident.

The ATTORNEY GENERAL: The hon. member has referred to an incident evoked by something similar to this. I was a young member of the House in those days and my indignation was more readily aroused by charges against the personal character of individuals than it is to-day; because during the years that I have sat in the House, I have so frequently heard these charges made that they arouse in me, not so much a feeling of indignation against the people who make them, as a feeling of pity against them. I contend that it does become in the public interest occasionally necessary when charges are made in the House containing possibly all the elements of falsehood that we should appoint a commission whose impartiality is absolutely beyond dispute, who could in no way be brought to book by the Executive; that we should appoint a commission of that nature to go into the matter and give the fullest possible facility for the truth being brought forward. And this is what we have done in the present instance. The member for Kanowna tells us that our action is unconstitutional. I may follow him later into that branch of the argument; but let us assume for the moment that the action is unconstitutional. Then I say unhesitatingly that if it were unconstitutional I should still follow that line of action, because I do not believe in making a fetish of constitutionalism. I believe the great thing we have to aim at is pure administration and pure politics.

Mr. Walker: It is the law.

The ATTORNEY GENERAL: At any rate, if I want any—

Mr. Walker: It is the law.

Mr. SPEAKER: Order.

The ATTORNEY GENERAL: If I have to choose between out-worn constitutional doctrines on the one hand, and securing integrity in public life on the other hand, and keeping the fount of justice pure, then I shall choose for the unmasking of corruption and for the doing of right. We may make a fetish of constitutionalism.

Mr. Walker: It is the law under the Constitution.

The ATTORNEY GENERAL: I do not care—

Mr. Walker: It is in the Bill of Rights.

The ATTORNEY GENERAL: I do not care one jot for the law as interpreted by the member for Kanowna. I refuse to take my law from the hon. member.

Mr. Walker: I ask you to take it from the Act, not from me.

The ATTORNEY GENERAL: I do not take it from the member for Kanowna, nor from James I., not from any other antiquities the hon. member likes to quote.

Mr. Walker: It is the law in the twentieth century.

The ATTORNEY GENERAL: This Parliament, in the exercise of its wisdom, has passed a Statute providing for the appointment of Royal Commissions, and for giving these Royal Commissions power to ascertain the truth; and if we find it said, not once, not in the temporary heat of debate, not by one member but by more than one member, and endorsed by the leader of the Opposition, repeated four times by the member for Cue, endorsed by the member for Brown Hill—

Mr. Bath: No.

The ATTORNEY GENERAL: And defended, I suppose, by almost every member of the Opposition, that there is corruption in regard to a certain affair, this Dunkley affair, that there is suspicion of corruption attached to it, then I say we think that the time has come to give those hon. members, and those persons outside who have

any knowledge of corruption, an opportunity to substantiate their charges; and we do so in the most reasonable and natural manner possible. The member for Kanowna has tried to persuade us it is a commission to try members of Parliament. Why, of course it is not anything of the sort. It is a commission to enable members of Parliament to substantiate the charges they have made. Is it not a singular attitude that these hon. members, having said there is corruption, flagrant, rotten or any other adjective of equal strength they can lay their hands to, and having declared that the Minister for Lands should be impeached either before the House or a judge, is it not a singular situation that, when we appoint a commissioner, a Supreme Court judge, in order to give these members an opportunity of substantiating their charges, we have a tremendous hullabaloo; we have the member for Kanowna, the heavy gun, the oratorical gun of the Opposition, brought into play to try to show we are traitors to the Constitution. Our motto is "Let the truth prevail." We only want to get at the truth of the matter. Hon. members who have made these charges must be the judges of their own conduct, must decide for themselves whether they will go before a commission; and although there are under the Statute certain powers held in reserve against persons who refuse to go before a Royal Commission and give evidence, I should, for my own part, judge that it would be entirely unnecessary, even if it were expedient, to enforce any of these powers against members of Parliament; because that other tribunal to which I have already referred, that more powerful tribunal than any Royal Commission, the tribunal of public opinion, will put its own construction upon the silence of those hon. members in their refusal to go before an impartial commission; and that tribunal will say, "What are we to think of hon. members who, under the cover of privilege, make these extraordinary charges against the Minister for Lands, charges which, if substantiated, could remove that hon. member from the position of

Minister of the Crown and place him in the felon's dock—when these hon. members who make charges of that kind have the opportunity of going before a judge of the Supreme Court—not to be punished mind you, the judge has no power to punish them for telling the truth, all hon. members know it, but simply to tell what they know, to give him an opportunity of reporting to the Government whether there is a *prima facie* case which should be made the subject of a criminal prosecution possibly—when they are asked to do that they hold back." Is there one code of honour for the ordinary men in the street and another code of honour for members of Parliament? It is necessary, I admit, to protect members of Parliament in courts of law against what they may say in this House. But it was never intended that hon. members should make charges here and when they are immune from possible ill consequences in going before a Royal Commission to give information after having made charges here, that they should when protected outside, refuse to follow these charges up. Yet that is the attitude which I gathered from the speeches of the member for Kanowna and the Leader of the Opposition they are advised to pursue. I do not suppose for one moment, because unfortunately in these matters party spirit plays an unduly prominent part—that hon. members opposite who made these charges will accept any advice of mine, but I would ask whether they think they are advancing the interests of the country in seeking to boycott this Commission. There can be only one answer. Let me put it on personal grounds. If an hon. member divests himself of any idea of party strife or feeling, let me ask whether on the one hand it is an honourable course to hurl charges of corruption, and refuse to withdraw those charges, and on the other hand to refuse to follow them up before an absolutely impartial tribunal. As regards the argument of the member for Kanowna, on the constitutionality of the action of the Government in appointing this commission, it is no doubt a very fine argument. He has told us that no court of the land

can review us or take us to task for language used in this Chamber. I do not suppose any hon. member in this House disputes that position. It is a commonplace of constitutional law. If we assume, as the hon. member seeks to assume, that this inquiry has been instituted to put members of Parliament on their trial, if the terms of the Commission were to inquire into the conduct of the hon. member who is making these charges, there might be something in the argument advanced by the member for Kanowna, but that has nothing to do with it at all. The terms of the Commission are that an inquiry is to be made into certain allegations of corruption, or any other allegations that may be brought under the Commissioner's notice. It is altogether straining the argument to breaking point to try and twist a commission of that nature into a commission directed against any hon. member in this House. It is only possible to put that construction on it if hon. members opposite have an uneasy feeling in their minds that the language indulged in on the 12th October was of a nature that should not have been indulged in, and had not sufficient basis; in fact if hon. members will indulge in charges of that kind without warrant for them, one cannot help if these charges ultimately recoil on their own heads. If it should happen that the Royal Commissioner is compelled to say that there has been no evidence to lead him to suppose there has been corruption of any sort, and if he should be compelled to report that the hon. members who might have given some assistance refused to go before him, undoubtedly in the minds of the fair-play loving public, some of the odium which those hon. members have been endeavouring to heap upon the Minister for Lands, and the officers of his department, will recoil upon themselves. It is not the first time that an engineer has been hoisted by his own petard, and if hon. members will indulge in that species of Parliamentary vituperation, if they play at that kind of bowls they must expect rubbers. We on this side have only to cast our memories back during the present session when we have again

and again listened with the utmost patience to the violent diatribes of hon. members opposite, but the time must come when an accusation is made with sufficient definiteness and sufficient deliberation, and if it is repeated again and again, and is endorsed by the responsible leader of the Opposition, and by a member occupying such a position in the counsels of the party as that of the member for Brown Hill, the time must come when our backs will be brought to the wall, and we will say "You evidently believe there is something in this; we will give you the fullest opportunity of proving it." That is all that has been done in the present instance. We do not wish to try hon. members; we wish to ascertain whether there is any truth in the suspicion floating about that there is such a thing as corruption existing in our public service. Again, I ask hon. members to help us, and to help us in what I can only characterise as a high and holy task. They are as interested as ourselves in maintaining purity in the administration of public affairs; they should be as anxious as we that the truth should be brought out, and if they are anxious, why should they hesitate to assist with regard to this Commission? There is no intention, and even if we wished to do so it would be impossible, to punish those hon. members. There is only one tribunal before which they can be punished, and that is the tribunal of public opinion. We feel confident that our duty at any rate in this matter is plain. We do not believe that corruption exists, but if there be corruption, if there be the faintest possibility of anything of that kind, we are determined that we shall do nothing to keep it in the background. Every power at our disposal shall be directed towards bringing forward that corruption, if it exists, into the light of day; and in choosing a Royal Commissioner from the Supreme Court Bench we consider that we have chosen the very best possible Commissioner that could be obtained in the State, because as hon. members are aware, the Supreme Court judges are absolutely immune from any possible interference, and they can only be re-

moved from their positions by a vote of both Houses of Parliament. I submit therefore that the tribunal is an absolutely impartial one, and I submit that the inquiry is one that is desirable in the public interests, and I further submit that those hon. members who have formulated these charges of corruption owe a duty to themselves and a duty to the country to assist that Commission in its labours.

Mr. PRICE (Albany): It is well we are not often treated to this spectacle of the one hon. member in the House who should be the guide for other hon. members, the head of the law in the State, the one man who should hold that law inviolate against any interference, telling this House that he cares not one jot for the law. The criticism of the Attorney General was against what he was pleased to term the Parliamentary vituperation indulged in by members on this side, yet has there been at any time a member on this side of the House who has risen in his place and more deliberately insulted members, using language of a more insulting character, than that which was indulged in by the Attorney General to-night? Members on this side were referred to in every term which he called to his mind. This language was hurled at members on this side, and at the same time we have the hon. gentleman protesting against members rising here and using the same kind of language as he indulged in. Were I to find any member standing on this side of the House and declaring that he did not care one jot for the law, I should certainly regret it very much. What may we expect when we find the Attorney General himself deliberately telling us this, and warning other members against speaking in the heat of the moment and not weighing well the import of the threats they use? At the same time we find him telling us, himself livid with passion, with every nerve trembling, that he cares not one jot for the law. Why does he tell us that? Because on his own admission he has been a party to doing something which is contrary to the laws of the country. He has attempted to force upon members of this House a Royal

Commission which on his own admission made here to-night is unconstitutional and illegal. Let us see what this Commission proposes to inquire into. It is proposed to inquire into certain statements made here in this Chamber, and I want again to-night to calmly and deliberately say—I hope at least with more deliberation than that used by the Attorney General who told the House that he cared not a jot for the law—that the statements I made in this Chamber on the 12th October I am prepared to repeat; they are statements of absolute fact, and in making them I produced my authority. What have I to fear? The Minister for Lands to-night himself corroborated my statements, every one of them. In not one single instance did he attempt to say I had spoken anything but the truth.

[*Mr. Taylor took the Chair.*]

Mr. PRICE: He admitted that in the Dunkley case a mistake had been made by the department; he admitted that practically simultaneously with the settlement of the Dunkley trouble on the Stirling estate the *Sunday Times* was given a full-page advertisement. True, he denied that there was any connection between the two. Did not I, in the House say there might be no connection? I distinctly stated there was a remarkable coincidence, which should be explained by the Minister; and that statement I would make in any and all circumstances, because I have now the authority of the Minister himself for making it. To-night he told us that this advertisement was arranged for and appeared the week following the sending of a certain letter by a representative of the *Sunday Times* to certain settlers on the Stirling estate, Messrs. Spalding and Krygger. There is no attempt on the part of the Minister to deny any statement which was made. We can go right through the whole of the charges of maladministration made against his department, and find that to-night he, himself, dealt with them line by line, dealt with practically all of them, although some of them he left unanswered for reasons best known to himself. Practically he went through them all, word by word, and line by line, admitting that in every case there

was justification for the statement. He gave the circumstances surrounding them, and endeavoured to the best of his ability to explain them away. Yet, despite the fact that the Minister for Lands never once attempted to deny the accuracy of the statements made in the Chamber, we find the Attorney General getting up and endeavouring to force members to admit that the action of the Government in attempting to stifle free and fair criticism of a department of State is justifiable. Now, I claim it is the duty of every member when he knows of anything which is contrary to the proper administration of any Government department, immediately he becomes possessed of that knowledge, to use it here in the Chamber. This is the only place where he can use it. Yet now we find if he dares to use it he is to be met by the Attorney General, and told that he (the Minister) cares nothing for the law himself and will force that member to do something which the law does not compel him to do. We have heard it said that there is a certain freedom allowed to hon. members in connection with their speeches in the Chamber. I desire to say that, personally, I have not since I have been in the Chamber uttered, nor do I intend in the future to utter one word under the cloak of Parliamentary privilege which I am not prepared to utter outside the Chamber—provided I am dealt with by hon. gentlemen who respect the law, and not by those who tell us they care nothing for the law and, on their own admission, will be themselves the first law-breakers, although holding positions which demand that they should respect the law under all conditions. I have already stated that what I said here on the 12th October has been corroborated by the Minister for Lands who has attempted to explain the circumstances. For my own part I say again I have nothing to withdraw, no statement I regret, no statement for which I did not have absolute corroborative evidence, which I produced here in the Chamber. I produced the original letter sent by the *Sunday Times* to Messrs. Spalding and Dunkley. Let me point out that in reply to a question submitted by me to the Minister for Lands some time

prior to the 12th October, we had that hon. gentleman assuring the Chamber that no outside influence had been brought to bear upon the department in connection with the Dunkley case; and that at the very time the Minister gave that assurance to the House outside influence was being brought to bear upon the department. Proof of that outside influence was contained in that letter I read to the House. The Minister may tell us, as he did to-night, that he was not cognisant of that fact. But to whom are we to look when we desire to secure information, or against whom are we to level any allegations of maladministration unless it is the Minister in charge of the particular department with which we are dealing? Surely even the Attorney General would not attempt to shield himself behind the officials in his department. Yet that is what, in effect, the Minister for Lands has attempted to do; because he told us that he knew nothing of any outside influence being brought to bear. Yet the letter of the *Sunday Times* says, "We have seen the files . . . We have seen the department on several occasions . . . We suggest with the approval of the department." Those are the statements contained in that letter. Surely the Minister for Lands will not, in the face of that, deny that outside influence was brought to bear upon officers in his department. And the Minister is responsible to the House for his officers. If we have any charge to make against the administration as carried out by any of his officers we have to bring them against the Minister. In case the Attorney General, with that specious pleading for which he is somewhat notorious, questions that fact, let me refer to the authority of Sydney Low in *The Governance of England*. There the writer, dealing with the responsibility of a Minister to Parliament, says—

Through one superior or another all grades of the service are responsible to the highly-placed gentlemen, titled and be-ribboned, who are the heads of the permanent staff; they themselves, these accomplished under secretaries, are responsible to the noble lords or eminent commoners, who hold the Ministerial

seals; while these Ministers, in the fullness of their power, are liable at any moment to be arraigned, not merely for their own acts, but for the acts of their subordinates, before the Assembly, which, again, is itself responsible to the sovereign people. This is the doctrine of Ministerial responsibility and which is by many—

Because we have in this Chamber those who will not agree with this doctrine.

regarded as the main shaft and supporting pillar of the political edifice.

Ministerial responsibility to Parliament! Why, the Minister for Lands and the Attorney General are above Parliament. They care not one jot for the law, as exemplified by Parliament. Therefore, what hope have we of justice, what opportunity, what chance is there of fair dealing when we find that despite these authorities, despite the law as explicitly laid down for years and years past, we find Ministers rising in their places and deliberately telling us they intend to break that law? Why? Because members here have dared to criticise the administration of a Minister of the Crown. What are we coming to if Ministers are to be above criticism? And that is really what it means. We are placed in this position to-day: that if any member rises in the Chamber and dares to utter one word which does not meet with the approval of Ministers, they will be a law unto themselves, will call to their aid a Judge of the Supreme Court and will endeavour to compel the members who have criticised them to go before that judge for his condemnation. Because, after all, what does a judge do? He asks for a certain specific charge. In this case the charge has been made already by the Government. They themselves, in the commission, which they have made out for this judge, have there stated the charge. They have said it was made here in the Chamber. They have not waited for a charge to be made, but have stated the charge of corruption was made in the Chamber, in connection with Dunkley's application for a block, together with an advertisement in the *Sunday Times*. That is what they

have laid down. As I have already said, personally I have no objection to making, before even a judge, the same statement I made in this Chamber. There is no reason why I should fear. If of their own volition Ministers choose to place upon my remarks, borne out by the statement of the Minister for Lands, certain constructions of their own, with the object, not of clearing the Minister of anything which has been said in connection with himself, but of, if possible, bringing about the political degradation of someone opposed to them—if they choose to make those charges why should I help them by going before that judge much as a prisoner upon his trial? So long as the commission stands as it does at the present time I shall certainly refuse to have anything whatever to do with it. I am quite prepared to place before any competent tribunal the facts in my possession, facts which have been substantiated by the Minister here to-night, and amongst them the fact that there was trouble in the Dunkley case, and the fact that a certain advertisement was given to the *Sunday Times*. There is no need for me to go before any judge to substantiate those circumstances; I can hand them to the Minister himself if he desires to see them. At the same time I must protest against this continual threat held out by occupants of the Ministerial benches against members on this side who dare to criticise them. In this case they have gone further than a threat, they have attempted not only to coerce members, but to bludgeon them into submission, so as to preclude them from indulging in that free and open criticism which is necessary if the administration of the country is to be carried out in a proper manner. Ministers surely will not say that they are above criticism, but that is the position in which they are trying to place themselves. As to the illegality of the appointment of the proposed commission it is not necessary for me to further take up the time of the Chamber. It is admitted by the Attorney General that it is illegal and unconstitutional, but he says, "I cave

not one jot for the law." Had the Attorney General attempted to justify the illegal appointment of that commission I might have deemed it necessary to draw his attention to certain authorities upon such appointments, but in view of the fact that it has been admitted that the appointment of the commission is illegal and unconstitutional there is no need for me to go into it. All I desire to do is to express my wish for a full, complete, and impartial inquiry into the administration of the Lands Department. The very inquiry desired by the Minister for Lands is the inquiry that will meet with the unanimous approval of members on this side, and we can only regret that the desire of the Minister has not met with the approval of his colleagues. In this matter he has been over-ruled by his colleagues. The Minister for Lands said what he desired was a full, fair, and impartial inquiry into the whole management of his department, and it is that inquiry which members on this side of the House so much desire. We do not ask for a partial inquiry, or an investigation into something which exists only in the imagination of the hon. gentleman who cares not for the law. That is not the inquiry we ask for. We ask for an inquiry into the administration, into the accountancy branch, and into every branch and section of the Lands Department in this State. The Minister himself knows that within the last 48 hours I brought under his notice a matter of very serious importance to a number of settlers in this State. I brought under his attention the fact that a number of settlers had illegally been served with notices of forfeiture, and it is this kind of thing we desire to have investigated so that the blame may be placed on the right shoulders. It is that inquiry which has been refused, although I believe the Minister for Lands desires it. The matter to which I refer arose through a mistake of an officer of the department in placing certain papers on the wrong file. If the officers of that department are not carrying out their duties in a thorough and

proper manner let us find where the blame should be laid and deal with the one responsible. If there was any need to bring forward absolute proof of the necessity for an inquiry into the administration of the Lands Department, we had that proof only recently in the suspension of certain officers. I do not desire to go into that matter, but portion of the circumstances which are known to hon. members will readily suggest the need for inquiry into the administration. Because of these things we demand the full inquiry which the Ministry, other than the Minister for Lands, have refused. In conclusion I can only express my regret that Ministers in this Chamber have over-ridden the desire of the Minister for Lands himself. I can only hope that the Minister will be able to induce his colleagues to see with him in this matter, and induce the Attorney General to recognise the law and abide by it. I trust that he will at least be able to induce that hon. gentleman to accept the law which at the present time he is paid to administer. If he respects that law he will certainly not attempt to force on the House the commission which is now threatened and which will inquire only into certain matters which do not exist outside the minds of Ministers, but he will provide an inquiry which will go thoroughly into the administration of the department generally and allow members to bring forward the whole of the evidence as to maladministration. I do not think that any member infers that the responsibility for such is with the Minister for Lands, except in so far as he is head of that department and the Minister responsible to this Chamber. It is to him that we must look, and although there may be instances where he could say that such and such an officer is responsible, the person against whom we must level our charges is the Minister himself. And I say here that, had the Minister thought more of his personal or political reputation that he did of his visit to the Northam show, we should not have had the time of the House taken up as it has been to-night. Had he been here, knowing as he did that certain criticisms of his de-

partment would take place, had he been here to reply to them, then to-night we would have been engaged in other work, rather than in discussing the motion we have before us. However, I hope the motion, if not carried, will at least induce the Government to give to members on both sides of the House that scope of inquiry which hon. members as well as Ministers desire, and which the maladministration of the Lands Department certainly demands should be given.

Mr. TROY (Mount Magnet): As one who during the no-confidence debate had a good deal to say regarding the administration or rather the maladministration of the Lands Department, I feel it incumbent on me to make a few remarks before this vote is taken. Despite the hysterical utterances of the Attorney General and the lame excuses put forward by the Minister for Lands, I insist that all the statements made by me on that occasion were absolutely correct and are borne out by the papers placed on the Table of the House. Royal Commission or no Royal Commission, I am going to snap my fingers at all the threats of Royal Commissions. I am not going to retract or deny or depart from any statements I made in the House on that occasion. This is as definite as I can possibly make it. The Minister for Lands cannot get away from the statements I made when the very records of his own department prove them. If he expects to ask any House to believe that he acted in accordance with the land laws when he decided on a certain course of action in regard to these matters, that contention cannot be supported by anyone knowing anything about the land laws of the State. The very laws the hon. Minister is supposed to administer he is entirely ignorant of, or he administers them in a way that is not in accordance with the intention of the House or with the interpretation put upon them by anyone who knows them. Of course the Minister can please himself; he can place his own interpretation on them; but if he does injury to the people of the State or to any person in the State, I am going to rise in the House and state my objection. That is what the Minister has done, however, in

several cases. How is the Minister going to justify the attitude of Mr. Farmer in admitting the application of Mr. Court a day after the date for the closing of applications? Is that not a case of maladministration? The proof is on the files. How can it be questioned? How can any Royal Commission question it or the Minister dispute it? What about the ungenerous treatment of Mr. Moor? The Minister was cognisant of all in connection with Mr. Moor's claims, because Mr. Moor waited on the Minister repeatedly. And Mr. Moor was not courteously treated by the Minister. The Minister did not give him a fair deal, I am satisfied; he treated him brutally sometimes, if I may take Mr. Moor's word for it, and endeavoured to dispute with him his just claims against the Government of the State. The Minister, in connection with Neilsen's block, sent the following letter to Mr. Moor. It was sent by Mr. Bertoli, one of the assistant under secretaries, but the Minister knew the whole business, because Mr. Moor had seen him personally. Will the Minister deny that Mr. Moor saw him personally time after time and brought his grievances under the Minister's notice?

The Minister for Lands: He saw me many times.

Mr. TROY: But strange to say no conversation that took place and no decision of the Minister is on the files, and copies of minutes have been removed from the files. I have a letter in my possession which should be on the files and it is not there. The letter which I have referred to on a previous occasion was as follows:—

Respecting the blocks in the Dalwal-linu subdivision which were held by Mr. Neilsen, I have to advise that such blocks are being thrown open for re-selection on or after the 11th October next, and the notice making them available appears in yesterday's *Gazette*, from which full particulars may be obtained.

Now, "yesterday's *Gazette*" was the 23rd September, but the Act provides that notice must appear four consecutive times in the *Gazette*. That would make four weeks, but only two weeks and four

days' notice was given, and that is contrary to the provisions of Section 33 of the Land Act. Is not that a breach of the Land Act and is not the Minister responsible for it? Then again the Minister in a further letter to Mr. Moor demands that the application for these forfeited blocks, which previously belonged to Mr. Neilsen, must be lodged at the office on or before the 11th October, and further that these blocks together were subject to the value of improvements, namely, £73 18s. 3d., and that the full amount of such improvements must be lodged with the application as a cash payment. Now, what does Section 147 of the Land Act say in regard to this?

The fair value of any improvements existing on or affecting any land applied for, or authorised and in course of construction, or intended to be constructed, shall be determined by the Minister, and the price of any such land shall be increased by the value so determined of such improvements, with interest thereon at the rate of five pounds per centum per annum, to the intent that the price of the lands as increased by the value of such improvements, with interest thereon as aforesaid, shall be paid by the selector by half-yearly instalments at such time and in such manner as the price of the land, if unimproved, would have been payable.

The Minister could not demand a cash payment. The Act provides that the payment should have been extended over a term of years. Is not the Minister's action in this regard contrary to Section 147? Is it not a wilful breach of the Act when the Minister departs from it? I say the Minister was aware of the facts, because Mr. Moor had brought them personally under his notice. The Minister claims that Subsection 2 of Section 21 of the Act gives him power to please himself in regard to these matters, to determine things according to his own desires. This subsection provides—

The Minister shall at all times have power in the public interest, and in his discretion, subject only to an appeal to the Governor under Section 37, to

refuse any application whatsoever made under any part of this Act.

This gives the Minister no power to demand the payment he did. He has only power to refuse an application. He did not refuse the application but he demanded certain conditions he had no right to demand. Will the Minister say that he has been carrying out the intentions of the Land Act and there has been no breach of the land laws? The Minister cannot claim that. With regard to the land held by Myers at Dalwallinu, will the Minister make the assertion that Myers did not hold that land illegally? The Minister now says that he is going to forfeit that land, yet in those very papers there are applications made during eight or nine months asking for the forfeiture of the land, and the applications were ignored. In those papers there are communications from the Department to Myers showing him how he could get away from the requirements of the Act. From the papers and the remarks of the Minister to-night I can only conclude that the Minister was aware that Myers held the land illegally because he is now going to forfeit it. It was not however until the matter was brought before Parliament by myself that action was taken. It is reasonable to assume that because no action was taken by the Minister. After the matter was brought prominently before Parliament the Minister declared that he was going to forfeit the land. Why did he not do it before? What is the necessity for the appointment of this Royal Commission? Because the Minister was not present in the House when the charges were made, and because the Government cut a very sorry figure indeed. They want to tie members down to a hole and corner inquiry by which an endeavour will be made to whitewash the Minister. They want to have the Minister thrown upon the mercy of a court. This House is the court which the Minister should appeal to if he wants mercy. It is a sorry spectacle indeed. The Government desire to relieve themselves from the stigma which attaches to them through their acts of maladministration by the appointment of a Royal Commission. Let the Minister justify himself.

in this House and the country, and if he can do that he will have done all that is necessary. So far as the Royal Commission is concerned, I am not going before it. The Attorney General has spoken with regard to a higher tribunal—the people of the country. Let me say that I shall go before the people, and I shall make a full statement to them similar to that which I have made to this House.

Mr. Monger: You would not be listened to by a respectable community.

Mr. TROY: I dare the Government to prosecute me or to take action with regard to the statements I shall make. I am prepared to resign my seat to-morrow if any member of the Government will contest it, and I make this challenge with every intention of carrying it out.

Mr. Monger: I will take you on in my constituency.

Mr. TROY: I will not accept the hon. member's challenge because I have some respect for his constituents even if I have no respect for him. I bear in mind the attitude of this Government nearly three years ago when fighting the last general elections. I made a certain statement regarding land held in the Nugadong district to the North of Wongan Hills by Mr. Glowrey, M.L.C., Sir Walter James, Mr. Liebe, Mr. Schruth, and Mr. Sommers, M.L.C., and I was branded by members of the Government as a liar. In the light of subsequent history it has been proved that everything I then said was absolutely correct. Take the map which is hanging here showing the intention of the Government to build a railway to Mullewa. Whose land will it pass through?

The Premier: It will be built on the advice of a board.

Mr. TROY: Whose thousands of acres of land will this railway pass through? It will pass through the land of Mr. Glowrey, M.L.C. Will the Minister deny that? It will also pass close to the land of Mr. Sommers, M.L.C., Mr. Quinlan, and the land that Sir Walter James had there.

Mr. Draper: Suppose they all have land there?

Mr. TROY: Will any Minister deny that the Colonial Secretary has land at Wongan Hills? They denied these state-

ments of mine at the last elections at Sussex. The late Premier, speaking at Sussex, held up a map in the hall and said that the statements I made were absolute lies. At Collie the late Premier said that Sir Walter James held no land, but that it was held by Sir Walter James's son. This is the party that branded me as a prevaricator in the country. A snap of the fingers for the Royal Commission! If members of the Ministry want to fight me let them come to my constituency and fight me, and let me declare here that if my health will permit I shall put before the people of the country the facts that I have already given to this House.

Mr. HOLMAN (Murchison): I think after the venomous attack made by the Attorney General, it is only meet that I should have something to say in reply. In the first place I shall deny that I approached the Attorney General in any shape or form whatever since I made my speech last night. The statements made by the Attorney General to-night are incorrect and absolutely uncalled for. I am prepared to substantiate the statements I made last night. It is remarkable when the Attorney General criticises any member of this Chamber for the remarks they may have made he seems to forget that it was only recently that he wilfully and deliberately in the face of members of this Chamber, and His Honour the Speaker, and the printed and published records of *Hansard*, denied some statements that he had previously made. Well, I say that when a man is forced to withdraw a statement such as the Attorney General made he is not fit to sit in Cabinet, or represent any section of the community. A man like that has not a soul of honour, has not a spark of manliness about him. Yet he gets up like a play actor and tries to play upon the feelings of the Assembly, knowing that any remarks made from this side of the House in reply will not receive prominence in the newspapers, nor be given attention to in the leading columns; and so he hopes to impress the people of the country with his own bald statements unanswered. If the present Government desire to go before the public tribunal, the sooner they

give us the chance the better. I, in common with others on this side of the House, would be only too pleased to appeal to the people. I will deal with the question of the proposed commission of inquiry, and I say that will be as unsatisfactory as a good many of the statements made by members on that side of the House. The attitude and actions of the Attorney General's department are absolutely rotten and unfair. We call for papers and the papers ought to be produced here; but instead of their being placed on the Table we find that some officials of the department, perhaps the Attorney General himself, is going down to the *Sunday Times* and giving them information from the papers. In some cases the information is true, and in others absolutely false. That is the class of men who get up here and criticise members on this side of the House. We have only to refer back to the speech of the hon. member in 1901; a more contemptible and despicable speech has never been made in any Parliament in Australia than that then made by the present Attorney General. At that time he referred to some who are now his colleagues as being practically a lot of skunks. Then he went on to give the full history of what a skunk was. The present Minister for Mines was one to whom he referred. In all probability the Attorney General has now come down to the same level as those he characterised as skunks. He has learned better since then and has altered his opinions. What caused this alteration in his opinions? It may be interesting to look back and find out. We know full well that the record of the present Attorney General, his political record I am speaking of, is absolutely one of the uncleanest in public life, whether in this or in any other State. On one occasion, when in Opposition, he rattled for the sake of office with Mr. Morgans; then when that Government had gone to the country and been defeated, he came back and once more sold his party for a portfolio. Then, again, we only need refer to the contemptible remarks he made about his now colleague, Mr. Daglish. Afterwards, sacrificing his principles and honour, if he ever had any, for the sake of political power, he again

assumed office with the Administration he had roundly condemned. Then take his action of a recent date, when he assumed office under circumstances which, if not contemptible, I do not know what "contemptible" means. Take his action in regard to the tramway trouble, when officers from his department were sent down to the cars—

The DEPUTY SPEAKER: I do not think the actions of the Attorney General have much to do with the motion before the Chair.

Mr. HOLMAN: I am sorry you were not in the Chair when the Attorney General spoke; if you had been you would in all fairness give me an opportunity of replying to the remarks made by the Minister, although he is not man enough to come into the Chamber and defend his actions.

The DEPUTY SPEAKER: The hon. member is in order in replying to any remarks made in the course of the debate.

Mr. HOLMAN: That is what I am doing. I say the action of that gentleman, if he can be called a gentleman—I could not call him a man—I say when the Attorney General gets up and makes a deliberately false statement, saying that I—

The Minister for Mines: I must object to that, Mr. Taylor. Surely the hon. member is out of order in charging the Attorney General with making deliberately false statements.

The DEPUTY SPEAKER: The hon. member is not in order in accusing another hon. member of making false statements. I ask the hon. member to withdraw.

Mr. HOLMAN: If the little buck-jumper will sit quiet I will finish my remarks.

The Minister for Mines: I must demand an apology from the hon. member.

The DEPUTY SPEAKER: I have asked the hon. member to withdraw his accusation of making false statements.

Mr. HOLMAN: I will withdraw, and if I cannot refer to them as false statements I will say they are absolutely incorrect statements. That is as far as I can go in accordance with the rules of the House, but not so far as I would like to go in justice to myself.

Mr. Draper: Is there any difference between the two?

Mr. HOLMAN: I cannot find it if there is. The only difference is that the one term is a little plainer, and, consequently, the better realised by a man of my stamp, who likes plain speaking, who likes to call a spade a spade. Take this action of the Attorney General in making deliberate misstatements in an effort to pose here as one of those who should be looked upon as a marvel of goodness, a man whose actions are irreproachable. He makes deliberate misstatements with the intention of trying to create an impression. I say he is hardly worth taking notice of. When a man like that refers his case to public opinion, the public will express an opinion pretty freely and fully; and I am satisfied that the expression of public opinion at the next general election will leave this House cleaner than it is at present. We had statements made in connection with some remarks of mine in regard to the railway out to Bullfinch. I am only sorry that I was not nearly plain enough in my remarks last night. Had I quoted what appears in the Press it would have been more to my satisfaction. The news, as published to-day, shows that one of those who is a member of this Cabinet, and a colleague of the Attorney General, has a fairly big interest in the Bullfinch mine; and I say that when they try to put a railway proposition through the House without fair and proper information, it is a travesty of justice, and should not be tolerated. My information is from the Press. I did not care to bring it up last night, but one of the Attorney General's colleagues holds an interest in the Bullfinch mine which, according to the Press, amounts to £20,000 or £30,000. Surely when these Ministers visit the Bullfinch and subsequently try to bludgeon a measure through the House without a moment's notice, we are justified in asking for time to discuss the matter. Yet we are criticised because we refer to the fact that this railway—

The DEPUTY SPEAKER: The hon. member is decidedly out of order in discussing this railway.

Mr. HOLMAN: The facts were brought forward earlier to-night, and my remarks of last night were quoted; surely in all fairness I should be allowed to deal with the subject. It was dealt with by the Attorney General, and I should not have spoken had not my character been attacked by that Minister. Matters referred to months ago were brought in, and I say neither the Minister for Lands nor the Attorney General has dealt with the motion before the House. Surely, then, if they are allowed to wander wide of the mark and not touch upon the motion moved by the leader of the Opposition, I have the right to reply to any attack made upon me.

The DEPUTY SPEAKER: I desire to point out to the hon. member that I have no intention of preventing his replying to any statements made in the course of the debate; but having regard to the lines the hon. member is following, it is clear that his remarks are somewhat foreign to the motion.

Mr. HOLMAN: Well, the Attorney General brought this subject forward, and charged me with making certain statements about the proposition in connection with the Bullfinch; and I say now, if I had the information last night which I have to-night I would have made more damaging statements than I did on that occasion. Because it is now clear that one of the Attorney General's own colleagues has an interest in the mine. Surely I am entitled to bring a matter like that forward. It is not the first time that the Attorney General's colleagues have been assisted by the public purse of this country for their own personal benefit; and in all probability, if I am to be deprived of the right of making my remarks inside this Chamber, I will have an opportunity of making them outside. Members on this side of the House have been accused of making false statements and not being prepared to stand to their guns. Charges have been made in the House by the Minister's own colleagues which have been absolutely incorrect, and when it has been shown that these statements were incorrect they have refused to withdraw their remarks. If any right exists to demand a Royal Com-

mission such as is asked for in this case, I have on previous occasions had greater occasion to demand a Royal Commission in connection with charges made by the Minister for Mines against me. On a certain occasion he stated in the country, and in the House, that he had paid my election expenses. I say that that statement was deliberately incorrect, and if I was outside I would say something stronger. I denied that statement but he repeated it, and although I produced my bank-book and proved that the statement was absolutely incorrect the Minister had not the courtesy to withdraw. I learned afterwards also that he came down to Perth and collected a sum of money from his own colleagues on account of the expenses which he said he had incurred in my behalf. In getting money from them for election expenses which he never paid he was robbing his own colleagues.

The DEPUTY SPEAKER: The hon. member must withdraw that statement.

Mr. HOLMAN: I withdraw it and say that he obtained money from his own colleagues because he told them that he had paid my election expenses. He never paid my election expenses at all; he paid merely for the beer which he consumed himself. Yet that is the class of man who is demanding a Royal Commission. Ministers pose as great purists, and talk of compelling members to make their charges before a judge. In my opinion, the proper place to make charges against a department is in the House, and the proper place to reply to them is in the House, and if Ministers cannot reply to the satisfaction of members they should not flee for shelter behind a judge of the Supreme Court. We know also that the whole legal talent of the Crown Law Department will be utilised against any unfortunate member who goes before the Commissioner with charges. We know also that evidence given before a judge of the Supreme Court is not such as would prove a case in this House.

[The Speaker resumed the Chair.]

The Minister for Mines: It would have to be on oath there.

Mr. HOLMAN: It would not make any difference to the Minister whether he

was on oath or not. He took an oath when he entered this House that he would serve his country, but he has broken it on more than one occasion. I would not like to say whom he has served. I regret that the Attorney General was not in the Chamber when I stated just now that he had made an absolutely incorrect statement. I have never spoken to that Minister except in the course of business since he took office and betrayed his colleagues, because I could have no respect for him after that.

Mr. SPEAKER: The hon. member must not use the expression, "betrayed his colleagues."

Mr. HOLMAN: Politically, I mean.

Mr. SPEAKER: No; the hon. member cannot say that even politically.

Mr. HOLMAN: If I cannot say that I will withdraw it in accordance with the rules of the House, and as hon. members desire to catch their trains I will continue my remarks at some other time.

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

Ayes	21
Noes	22

Majority against.. 1

AYES.

Mr. Angwin	Mr. O'Loughlin
Mr. Bath	Mr. Price
Mr. Bolton	Mr. Scaddan
Mr. Collier	Mr. Swan
Mr. Gill	Mr. Taylor
Mr. Gourley	Mr. Troy
Mr. Heltmann	Mr. Walker
Mr. Holman	Mr. Ware
Mr. Hudson	Mr. A. A. Wilson
Mr. Johnson	Mr. Underwood
Mr. McDowall	(Teller).

NOES.

Mr. Brown	Mr. Male
Mr. Butcher	Mr. Mitchell
Mr. Carson	Mr. Mougier
Mr. Cowcher	Mr. S. F. Moore
Mr. Daglish	Mr. Murphy
Mr. Draper	Mr. Nanson
Mr. Foulkes	Mr. Osborn
Mr. Gordon	Mr. Pierse
Mr. Gregory	Mr. F. Wilson
Mr. Hardwick	Mr. Layman
Mr. Harper	(Teller).
Mr. Jacoby	

Question thus negatived.

House adjourned at 11.21 p.m.

PAIR.

Mr. Keenan	Mr. Davies.
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