

Hon. A. Lovekin: Are you going to vote for the no-confidence motion?

The MINISTER FOR EDUCATION: This is not a no-confidence motion. It is a motion in favour of the development of this country, and as such I support it. It is impossible for me to explain the vindictive and venomous attitude of the hon. member towards the Premier. Has any member of the Government failed to give him every facility to further his scheme? I know I have done all I could to help him. The hon. member himself admits that we have enabled him to place this scheme before the Prime Minister. We have gone out of our way to help him, but, because this big scheme has not been finalised in a moment, he attacks the Government in this way. With these remarks, in the course of which I have felt obliged to depart to a certain extent from the motion as it stands, on account of the attack made upon the Premier by Mr. Miles, I have pleasure in supporting the motion.

Hon. A. J. H. SAW (Metropolitan-Suburban) [5.44]: I do not profess to speak with any knowledge of this subject. I merely rise to enter a protest. During the course of his speech Mr. Miles read a number of quotations from after dinner or after luncheon speeches. We also were regaled with a considerable amount of what I may term private conversations. I further understand, from an interjection on the part of Mr. Miles, that he proposes in the course of his reply to relate a private conversation which he had with the Premier concerning the ridiculous charge that he (the Premier) did not reply to Lord Northcliffe with reference to the light in which the people of Australia regard the immigrant. I protest against these private conversations being retailed in this Chamber. The principle is entirely wrong, and I hope the hon. member will not again adopt such a course.

On motion by Hon. A. Lovekin, debate adjourned.

*House adjourned at 5.45 p.m.*

## Legislative Assembly,

Thursday, 14th September, 1922.

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

### NOTICE OF MOTION—URGENCY.

Mr. SPEAKER: I received yesterday a communication from the member for Leederville (Capt. Carter), who wanted to move the adjournment of the House. While the subject matter of the hon. member's motion was definite in character—it is in reference to the dispute in the newspaper industry—I was of opinion that the matter was before the court and therefore it would not be wise for the House to discuss it. So the question did not come before the House yesterday. The hon. member came to my room as I was coming out just now, and told me he was very anxious to have the matter discussed. This afternoon I tried to learn from Mr. Justice Draper whether the case was actually before the court and therefore sub judice. I could not get Mr. Justice Draper, but his associate referred me to the Clerk of the Arbitration Court, who found Mr. Justice Draper and was instructed by the Judge to give me the history of the case, which is as follows:—

Reference was made on the 28th August, answers filed on the 7th September, and issues settled on the 11th September. The case has not been listed up to date.

Not being a legal man, and being unable to get advice from Mr. Justice Draper as to whether the case is sub judice, and since the member for Leederville is anxious to do something this afternoon, I have decided to place the position before the House and let the House take the responsibility of saying whether the matter shall be dealt with, accepting the risk of its being before the court. If it be the wish of the House, I will read the letter from the hon. member. Is it the wish of the House that the letter be read?

Hon. M. F. TROY: It is extraordinary, Sir, that you should approach the House in the manner you have done and ask for a decision. It is a matter for your own decision. The Speaker does not allow a motion for adjournment unless in his opinion the matter is definite and of urgent public importance. I submit that this is your peculiar province.

Mr. SPEAKER: I have already decided about the definiteness of the motion, but the point is as to whether the case is before the court. As the hon. member said he was anxious to move the motion if possible, I thought I would let the House decide. That is the only point. I do not know whether the member for Kanowna (Hon. T. Walker) or the member for Bunbury (Mr. Money) could tell us anything about the position.

Hon. T. Walker: Until the motion is read I cannot say anything about it.

Mr. SPEAKER: If I read the letter it will then only be necessary for seven members to rise, when the hon. member will be able to proceed. His motion is definite, but I do not think it is urgent. Is it the proper thing for the House to discuss something which is before the court, if it is before the court?

Hon. W. C. Angwin: It is before the court.

Mr. SPEAKER: Well, then, it is out.

Capt. CARTER: It is my desire to discuss the strike existing in the newspaper industry, which already has been before the court and disposed of.

Mr. McCallum: It is not disposed of.

Mr. SPEAKER: I cannot allow the hon. member to discuss it. The House decides that we shall not proceed with the letter.

Capt. CARTER: Is it definite that the House has decided?

Mr. SPEAKER: Yes, it is definite.

Mr. Underwood: The House has not decided.

Hon. M. F. TROY: I submit that this is a matter for you, Sir. It is within your province to say whether the motion is definite and urgent. You have said neither.

Mr. SPEAKER: I have said it is definite, but that I am not satisfied of its urgency. The matter has been before the court, and I am informed it is still before the court. That is the point. Because of the persistency of the hon. member I told him I would place the matter before the House, to save any subsequent discussion. I am of opinion that the motion is definite, but not urgent. The trouble has been in existence for three weeks. Therefore I am not going to read the letter, unless the House instructs me to do so.

Capt. Carter: Would I be in order in moving that the letter be read?

Mr. SPEAKER: No, the hon. member cannot do that, but he can take any action he likes by giving notice.

Capt. CARTER: I give notice that at the next sitting of the House I will move that the House discuss the strike now existing in the newspaper industry.

Hon. M. F. Troy: That is not a proper motion. A motion must have some purport.

## QUESTIONS (2)—IMMIGRATION SCHEME.

### *Preparations for arrivals.*

Mr. JOHNSTON (for Mr. A. Thomson) asked the Premier—1, Is the statement appearing on a public notice board in the city

correct "That 100,000 applications have been lodged for passages to Western Australia, but it is feared that unless complete preparations are made in Western Australia the rush will be diverted to Canada and Africa"? 2, If so, in view of the very great seriousness of the position and the apparent breakdown of the immigration scheme, will he make a full and detailed statement to the House showing what is proposed to be done for immigrants upon their arrival in the State and their subsequent settlement on the land? 3, If he is prepared to follow the suggestion contained in Question No. 2, when will he make the statement?

The PREMIER replied: 1, I have not seen the statement referred to. It is undoubtedly correct to say that a large number of people wish to come to Australia. 2, There is no breakdown in the immigration scheme, except in the hon. member's imagination. I have made a full statement to the House, showing what is proposed under the scheme. 3, Answered by No. 2.

### *Financial Arrangements.*

Mr. HICKMOTT (for Mr. Latham) asked the Premier: When may the House expect the papers, asked for by me on the 9th August, 1922, dealing with the financial arrangements made with the British Government whilst he was in London?

The PREMIER replied: The agreement is upon the Table of the House.

## BILLS (3)—FIRST READING.

1. Perth Markets.
2. City of Perth.  
Introduced by Mr. Mann.
3. Navigation Act Amendment.  
Introduced by the Colonial Secretary.

## MOTION—RETURNED SOLDIER SETTLEMENT.

To inquire by Royal Commission.

Debate resumed from 31st August, on motion by Mr. Wilson—

That in the opinion of this House, it is desirable that a Royal Commission should be appointed to go into all phases of the "land settlement policy" in regard to repatriated soldiers of the A.I.F. who are now struggling under adverse circumstances and must eventually relinquish their holdings owing to the heavy financial load that they are at present carrying, unless some permanent relief is given to them in the immediate future.

The PREMIER (Hon. Sir James Mitchell—Northam) [4.47]: I do not know why the member for Collie (Mr. Wilson) asks for a Royal Commission to deal with this matter. A Royal Commission is altogether unneces-

sary. I propose later on to move an amendment providing that there should be an inquiry by a select committee of the House into the matter. The hon. member wishes for an inquiry to be made into the cases of soldiers whose land was cleared before they settled upon it, and who are dissatisfied. I have no objection to such an investigation. An inquiry into the case of every soldier settler is too big a matter, and no such inquiry is sought by anyone. The hon. member says that the soldier settler on Crown lands gets a rebate of 50 per cent., and on repurchased estates none. That is so. The question of Crown lands is different from the question of repurchased lands. The Crown has to pay for the land that is repurchased and interest on the cost. It would be impossible to give any rebate in such a case. Furthermore, such lands often include very substantial improvements. A gift of one-half of the rent on Crown lands means loss of revenue, whereas a gift of one-half the cost on purchased land would mean the loss of actual cash laid out and a loss of interest for all time. The soldiers preferred in most cases not to take Crown lands, especially in the South-West, but to go on to improved farms. If we had put them on Crown lands they would have got 160 acres free of all charges except survey fees. We have not only purchased land for subdivision but have purchased single farms with all stock and improvements necessary. We purchased these lands often at the urgent request of the soldier himself. When a man goes on Crown land he has to face a large amount of work before he can get any return from it. He has to clear the land before he can put in his crops, and do all those things necessary for the maintenance of the farm, as well as build his own home. He, therefore, starts two or three years behind the man who steps into a going concern. Often the men who bought these farms found a growing crop upon them that they could take off. One man bought a place for £1,200, and out of his first crop paid back the whole of the capital and had £1,200 to the good.

Lieut.-Colonel Denton: What about the settlers on the Midland line who are growing vines?

The PREMIER: How different was his position from that of the man who took 1,000 acres of uncleared land in the same locality. The land that we purchase is often near a railway or a town.

Mr. Wilson: And sometimes is not of much value.

The PREMIER: The hon. member should not say that. He should approach the question in a different spirit. A very careful examination of properties has been made.

Mr. Wilson: But mistakes are made.

The PREMIER: The price has seldom been more than a reasonable one. There were some cases in which the board was persuaded to buy a farm for a soldier, because the land was adjacent to his father's holding and he

thought he would get assistance from his father. Such land was bought at the urgent request of the soldier. In these circumstances, would the hon. member say the department must take all the risk?

Mr. Wilson: I have never blamed the department.

The PREMIER: The hon. member blames someone.

Mr. Wilson: A mistake has been made.

The PREMIER: The hon. member said that dud land had been dumped upon the soldier. That could not have happened without the approval of the board and the management. I dare say in some cases a soldier has perhaps had a bad bargain. That is generally so in a case such as I have just mentioned. We have a duty to perform to the soldier and to the State, and we must look at the matter in that way. We should not exaggerate the trouble. If there be any trouble let us find it out and rectify it.

Lieut.-Colonel Denton: You have trouble within 10 miles of Perth.

The PREMIER: There may be some trouble there. It would be a strange thing if all of the 4,500 soldiers we have settled prove suitable for the land. We believe they are suitable; they have passed the qualification board. It would be strange, however, if there were not some trouble. I do not expect to get through without it.

Lieut.-Colonel Denton: If you help these men they will save you from trouble and build up an industry for you.

The PREMIER: They are doing it.

Lieut.-Colonel Denton: Under bad conditions.

The PREMIER: The land for the most part is good, and I believe the soldier has full value in almost every case. I do not wish this House to believe that every case and every purchase, and everything else, has gone right. I cannot say it has. It will be found, however, that very few of the purchases have not been good. Mr. McLarty has been charged with forcing down the value of land on account of the hard bargains he has driven.

Mr. Wilson: Most of my charges are about the extravagant cost of clearing.

The PREMIER: The hon. member would have been on sound grounds if he had adhered to that.

Lieut.-Colonel Denton: I think he is on sound grounds.

The PREMIER: I could say all is wrong with the world, but I am not going to say it. The hon. member said something about the cows being unsatisfactory, and that some of them were not good milkers. I dare say some of the people who milk cows are not capable of handling them, because they have not had the experience. I dare say, too, if the hon. member bought a cow, she would be giving only three quarts a day within a week.

Mr. Wilson: I would not know where to start.

The PREMIER: It has been found necessary to protect the purchasers. The Stock

Department certify to every cow before the purchase is ratified. There will be trouble, anyhow. The better the cow is the more trouble is likely to occur with a bad milker. I remember going down to the Kirupp estate bought by Mr. Hugh Brockman. I saw an English settler and his father there, and clover and feed on the ground 2 feet 6 inches high. It would have been an easy matter to have cut hay from 100 acres, and it would have averaged about a ton to the acre. The old man was trying to find some potatoes he had planted in the middle of the 100 acres. I think a furrow had been run across the block in order to find the place where the potatoes had been placed. Those people did not stay there because they were not suitable for the land. The hon. member referred to a deputation that waited on me from Brunswick. The speakers did not question the value of the land, but sought a reduction in the price and asked the public to pay the loss occasioned by the reduction by means of a loan, and that the interest should be waived and not capitalised for five years. The man who came to me was an honest kind of fellow. He said, "I am not making a do of it, as I have not enough of my land under crop." I said "How much stock will your land carry?" and he replied "Two cows to the acre." Of course if land will do that, it is worth £80 an acre. If land will carry one cow to two acres, it can easily be worth £20. It is not a question of reducing the price of land, because if we gave it to these people for nothing, even then they would not be able to do anything with it. I told this man that the job ahead of us was to make it possible for him to live in comfort and pay his way, and I told him that I would send down the Chief Inspector, who would go into the case on the spot to see what could be done. The land is good, cleared and ready, but it requires cultivation and improvement. The hon. member said that his complaint was not so much in regard to the land as it was in regard to clearing, and he added that soldier clearers had "swung the lead." That is the first time I have heard the expression, and I confess I do not know what it means. However, I am not going to blame the soldiers if supervision permitted them to "swing the lead." It is recognised that in some instances the costs are excessive, but that is principally owing to poor results obtained from day labour, and also due to the fact that clearing was carried out at an unsuitable season. Ministerial approval was given some months ago for writing down clearing to the value that the land is able to carry. For instance, Cascades has been written down from £23 5s. to £16. This writing down was approved by the Minister for Agriculture in May last.

Mr. Wilson: How is it then that these people know nothing about it?

The PREMIER: I do not know. At the Capeldene and Trigwell estates similar action is pending.

Mr. Wilson: I am glad to hear it.

The PREMIER: At Balingup there are so many estates that it is possible to confuse one with the other. There has been no clearing done there by tractor. The hon. member told us that the Labour Government operating in the South-West had 5,704 acres pulled and 5,560 acres rolled at an average cost of 30s.

Mr. Wilson: Your Minister for Mines explained that at the time.

The PREMIER: The cost of rolling is small, and that brings down the average. The tree-pulling to which the hon. member referred, was done, I suppose, at Darkan, where the trees were dead. You cannot say just what pulling will cost if the trees are dead. When they have been dead for, say, 20 years, pulling is very easy indeed. The charge imposed against the soldiers should be just the cost of the work and no more.

Lieut.-Colonel Denton: Get closer home and talk about the people on the Swan.

The PREMIER: I have not heard anything about them. We have written down values there before to-day, and of course it is more pleasant for me to urge the writing down of land owned by the Government than to defend charges made here. The hon. member referred to Noombling having been bought for 30s. an acre. There is no record of any offer at 20s. ever having been made for this property. It was, however, offered in 1918 at 45s. The improvements at the time of purchase were valued at 10s. per acre, and consisted of 4,107 acres cleared, fenced and subdivided, six wells and buildings.

Mr. Wilson: The Commission could find that out.

The PREMIER: Egan's estate at Kojonup was never offered. I am quoting the information which has been supplied to me. The records are in the department. In connection with the writing down of clearing costs, there is one estate, the costs of which were authorised to be written down. The hon. member quoted individual cases. He mentioned the case of Sampson, who paid £5 16s. per acre for 118 acres, and he said that a Commonwealth loan of £625 had been obtained and that the clearing of 40 acres at £23 an acre ran into £1,177. There has never been a Commonwealth loan as has been mentioned by the hon. member. The Commonwealth lends money to the State and this money has to be repaid. The facts are that the land cost £684, there was a loan approved of £250, and the clearing cost £1,177. There were pulled, stacked, shot and grubbed, 13½ acres at a cost of £18 19s. per acre; there were partly grubbed 25 acres at £16 16s. per acre, and pulled 60 acres at £8 8s. per acre. Another case quoted was that at Capeldene, where the hon. member said there were 28 acres fit for immediate cultivation, 13 acres uncleared, 20 acres of dead timber, 21 acres of fair-sized trees, and that the clearing cost £10 10s. per acre. The facts in this particular case are: that there have been cleared 4¼ acres at £21 per acre, pulled,

stacked, shot and partly grubbed,  $7\frac{1}{4}$  acres at £16 7s., pulled and lopped  $30\frac{1}{4}$  acres at £14 15s. per acre, and pulled, 62 acres at £8 8s. per acre. Yet another case quoted was that of a man named Ellis, on whose property the hon. member said that to pull 24 acres with about four trees to the acre cost £27 per acre to clear. The facts here are that there were pulled and lopped 12 acres at £14 15s. per acre and pulled 56 acres at £8 8s. per acre. The hon. member spoke of a settler named Shenton at Balingup who, he said, had spent £2,000 of his own money.

Mr. Pickering: Which property was that?

The PREMIER: Ferndale. This man insisted on the purchase of Ferndale lot 5 at £6 an acre—there were  $144\frac{1}{2}$  acres—and he secured also an advance of £1,400 for development. The board feared that there was over-capitalisation, but the man was confident. There were other cases mentioned, but it is hardly worth while dealing with them all at length. I can assure the hon. member, however, that inquiries are being made. There is though, the case of a man named Hunter at Cascades that may be alluded to. He took up 268 acres of virgin country and the hon. member said that it had cost £23 5s. per acre to clear. This cost has been written down to £16.

Mr. Wilson: It was not done when I made my statement.

The PREMIER: It has not been written down since then.

Mr. Wilson: I received a letter only this week from Hunter, in which he states that he knows nothing about it.

The PREMIER: It was authorised some time ago. Reference was also made to Harvey properties and the prices paid. It is true that fairly high prices were paid in some instances, but these amounts were paid for the pick of river frontages. The hon. member said that the price paid for this land was only £3 10s. That is true, but there were many blocks below that figure, and it is not possible to sell these at a flat rate. In any big property there is always a wide range of valuable and poor blocks, and this is particularly the case at Harvey. As a matter of fact, a part of that estate has been set apart as a common because it was not possible to sell it. The hon. member criticised tree-pulling, and said that subsoil was brought up. Experience has demonstrated that that is not the case.

Mr. Wilson: I hope I am wrong, but I do not think I am.

The PREMIER: The hon. member must also know that the ringing of timber and burning takes time, and that it is important that the settler should produce at once. I have said that I have no objection to this inquiry, but I hope the hon. member will confine it to the complaints of dissatisfied soldiers.

Lieut.-Colonel Denton: There are many.

The PREMIER: Of course, the hon. member will get a lot. I expected him to say that,

because I know that there will be many complaints received.

Lieut.-Colonel Denton: They want a fair deal.

The PREMIER: Yes, and they want to give a fair deal, too.

Lieut.-Colonel Denton: You cannot say they do not do so.

The PREMIER: I say they do want to give a fair deal.

Lieut.-Col. Denton: They are doing so.

Mr. SPEAKER: Order!

The PREMIER: Those men are giving a fair deal and they want to do good work. If there are men in trouble, we want to straighten out their difficulties. The hon. member knows that that is so.

Lieut.-Colonel Denton: They want a fair deal, that is all.

The PREMIER: They will get a fair deal. Complaints are bound to be made and they will be made in some cases by men who are doing very well, but think they should be doing better. We want to give them a chance. It is possible to give a man a farm and provide him with stock and implements and so on, but, no matter how good the property may be, unless the man is able to make use of it, all this property is no good to him. We want to see that the land is given a chance and that the man, too, is given his chance. I suppose that is all that the member for Collicie would claim that the State should do. If the men want a little more assistance to crop a greater area, or to keep more cattle, so as to help them to pay their way, that is a matter that can receive further consideration.

Lieut.-Colonel Denton: These men were your best insurance during the war.

The PREMIER: If the land is such that a man cannot make good on it, because the land is unsuitable, then we should endeavour to place that man on another property. On the other hand, if the land is suitable for farming and the man cannot succeed, the best thing would be for that man to seek employment in some other occupation. I do not know if there are any such cases, but if there are, those men must be given a chance. The land, too, however, must be given a chance, and if there is no reason why they cannot succeed on land that is good. I do not think the department should be blamed. Writing down seems to be the only remedy suggested. I do not know that we should, generally speaking, view that system as the proper one to follow. In cases where the amount spent by the Government has been too much for the clearing done, or where the cost of clearing has been overcharged, the price must be written down. We have an amount set aside to meet losses that may be occasioned by the scheme, and naturally we will need it all before the scheme is completed, and we will use it in such cases.

Mr. Johnston: Some men may desire more money to extend their clearings.

The PREMIER: We may find it necessary to alter the Act in some cases. Some of these difficulties have been met, but there

are not many men who want more than £2,000.

Lieut.-Colonel Denton: Quite a lot of them have spent their own money.

The PREMIER: Yes, and that was very wise, too.

Lieut.-Colonel Denton: They did not ask you for any assistance.

The PREMIER: That is so. If they had money themselves and did not require to borrow, it meant that they did not have that to repay later on.

Lieut.-Colonel Denton: They are feeling the pinch now.

The PREMIER: I do not know of such cases. However, the House can be satisfied that we will do what is fair by the soldiers. In conclusion, I consider the department has given evidence of its desire to meet the soldiers. The member for Collie declared as much in his speech when he said that Mr. McLarty was doing very well. I move an amendment—

That the words "Royal Commission" be struck out with a view to inserting "A select committee of this House."

I will move a further amendment later on to deal with the inquiry.

Mr. Pickering: To what effect?

The PREMIER: I shall subsequently move for the deletion of all the words after "to" in line 3, to substitute the following: "inquire into complaints of dissatisfied soldier settlers under the Discharged Soldier Settlement Act."

Lieut.-Colonel Denton: That does not go far enough.

Mr. Wilson: That will not satisfy us.

Lieut.-Colonel DENTON: I move—

That the debate be adjourned.

Motion put and negatived.

Amendment put and passed.

The PREMIER: I move a further amendment—

That all the words after "to" in line 3 be struck out and the following be inserted: "inquire into the complaints of dissatisfied soldier settlers under the Discharged Soldiers Settlement Act."

Mr. Wilson: I will fight that to the last ditch.

The PREMIER: The House will agree that this will meet what is desired, namely, an inquiry into the position of soldiers who are dissatisfied with their lot under the Discharged Soldiers Settlement Act. That is what the member for Collie wishes to achieve. I cannot understand what more could be desired. It will be a pretty big inquiry even then. I am prepared to listen to what hon. members have to say, but I think this amendment covers all that the hon. member referred to in his speech the other night.

Mr. WILSON (Collie—on amendment) [5.35]: I agreed to the appointment of a select committee instead of a Royal Commission.

I had hoped that a Royal Commission would have been appointed, and that an outsider might have been chosen to act in order to give an impartial tone, so to speak, to the proceedings. I do not agree with the tinkering of the motion to any further extent. The very fact that the Premier admitted he was wrong in one case regarding Noombling land when he said 17s. 6d. was paid for land that cost 30s.—

The Premier: I spoke without having the papers with me and I told you that.

The SPEAKER: The hon. member cannot debate that question, but can only debate the question of striking out the words indicated.

Mr. WILSON: We must get down to the question of what the land cost. I am not prepared to believe that Mr. Brown at Noombling spent an extra £12,500 in clearing and improving his land after the Government had turned down his offer to sell the property for 17s. 6d. per acre before the war. The increase from 17s. 6d. to 30s. is practically £12,500.

The Premier: You know I spoke without having the papers before me!

Mr. WILSON: I am not so sure that the Government were offered 17s. 6d.

The Premier: Were we offered it at that figure?

Mr. WILSON: You said so.

The Premier: No. I said I thought so. I have now corrected that.

Mr. WILSON: I want to find out whether it was offered to the Government for a pound and afterwards bought at 30s.

The Premier: You can find that out if you like.

Mr. WILSON: Do you want to confuse the inquiry to the complaints of soldiers who have complained up to the present time?

The Premier: That is what you wanted.

Mr. WILSON: All the soldiers did not complain about the price of the land.

The Premier: What do you want?

Mr. WILSON: I want the motion as it stands in my name.

The Premier: I am ashamed of the wording of it.

Mr. WILSON: I am not ashamed of the wording. I am proud of it and I am proud of the fact, too, that the department has at last come to its senses and reduced the price of the land.

The Premier: That was authorised in May last.

The Minister for Mines: In any case, does not your motion confine it to men who have complaints?

Members: Of course it does.

Mr. Richardson: The only thing is, that the original motion goes further than the Premier suggests.

Mr. WILSON: The motion will do away with this policy of hush.

The Premier: Very well, I will withdraw the amendment! The member for Collie can have anything he wants! He can have the control of the department for a month!

Mr. WILSON: I do not want the Premier to be snake-headed.

The Premier: I ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Mr. JOHNSTON (Williams-Narrogin) [5.30]: I have been requested by branches of the Returned Soldiers' League in my electorate to support the motion and have promised to do so. I am glad the Government have decided to accept the motion and grant an inquiry by select committee. Generally speaking, in my electorate and in most agricultural districts with which I am acquainted, the soldiers' settlement board have done good work, although from the strong case made out by the member for Collie (Mr. Wilson), whom I congratulate on the presentation of his case, the results in other parts of the State have not been so satisfactory.

The Premier: It is a more difficult process in the South-West.

Mr. JOHNSTON: Yes. In my portion of the State the main complaints received from soldiers have been because Mr. McLarty, exercising that canny Scotch caution with which his name is associated amongst soldier settlers, missed many good bargains.

Mr. Corboy: And saved the State from making some bad ones, too.

Mr. JOHNSTON: Three or four years ago Mr. McLarty was offered at low prices much of the best forest country east of the Great Southern railway and he did not secure as much of it as he should have done. He put a number of soldiers in that great rich district between Narrogin and Dwarda, but even there more men might have been settled over and above the large number who went there on the promise of a railway.

Mr. SPEAKER: The motion deals with dissatisfied soldiers on the land, not soldiers to be settled on the land.

Mr. JOHNSTON: If there were no other reason for supporting the motion to give relief to soldiers on repurchased estates than the fact that Parliament in the time of the Lefroy Government gave similar relief to settlers on repurchased estates, including well-to-do settlers who were not soldiers, it would have my support. I hope the Premier will introduce a Bill on the lines of the measure passed by the Lefroy Government a few years ago which permitted a reduction of price in respect to a large number of repurchased estates. A similar measure of consideration and relief should be given to our returned soldiers who were promised and who deserve the best preferential treatment that can be meted out to them.

Hon. W. C. Angwin: That is a reason why the Government should give up buying land.

Mr. JOHNSTON: There is another phase of soldier settlement which the select com-

mittee should investigate and that is soldiers on properties purchased by the board at a fair price of £2,000, but with very little clearing. These men, having only a small area cleared, cannot carry on their fine properties unless the Government amend the Act and permit of further advances being made for clearing. There are earnest hard-working men who need only this additional assistance in order to achieve success.

Lieut.-Colonel Denton: Men who have stood the test after having been settled by the soldier settlement department.

Mr. JOHNSTON: Yes, they are working hard and, on the reports of the inspectors, cannot achieve success unless additional advances are made to enable them to further clear their selections.

The Premier: I am giving them more.

Mr. JOHNSTON: I am glad to hear that. Much might be done in the way of giving relief to soldiers on the land. They were promised the best of everything when they returned from the war, and it is the duty of the House to see that they are given a full measure of relief such as was given in years gone by to more fortunate holders who did not fight for their country.

Mr. PICKERING (Sussex) [5.36]: I support the motion. Several settlers mentioned by the member for Collie (Mr. Wilson) are operating in my electorate, and I can say that the conditions mentioned by him are in accordance with fact. I was glad to hear from the Premier that the price of clearing, £23 5s. per acre, has been reduced to £16. If the country has been totally cleared, I can understand the large cost assessed for this work, but if on the other hand it has been only partially cleared in accordance with the policy followed in the South-West, then the amount is undoubtedly high for that class of clearing. Another pertinent question referred to by the hon. member is the cost of the houses on these repurchased estates. If, as stated by him, the amount in one case was so great, I am at a loss to understand how the Government could put such a price upon it.

Mr. SPEAKER: The hon. member is not in order in discussing the cost of the houses. That will be elicited by the select committee.

Mr. PICKERING: Certainly that is one phase into which the select committee will be expected to inquire, and a very important phase. Under the Agricultural Bank Act only a certain sum is allowed for a house, and if the cost of the house is such as to hamper the development of the property, it is surely a matter for inquiry.

Mr. SPEAKER: The inquiry will reveal that.

Mr. PICKERING: Then I wish to know what I may discuss under this motion.

Mr. SPEAKER: The hon. member may discuss the necessity for an inquiry.

Mr. PICKERING: It is necessary that an inquiry should be made to ascertain whether the prices paid for some of the houses were too high.

Mr. SPEAKER: No price is mentioned in the motion. There is no opposition to the motion and no argument has been advanced on that line.

Mr. PICKERING: Another phase of the question which should be inquired into is that of road facilities for the settlers.

Mr. O'Loughlin: That is right.

Mr. SPEAKER: The hon. member had better do that under another motion.

Mr. PICKERING: Do you rule that I am out of order?

Mr. SPEAKER: I rule that you cannot discuss road making under this motion.

Hon. P. Collier: On the general principle you are out of order.

Mr. PICKERING: On general principle I am out of order in discussing anything in this House.

Mr. SPEAKER: Order! The hon. member must not be offensive. He must confine his remarks to the motion and must not discuss the question of roads.

Mr. PICKERING: The motion states that the select committee shall inquire into all phases of the land settlement policy in regard to repatriated soldiers.

Hon. P. Collier: That question of land clearing has to do with forestry.

Mr. PICKERING: Evidently that has nothing to do with the motion; neither has the provision of markets. The member for Collie (Mr. Wilson), in moving the motion, said certain settlers under this scheme were being ruined because no markets were provided for their products. This is one of the most vital questions to which inquiry should be directed. The committee should endeavour to ascertain whether markets can be provided for these men.

Hon. P. Collier: I do not think that will come within the scope of the select committee. Let us enlarge the motion.

Mr. PICKERING: I hope the motion will be agreed to and that the inquiry will embrace the points to which I have directed attention.

Hon. W. C. ANGWIN (North-East Fremantle) [5.41]: I would not have spoken but for some remarks which have fallen from members on the cross benches, and I want to make it clear that those remarks should not be taken by the select committee as an indication of the feeling of the House. It has been suggested that the Government should introduce legislation to enable the price of repurchased land to be reduced. I hope the select committee will not take that as a direction from this House as to the line on which inquiry should be made. What is the use of the Government continually repurchasing estates at what is considered a fair value if we have to almost immediately reduce the price and make the difference a charge on the consolidated revenue of the State?

The Minister for Works: A man ought to know the price before he buys the land.

Hon. W. C. ANGWIN: The State cannot afford to be continually reducing the price of its land. One thing or the other must happen; either the State must refrain from doing this or else we shall find ourselves in the bankruptcy court.

The Minister for Works: Does not this motion pre-judge the case? I think it does.

Hon. W. C. ANGWIN: No. It refers to soldiers struggling against adverse conditions, but this may not be due to the price of the land. It might be that charges are too high at the present time, and that a longer period is required by the soldiers in which to meet their engagements. The arguments in support of the motion have been that the only way to afford relief is by reducing the price of the land. The difficulty might be overcome by extending the time or lowering the annual payments without making any reduction in price. One of the greatest mistakes the Government ever made was to reduce the price of land. This has been demonstrated by the prices since paid for land. The value put upon the land by the owners themselves shows clearly that Parliament did wrong in reducing the price to 15s. per acre.

The Minister for Works: And since then there has been nothing but calls for reduction.

Hon. W. C. ANGWIN: We made it too cheap. We put such a value on it that people concluded it was almost useless, and since then the Government have met with nothing but abuse for having lowered the price. In conclusion, I have to express the hope that the select committee will not take it from members of this House that it is necessary to introduce legislation to reduce the prices of blocks on repurchased estates.

Hon. P. COLLIER (Boulder) [5.46]: The motion, apparently, is going to be carried unanimously. I wish to draw attention, however, to a point in connection with soldier settlement in the South-West as disclosed by the information given to us by the Premier to-day. It appears that in the case of one estate, the Cascade estate, the average cost of clearing was £23 3s. 4d. per acre. The Premier tells us that in connection with that estate the cost has been written down to £16 per acre, representing an actual loss to the community of £7 per acre in respect of that one estate. On the authority of Mr. Hesketh, who is admitted to be one of the best judges of what land clearing ought to cost in the South-West, as regards that portion of the Cascade estate which is heavily timbered the cost should not exceed £10 per acre, and in respect of that which is more lightly timbered £5 per acre. On the whole, says Mr. Hesketh, the cost of clearing the Cascade estate should not be more than £8 per acre. He further stated that he himself would be prepared to do the clearing for an average price of £8 per acre.

Hon. W. C. Angwin: He said that after the work had been done.



Hon. P. COLLIER: Yes. There has been something radically wrong in connection with the administration of this work when we find that already, before operations have commenced, the value of the land has to be written down by such a sum as £7 per acre.

The Premier: That is only a few acres.

Hon. P. COLLIER: I understood the Premier to say that the writing down referred to the Cascade estate.

The Premier: Yes, but there are only a few acres.

Hon. P. COLLIER: The blocks run from 30 to 40 acres up to 100 and 150 acres. Does not the area cleared amount to 30 or 40 acres per block on the average?

The Premier: I have not my notes here.

Hon. P. COLLIER: The Premier tells us that the question of writing down the cost of clearing on other estates is under consideration.

The Premier: They were cleared by day labour.

Hon. P. COLLIER: Somebody is responsible. There has been absolute maladministration.

The Premier: Not maladministration.

Hon. P. COLLIER: Well, incompetency, shocking incompetency. Somebody is responsible. Are the officers who controlled that work still in the Government service, and are they continuing to exercise control in connection with the clearing of other estates? If so, where are we going to land ourselves? The country is going to be saddled with enormous losses in this connection, if we find ourselves in such a position already. The state of affairs that has been revealed is absolutely shocking. I want to take this, the earliest opportunity of entering my protest against the fact that the matter has not been disclosed to the public earlier. There has been a writing down of £7 per acre as far back as May last, and here in September, for the first time, the House and the country are made acquainted with the fact. Such an important action as the writing down of values to that extent should have been made known to the public promptly. We are accustomed to read in the newspapers day after day of the most tiddley-winking, unimportant actions of Ministers: how the Minister for Works goes to Doodlakine or somewhere to open a hall, and how the Colonial Secretary goes to Bruce Rock for some similar purpose. Why should we get news of all the unimportant movements of Ministers in those twopenny-half-penny matters, and have an action of such importance withheld from us? All those little things are made known to the whole public, but apparently the Government consider that the writing down of estates in the South-West to the extent of £7 per acre does not concern the public.

The Premier: It is not the writing down of an estate, but of the clearing.

Hon. P. COLLIER: The Premier tells us that the writing down was done in May last. However, no enterprising Minister was anxious

to convey that information to the public. I remember the time when the present Minister for Works stormed and raged and fumed up and down these benches because of what he characterised as the secret actions of Ministers. Why were we operating secretly, he asked. I want to protest against the action of Ministers in withholding from the public all information concerning such an important administrative act as this.

The Premier: Do you mean to say that we ought to have published each name in the newspapers?

Hon. P. COLLIER: Not at all. A mere paragraph would have sufficed. A few lines would have served to inform the public that, owing to representations made, and after due inquiry, the Government had decided to write down the clearing costs on the Cascade estate from £23 per acre to £16. I am forced to the conclusion that there was some motive in withholding that information from the public.

The Premier: What is the motive?

Hon. P. COLLIER: I do not know.

The Premier: Neither do I.

Hon. P. COLLIER: Why was not the information given to the public? The House has a right to know. These facts have an important bearing upon the policy of land settlement in the South-West and upon the immigration scheme.

The Premier: There is not going to be any day labour clearing in the South-West so far as I am concerned.

Hon. P. COLLIER: It is a question of day labour?

The Premier: It was.

Hon. W. C. Augwin: That is the excuse.

Mr. Chesson: It was a matter of bad supervision.

Hon. P. COLLIER: And there is not going to be any more day labour clearing?

The Premier: Not so far as I am concerned.

Hon. P. COLLIER: After six years of office the Government have discovered that it is a good thing to put into operation their own policy as to day labour versus contract work. It has taken them six months to discover that.

The Minister for Works: No. I have let contracts for six years, and you know it.

Hon. P. COLLIER: I am not going to pursue that question on this motion, but I hope the Premier will give the fullest information as to the writing down of these costs.

The Premier: I will submit a list to the House.

Hon. P. COLLIER: We should have the whole of the papers laid on the Table, and members should have an opportunity of discussing the subject, which is of the utmost importance in relation to the settlement of the South-West.

The Premier: I will get a return prepared.

Hon. P. COLLIER: If we are up against such a proposition as this at the very outset of our career in closer settlement of the South-West, where may we not land? It is

no wonder that the State is going to leeward if we have such a thing as £7 per acre being thrown away in the cost of clearing. We are told now, by way of explanation, that this is due to the fact of the work having been done by day labour instead of by contract. I do not know that that is so, and I do not admit it; but, if it is so, why was the work done by day labour? Why was this extra expense incurred? Surely it should have been within the knowledge of the Government and the officers concerned. Those officers have had experience of the cost of clearing in the South-West. After years of experience of the work they ought to know the most economical way of doing it—whether by hand labour or by traction, whether by day labour or by contract. Every phase of land clearing in the South-West ought to be well within the knowledge of the departmental officers. If they had the knowledge that day labour was going to land them in these excessive costs, what is their explanation of having the work done by day labour?

The Premier: It is not suitable work for day labour. That is the truth of the matter.

Hon. P. COLLIER: If the Premier's statement is correct, how is it that the department had the work done by day labour?

The Premier: It is very difficult to explain, but the soldiers were out of work. The member for Collie (Mr. Wilson) explained that.

Hon. P. COLLIER: It would have been better to put the soldiers on to road making or some other kind of work, where the results of their inefficiency—if that is the explanation—would not be for all time a burden upon somebody else.

Mr. Lutey: Upon some other soldiers.

Hon. P. COLLIER: That would have been something like a common-sense way of dealing with the unemployed soldiers. I hope the House will have an opportunity of discussing the whole question. I am quite satisfied that this is not the end of it, but only the beginning.

The Premier: So am I satisfied.

Hon. P. COLLIER: This House ought to know of such things. It is a matter of grave financial responsibility when we are already cutting down clearing costs by £7 per acre. So far as one can judge, there is a good deal more to follow before these men are placed on a sound basis.

Mr. MONEY (Banbury) [6.0]: This motion, as worded, applies only to those repatriated soldiers who are struggling under adverse conditions and must eventually relinquish their holdings owing to the heavy financial load they are asked to carry, unless some permanent relief is given them in the near future. I do not know whether the mover of the motion intended it to mean what it reads.

Mr. Wilson: He did.

Mr. MONEY: I am wondering how the mover is going to find out who are the struggling soldiers under this heavy load, without having a preliminary inquiry to fix the list that is to go before the select committee.

The subject is a very important one, probably vital not only to the interests of the returned soldiers but also to the interests of the State; and I do not know that it would not be wiser to delete altogether the condition stated in the motion, and have a select committee to report on the land settlement of repatriated soldiers in Western Australia. It would be better for the reason that if we pass the motion as it stands on the Notice Paper, we proclaim to the world that there are a lot of men who must relinquish their holdings unless they are given permanent relief. How many of them are in that position? It may be that a majority are in that position; on the other hand, there may be only one or two. The motion could be read as it was desired to be read wherever it was to be used. Where it was to be used for one purpose, there would be a tremendous lot in it. On the other hand, it could be read as though there were not much in it.

Mr. Wilson: They are doing this in the Eastern States at the present time. There are two committees sitting now.

Mr. MONEY: I do not know how the select committee can make a list of those who are dissatisfied repatriated soldiers. I do not see how they can get a list of the men who must relinquish their holdings under the circumstances indicated in the motion, unless a preliminary inquiry be held.

Mr. Wilson: That is what this is for.

Mr. MONEY: I am only trying to make the motion more reasonable and workable.

Mr. Wilson: You are not trying to make it more involved?

Mr. MONEY: I am only trying to make it satisfactory. I heard the Premier say that he would submit a list of the amounts written down. I have no doubt the Premier could give a list showing what has been done on the whole of these estates.

The Premier: Very little clearing is done under the department; most of it is done by the men themselves.

Mr. MONEY: The motion would be made more workable if all the words after "A.I.F." were deleted. I move an amendment—

That all the words after "A.I.F.", in line 5, be struck out.

The motion would then read: "That a select committee be appointed to go into all phases of the land settlement policy in regard to repatriated soldiers of the A.I.F."

Mr. WILSON (Collie—in reply) [6.4]: I do not see the purpose of cutting out the latter portion of the motion. What is the object of it?

The Minister for Mines: It will allow you to inquire into every phase of soldier settlement.

Mr. Mann: It gives you broader powers.

Mr. WILSON: I will not accept the amendment.

Amendment put and negatived.

Question, as amended, put and passed.

Ballot taken and a select committee appointed, consisting of Messrs. Carter, Denton, Corboy, Underwood and the mover (Mr. Wilson), with power to call persons and papers, to sit on days over which the House stands adjourned, and to report on 12th October.

#### BILL—BROOME HILL RACECOURSE.

Returned from the Council without amendment.

#### BILL—PUBLIC EDUCATION ACTS AMENDMENT.

Received from the Council and read a first time.

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

#### MOTION—RAVENSTHORPE SMELTERS, PRIVY COUNCIL APPEAL.

Debate resumed from 31st August on the following motion by Mr. Corboy—

That in the opinion of this House the decision of the Government, as publicly announced, to appeal to the Privy Council against the decision of the High Court of Australia in the matter of McNeil and Bernales *versus* the Crown is unwarranted, and should not be proceeded with.

The MINISTER FOR MINES (Hon. J. Scaddan—Albany) [7.35]: I first desire to respectfully ask the House to extend to me sympathy in my position, for it is my first effort to deal with a question which is essentially one of law. If, therefore, I make reference to points which might be termed within the law, but are not quite in accordance with what members may feel is the actual position, I hope the House will at least have sympathy with me, remembering that I have no knowledge of law. I want to give the House an understanding of the question. To do that I must recite briefly some of the facts relating to the smelting of ore in the Ravensthorpe district. It will be within the knowledge of some members that many years ago, prior to the war, the Government, at the request of those who were operating ore in the district, obtained a lease of the Ravensthorpe smelter. It may be as well to explain that the Ravensthorpe smelter was erected by a company that expended something like £300,000 and then failed. After failing, they sold up, and certain persons purchased their interest for a mere song, the total amount paid being, I fancy, some £3,000. It was then suggested that the Government might take over the smelter and treat for the public. The purchasers of the smelter, offered to us for £50,000 what they had obtained for £3,000. We were not buying, but in the interests of the district, and because the new company were not able to operate the smel-

ter, and for the further reason that a number of small mine owners were dependent on the smelter, we conceived that it would be in the interests of the State and of the district if we leased the smelter, which we did. The conditions on which, prior to the war, we decided to treat, were that we would purchase the ore at assay values, treat for our customers on a definite basis, fixing in our regulations charges for treatment, and returning to them the market rate for standard copper as published from time to time in the "West Australian." The price fixed for the treatment costs was 30s. per ton and 3s. 6d. per unit of copper. We had to take all the risk in regard to losses in treatment and in realisation, and in order to cover ourselves we were to retain any difference between the prices realised for standard copper and for electrolytic copper. Also we were to retain the ore, the result of the surplus metals. That was accepted as quite satisfactory by all in the district. But soon after the war began, in July of 1915, the department, through the Minister, was not satisfied that it was in the best interests of the State to continue the conditions which had applied when things were normal; because copper could be no longer exported, and it was unknown what the price might be, while the cost of treatment was sharply rising. There was no overseas market for copper, and even if export had been permitted there was difficulty in obtaining shipping. So we notified the ore producers that the old conditions would no longer prevail. As I say, up till then we had been treating on a basis of 30s. per ton, and 3s. 6d. per unit of copper. Everybody knew that prior to the change actually taking place the costs had so increased that we could not continue at those prices without making a heavy loss.

Mr. O'Loughlen: What loss did you show?

The MINISTER FOR MINES: For the present I cannot say. However, the Leader of the Opposition was then Minister for Mines, and he will be able to advise the hon. member.

Mr. Corboy: The loss was nearly £13,000, but the officers assured the then Minister that it was not £3,000.

The MINISTER FOR MINES: Up to that time loss had accrued on the operations, and so the Minister for Mines decided it was not desirable to treat on the same basis.

Mr. Corboy: The Minister did not decide that. Read the file.

The MINISTER FOR MINES: The hon. member will have an opportunity to put me right when he replies. In July, 1915, a new regulation was made. It was the intention of the Minister for Mines that from that date we should continue to treat ore in the Ravensthorpe district on the basis that we would return the full result of realisation, and charge our customers with the actual cost of operations; that is to say, neither profit nor loss to be made by the department.

Hon. P. Collier: That was the attitude I adopted all through the piece.

The MINISTER FOR MINES: That is so. As I explained just now, when at the outset the Minister decided to treat Ravensthorpe ore for all parties, he did it on the basis of purchasing at assay values selling at the prices published in the "West Australian" and retaining to himself the difference between realisation on standard copper and on electrolytic copper, and retaining also the surplus metals. After the declaration of war, when the cost of treatment rose sharply in consequence of the increased cost of all commodities, a loss accrued. It does not matter now whether the loss was small or great, or whether the Minister knew the actual loss. New regulations were promulgated, and were approved by the Minister. If the hon. member suggests that the Minister did not agree to that change—

Mr. Corboy: He did agree, and wanted to do what you say, but the officers did not back him up.

The MINISTER FOR MINES: I want hon. members to understand that when the change took place it was very violent. Previously the treatment charges had been fixed at 30s. per ton, and 3s. 6d. per unit of copper, and there was accruing to the department the difference in the prices of standard and of electrolytic copper, and all the base metals. When the change took place there was a distinct understanding in the minds of the Minister and of the customers of the smelters that the change was brought about in order to return to them the full realisation of the treatment of their ore without loss either to them or to the department. That is evidenced by the fact that from that date until this dispute arose, the difference in the price obtained for standard and electrolytic copper was returned to the customer as well as all the value of the surplus metals.

Mr. Corboy: The difference in the price was.

The MINISTER FOR MINES: Certainly. The hon. member, therefore, cannot deny that if such were done and we still adhered to the pre-war price of 30s. per ton for treatment, the department was doing not only a foolish but an insane thing.

Mr. Corboy: It did.

The MINISTER FOR MINES: It did not. If the department were giving up what they were previously retaining to make good any difference between the cost of treatment and the price of standard and electrolytic copper, retaining nothing at all, it would have been an insane thing. In the Mines Department as well as in the mind of the Minister was a desire to continue to treat and to give customers the result of the operations without loss or gain to the department. That went on for a period. Then a number of campaigns were conducted, and it is suggested now that the customers in Ravensthorpe had no knowledge that it was intended to levy against them the total cost of treatment. To state

that is to say something that was not in the mind of any single individual.

Mr. Corboy: Yes, it was.

The MINISTER FOR MINES: I know of my own knowledge that at the outset of this action when the parties were approaching the Government, they had pinned their faith to obtaining damages because of what they termed undue costs in treatment.

Mr. Corboy: It is a question of inefficiency.

The MINISTER FOR MINES: They submitted their claim on the basis that the manager had failed to produce economically, that he had allowed the cost to go up to such an extent that they could claim against him for wilful waste.

Mr. Corboy: Was not that the cost of realisation?

The MINISTER FOR MINES: No. That was their first claim. As proof of this we offered to allow the matter to be submitted to arbitration by any smelting manager or authority in Australia appointed by the petitioners. The basis was that the smelting had been done wastefully. I know of this because I had something to do with it.

Mr. Corboy: I shall read the whole of the correspondence when you have finished and we shall see whether you are right.

The MINISTER FOR MINES: If the hon. member takes the files of the Crown Law Department, he will find that we were negotiating with the parties on that basis. We wanted to get a decision as to whether wasteful methods had been adopted in the smelting. There was only one authority to decide that, namely a man with a knowledge of smelting practice under the conditions prevailing. We offered to decide the question by such an authority.

Mr. Corboy: Give the details of your offer.

The MINISTER FOR MINES: I shall not read any details.

Mr. Corboy: Of course not.

Mr. SPEAKER: Order! The hon. member must not interrupt.

The MINISTER FOR MINES: I am stating what I know actually happened. The matter was submitted to me as Minister and I decided that, if it were shown the department had been wasteful in their methods and that the customers had lost in consequence, we should suffer damages. There was only one way of doing it. No court could decide that. It could be decided only by a smelting authority going into the whole question as to whether wasteful methods had been adopted. The petitioners shifted their ground eventually. The papers were asked for and supplied. The whole of the papers were supplied, even those which in ordinary commercial practice would have been withheld, namely the expressions of opinion between the manager and the directors as to the course to be adopted. Whatever might be read into the correspondence between the manager, Mr.

Shepherd, and the State Mining Engineer, it does not alter the fact that during the whole of the period up to the time action was taken in the court, the people had been supplied not only with a voucher setting out the preliminary advances but with balance sheets showing how the charges were levied against them. If the customers now urge they were not aware that they were being charged for the extra cost of smelting, and if the balance sheets which were submitted at their request can be produced displaying how the charges were made up, is it a fair thing to suggest that they were not aware of this at the outset of the first campaign after the new regulation was adopted? How comes it that, if the customers believed they were still going to be charged pre-war costs for smelting—30s. per ton—and had actually accepted without question the surplus metals as well as the difference in the prices of standard and electrolytic copper, they did not accept the voucher but asked for a balance-sheet? Why did they want a balance sheet if they were going to be charged on the basis of 30s. per ton for treatment? The whole thing is absurd. An action was brought in the court and the claim was turned from one of wasteful methods of treatment and loss to the customers to one of fraud. The whole business has been so permeated with the idea that fraud existed in the department that the courts, in our belief, have given more credence to the question of fraud than to the actual facts of the case. So strong was the evidence that when the Full Court heard the appeal they levied only one-third of the costs for the trial. They did not prove that there had been fraud.

Mr. Corboy: The judges stated so in their judgments.

The MINISTER FOR MINES: I do not care about that. They stated other things as well.

Hon. W. C. Angwin: Judges are not always correct.

The MINISTER FOR MINES: Of course not. If this Parliament is going to adopt the attitude suggested by the member for Yilgarn (Mr. Corboy), it means that we, as laymen, are going to place ourselves in the position of the judiciary. We are going to decide matters which are essentially matters for the courts. Thus we would be interfering with the courts of justice, which is quite an undesirable thing to do. Arising out of this case is a matter which may involve the taxpayers in very heavy damages. I have no feelings in the matter, but I do desire that the case should be decided on its merits. The question of law is one for the Crown Law Department and the department has considered it. I am in a position of trust and I would not be justified in taking any course of action which would involve the taxpayers in damages amounting to anything up to £80,000 so long as there is a court of law to decide the issue. Neither has any member of this House a right to take

such action, not even in the interests of his own electors.

Mr. MacCallum Smith: Did not the acting-Premier agree?

The MINISTER FOR MINES: No; but I do not care if he did.

Mr. Pickering: Justice is the main issue, is it not?

The MINISTER FOR MINES: Yes, and there are courts of law to see that justice is done between individuals as well as between the State and individuals. Parliament is essentially a body created for the purpose of making laws. In order to see that the laws are administered, courts are established, with judges holding positions for life so that they shall not be subject to outside influence. Under the British Constitution there is a Privy Council to whom any person might make a final appeal.

Mr. Lutey: Provided he has the financial means to get there.

The MINISTER FOR MINES: That does not enter into the present case at the moment. If it is argued that we have no right to go to the Privy Council because a judge of our own court as well as the Full Court of Australia decided against us, I need only urge the case of the powellising agreement where exactly the same thing applied. In that case we went to the Privy Council and the Privy Council ruled against both the other courts. Do members consider that the Government, strongly advised as they are by the Crown Law authorities, and supported by the best of outside advice, should take the responsibility of ignoring that advice and disregarding the points of law involved and hand over £80,000 of the taxpayers' money?

Mr. Corboy: The Crown Law advice was so good that you have had to amend the appeal.

The MINISTER FOR MINES: I thought the hon. member would come to that. He is so well informed of the position that he has been supplied by Sir Walter James with the terms of the application.

Mr. Corboy: I have not seen Sir Walter James.

The MINISTER FOR MINES: It could only have come through him.

Mr. Corboy: It did not.

The MINISTER FOR MINES: The hon. member has been supplied with a copy of the terms of the application. An ex parte application to the Privy Council does not require us to submit details of the application to the other side, but in order to be absolutely fair and just, the terms of the proposed application to the Privy Council were submitted to our opponents to enable them to understand our position thoroughly.

Mr. O'Loughlen: Do you know that there is a defect in the application?

The MINISTER FOR MINES: There is what the other side claim to be a defect. In ex parte applications it is not the practice to inform the other side, but in order to be fair and above board, we adopted this unusual course. All that is necessary in an

application for leave to appeal to the Privy Council is to state the facts to enable the Privy Council Committee to decide on the statement of facts. The Privy Council Committee will not stand any humbug. If there is any humbug, so soon as the terms are made known to the other party, they can ask for the application to be revoked with costs against the applicant. There was no purpose in submitting other than what we desired the Privy Council Committee to consider. The motion as moved by the member for Yilgarn, if carried, would have the effect of withdrawing our application for leave to appeal which costs the Government practically nothing and costs our opponents nothing at all. Our application only permits the facts to be established before the Privy Council Committee, and the Committee decide whether there are grounds for appealing against the decision of the Full Court. If it is decided that there is ground for appeal the hon. member himself will admit we have adopted the right course in asking leave to appeal. If the Privy Council decide against us we have to take the position as we find it and disgorge anything up to £30,000 of the taxpayer's money. I do not think it can be suggested that the House should take any action that would prevent an appeal going forward and absolutely tie the hands of the Government. The hon. member knows that so long as the case is open the Government can negotiate with the other side for a settlement. If our book is closed, by the adoption of this motion, we can no longer negotiate with these people. We shall be faced with the position of having to settle to the last penny on the decision arrived at by the court, irrespective of whether or not it is just in the interests of the general taxpayer that we should do so. I do not think any hon. member would desire that. Whatever may be the merits of the case up to this point no damage has been done to anyone. There is an opportunity in the interim of negotiations proceeding, and of the matter being settled on a basis which will not only be just to the other side, but also to the general taxpayer.

Mr. O'Loughlen: Have you negotiated?

The MINISTER FOR MINES: We have been negotiating. If the opponents to the general taxpayers can induce this House to agree to the motion, knowing the possibility of such a course being adopted, they will not negotiate to any final conclusion. They have not come along with that frankness which is desirable if negotiations are to be proceeded with to a final issue.

Mr. Stubbs: Would arbitration be cheaper?

The MINISTER FOR MINES: Arbitration was offered when it was first submitted that damages were being claimed against the Government because of wasteful treatment.

Mr. Corboy: The Minister refuses to supply the details of the offer.

The MINISTER FOR MINES: The hon. member knows them.

Mr. Corboy: The House does not know them.

The MINISTER FOR MINES: The House can get them if it wants them. I am not trying to establish the case for the Government, or to belittle the case of our opponents. We should not set ourselves up as a court of appeal upon an action which must be decided on points of law by courts established for that purpose. If the motion is carried we can neither negotiate for a settlement on any other terms than those decided by the court, nor proceed to an appeal.

Hon. W. C. Angwin: Has the State made any profit out of the business?

The MINISTER FOR MINES: The State has made a loss, and it is desired to make the loss a greater one. The smelters were established for the benefit of the district and for that alone, as the Leader of the Opposition knows. It was not intended that the State should benefit by the operations of the smelters at Ravensthorpe. Whether the management has been perfect or not, whether it has failed in one direction or another, does not matter for the moment. When the negotiations between the manager and the State Mining Engineer were discovered, and the idea got about that fraud was attempted, our opponents shifted their ground from the question of mismanagement to one of fraud, and claimed damages on that basis. The High Court consisting of Sir Adrian Knox, Mr. Justice Isaacs, and Mr. Justice Starke, said, in the course of their judgment—

The petitioners launched a charge of fraud which, though established, is irrelevant to the question to be decided. The question of fraud which has occupied by far the greater portion of the time and has involved the greatest extent of this litigation is entirely negligible from a legal standpoint. At the same time it cannot now be entirely ignored.

Mr. Corboy: They say it is negligible, because you are appealing under the Crown Suits Act.

The MINISTER FOR MINES: The hon. member is now introducing a side issue. There were certain points of law which are set down in our statute. One of the laws on the statute book is that certain things under the Crown Suits Act cannot be dealt with by the court. It is not a question of whether we are claiming under the Crown Suits Act or not. Our petitioners have always been able to claim under petition of right. What is the use of talking about the Crown Suits Act? A claim can be made under a petition of right at any time. A different procedure had to be adopted.

Mr. Corboy: You are not giving the real reasons concerning the charge of fraud.

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

The MINISTER FOR MINES: If it is desired that the interests of the taxpayers shall be conserved, as well as those of the petitioners, this motion should be defeated. An application for leave to appeal is en-

tirely different from an actual appeal. Negotiations can proceed even after such an application has been made, and perhaps a satisfactory conclusion may be arrived at. Under the regulations of February, 1914, the Government are the purchasers of the ore. I will read an extract—

The Government was a purchaser of the ores on assay value at the London market price of standard copper, less 30s. per ton of ore (a flat rate) and 3s. 6d. per unit of copper and six per cent. of gold, on a sliding scale in respect of each parcel of ore purchased.

There are two classes of ore coming forward, one of which is practically only copper, and the other containing copper and gold. Later on an alteration was made by which after an advance was given on the basis of the then recognised price of copper, namely, £56 per ton, the balance was pooled. It would have been unfair to have paid the full value of the gold contents, namely, £4 per standard ounce, to those to whom advances had been made and that they should also have taken part in the distribution of the balance under the pooling system. While we were advancing against the ore on the basis of about £56 per ton of copper, and were charging 30s. per ton for treatment, the value of copper went up to £138. We returned the full value of the £138, less the cost of realisation and less the increased cost of treatment, and the difference between standard and electrolytic copper, as well as the value of the other metals. It will thus be understood that it would have been totally unfair that the Government, who were conducting the business in the interests of the district, should continue to charge only 30s. per ton for treatment when the value of copper had gone up and the cost of recovery had increased beyond pre-war prices. Although to a certain extent we remained purchasers of the ore we said, "We will purchase your ore and make advances to you, on the prices published in the 'West Australian,' but we will make no profits and merely act as your agents. Whatever is eventually realised will go to you less the cost of treatment." The evidence given by men who were partly interested in the final settlement, such as Mr. Reynolds, and two others, was definite, to the extent that in their minds there was no other idea than that they would be charged with the total cost to the Government, and that they would get the full realisation of the treatment less the charges. Mr. A. Dunstan, the local manager at Ravensthorpe for Mr. Neil McNeil and Mr. de Bernales, was one of a deputation which waited upon the then Minister, Mr. Hudson. This deputation approached the Minister on the subject of the charges. They required to know whether something could not be done to reduce them. Why were they interested in the reduction of the charges if these were not to be debited against them? An association was formed at Ravensthorpe for the purpose of finding some means of reducing the cost of treat-

ment at the smelters, this cost being debited against them. When they had received an interim advance, and a balance sheet showing how the charges were made up and setting forth what was due to them, they woke up to the fact that the Government were charging more than 30s. per ton for treatment at the smelters. There can be no doubt as to what was in the minds of the Government and what their intentions were. At the time when the first vouchers for the first campaign were issued, Mr. R. T. Robinson, who was Minister then, gave an interview to the "West Australian" and the "Kalgoorlie Miner," wherein he distinctly stated that the charges then being levied for the purpose of making advances on the basis of the then quoted price for copper were only interim charges, and that the balance would be levied upon final adjustments. This was common knowledge, and the publications were produced in court. The issue has largely been cramped into the idea that there has been fraud, and on that basis the courts have given judgment. Even the judges of the High Court drew attention to the fact that almost the whole time had been taken up in discussing the question of fraud. The Crown Law authorities are of opinion that if some judicial mind, which was not so directly interested in looking into the question of fraud, was brought to bear upon the matter, the question of fraud would not enter into it to the extent hitherto suggested. If the committee of the Privy Council, on the application for leave to appeal, decide against the State, the matter is at an end. If it is decided there is sufficient to warrant the Government in applying to the Privy Council, and the Privy Council hears the case, and the question of fraud is removed from the case, the member for Yilgarn will surely admit that we have taken the right course. I do not want anyone to be robbed, whether by the Government or any other party, but I do not want to be a party to any action which will cause the State to disgorge a large sum of money to individuals who must know that they have obtained every penny to which they are entitled.

Mr. Stubbs: Do you believe they have?

The MINISTER FOR MINES: I do, and the court says so, too.

Mr. Corboy: No, it does not.

The MINISTER FOR MINES: On the charge of fraud, Mr. Justice Isaacs, in the course of his judgment, said—

One thing is certain, that neither Mr. Shepherd nor Mr. Montgomery had any intention to deprive the petitioners of a single penny to which, in the judgment of those officers, they were entitled.

Not a single penny! Further, in view of the fact that the then Minister for Mines had published in the newspaper circulating in the district a definite statement put up by him to those gentlemen, that they would be charged the actual cost of treatment and realisation, there never could have been the slightest intention on the part of any of

the officials to defraud. Whatever methods were eventually arrived at for the purpose of settling the claim, fraud could never have been introduced, for the reason that the Government did not at any time make a single penny out of the transaction, but, in the interests of the district, lost a good deal over it. If it could be shown that the Government had obtained from any customer of the State smelter a penny to which they are not justly entitled, or even if it could be shown that the Government had made any profit out of any customer of the State smelter, then it might justly be said that the Government ought to disgorge. The fact, however, is that the Government made a loss. We did not, as the Leader of the Opposition well knows, go to Ravensthorpe to make money by means of a smelter. We carried on at a loss for years in order to assist the industry there. The Government having made a loss, is it a fair thing that because of correspondence between the manager of the smelter and the State Mining Engineer, correspondence which was not acted upon at all, the petitioners should establish a case of fraud against the Government, and should thereupon require the taxpayers of this State to pay them £80,000 more?

Mr. Corboy: That correspondence was acted upon.

The MINISTER FOR MINES: It was not.

Mr. Corboy: The point is immaterial, anyhow.

The MINISTER FOR MINES: The preliminary voucher, upon which the advances were made before a final settlement could take place, showed a charge of 30s.

Mr. Corboy: The realisation charge was boosted in the correspondence.

The MINISTER FOR MINES: I have here a notice which was posted at Ravensthorpe by the manager of the smelter, and which reads as follows:—

The State Mining Engineer has wired instructions to furnish your association with detailed balance sheet results of the third smelting campaign, which ended in June, 1916. I have pleasure in enclosing them herewith, and should the members of your association be desirous of further information re same, both the accountant and myself will be pleased to meet the association and give them such information as is available. (Sgd.) Richard Shepherd, Manager State Smelting Works. And here is the balance sheet, which appears on page 234 of the exhibits in the appeal book.

Mr. J. Thomson: What is the use of bringing all that up now? The judges have decided against it.

The MINISTER FOR MINES: They have not done anything of the sort. They have merely given special attention to the charge of fraud. The Government are interested from this point of view, that we are not entitled to take from any person,

be he a customer of the State smelter or anything else, what is not our just due, and that, on the other hand, no individual is entitled to take from the taxpayers £80,000 or any other sum of money unless he is entitled to it. The petitioners claim that the Government had no right to charge them more than 30s. per ton. We have provided the petitioners with a balance sheet showing distinctly how the charge was made up, including the extra cost of smelting above the 30s. per ton. The petitioners raised no objection; they accepted that balance sheet.

Mr. Stubbs: Three judges have said that wrong charges were made and covered up by officers of the Mines Department.

The MINISTER FOR MINES: That is the point in connection with which the charge of fraud was raised.

Mr. Corboy: What is the average realisation cost per unit?

The MINISTER FOR MINES: The average realisation was 25.735s. per unit of copper from that campaign. The cost of realisation does not matter.

Mr. Corboy: It does matter; it is just the point in this case.

The MINISTER FOR MINES: That balance sheet was in the possession of the petitioners. There was nothing hidden at all. The cost of smelting in excess of the 30s.—although the 30s. is not mentioned—is shown in that balance sheet. All of them accepted the balance sheet until Mr. Dunstan came along in the interests of McNeil and de Bernales and said the Government ought not to charge more than 30s. per ton. Because of a certain feeling in the minds of hon. members with regard to correspondence which took place between the smelter manager and the State Mining Engineer, surely they are not going to mulct the taxpayers of the State in a penalty of £80,000!

Mr. Corboy: That is not the point.

The MINISTER FOR MINES: The hon. member's course of action could only have that end.

Mr. J. Thomson: You know very well that the amount is not £80,000. I told you the other day—

Mr. SPEAKER: Order!

Mr. Corboy: You know that the £80,000 includes something else.

Mr. SPEAKER: Order!

The MINISTER FOR MINES: Let me put it another way, and say, "Anything up to £80,000."

Mr. J. Thomson: It will be £80,000 yet.

The MINISTER FOR MINES: I want hon. members to get out of their minds any feeling which exists on that point. If the Government have to pay anything on account of wrong-doing of any members of the Public Service, they will call those public servants to account.

Mr. Pickering: But those public servants cannot pay it.



The MINISTER FOR MINES: We are not going to mulct the taxpayers of this State in £80,000 because some public servants have done wrong. I challenge contradiction when I say that McNeil and de Bernales have received every penny they are entitled to receive from the State smelter.

Mr. Stubbs: In accordance with the regulations?

The MINISTER FOR MINES: Here is the regulation—

16. The marketable products of smelting of any ore or metal-bearing material presented to the smelting works for purchase will be sold by the Minister at his discretion as opportunity offers, and any balances remaining from the sale of such products after payment of all the expenses incurred by the Government on account of the purchase, receiving, and treatment of such ore or material, and the shipment and selling of the products therefrom, inclusive of interest at the rate of 6 per cent. per annum calculated from day to day from the time of payment of such expenses up to the date of the final payment of the balances to the sellers, will be paid, in final completion of the purchase of such ore or material, to the sellers thereof in proportion to the percentages which the values of the separate lots form of the total value of all the lots smelted from which the aforesaid products have been derived, calculating such values on the prices assumed as above for the purpose of making advances. The amount of the advances was on the basis of £50 per ton of standard copper, 80s. per oz. of fine gold, and 2s. per oz. of fine silver.

Mr. J. Thomson: Downing read that to the judges.

The MINISTER FOR MINES: I am not trying to convince members of this House as if they were a jury. I am not dealing with the merits of the case at all. I am trying to convince the House that any other course of action than that of permitting this application for leave to appeal, if the hon. member knows the distinction—

Mr. J. Thomson: I know it.

The MINISTER FOR MINES: Any other course will mean allowing the petitioners to go to the Privy Council, while the Government of this State withhold their case from the Judicial Committee of the Privy Council, who will decide on an ex parte application. One cannot possibly negotiate with the other side while the petitioners have, according to what one hears at street corners, a great probability of Parliament preventing the appeal from going forward.

Hon. W. C. Angwin: I hope the House will have more sense.

The MINISTER FOR MINES: The motion practically asks the House to tie the hands of the Government in the matter of this appeal. There is no use our going to our opponents with proposals for a settlement if this motion is carried. Surely nobody would adopt a course of action which will

place the Government in such a position. I am sure the member for Yilgarn (Mr. Corboy) would be the last to do such a thing. As to the question of fraud, we need not worry ourselves at this stage. As to the question of the methods of the departmental officers, those officers will answer for them at the proper time; but no man has a right to be called guilty until he has been charged, and has been heard in his own defence.

Mr. Corboy: Their methods are highly doubtful, whichever way the verdict goes.

The MINISTER FOR MINES: If any questionable practices have been adopted by the departmental officers, those officers will have to answer for them. They understand that quite well. As a matter of fact, Mr. Montgomery was presented with that position when the negotiations began, and when it was suggested that the Government might compromise, Mr. Montgomery, notwithstanding how the matter might affect him, declined to give his approval to the Government making a compromise by the payment of a single penny, for the reason, presumably, as stated by Mr. Justice Isaacs, that there is not the slightest doubt in the mind of anybody who has looked into the matter that Mr. Montgomery had not the least intention of defrauding anyone.

Mr. J. Thomson: Nobody thinks it.

The MINISTER FOR MINES: Hon. members are urging it as a reason for not going on with this appeal.

Mr. J. Thomson: No.

Mr. Corboy: Will you continue the quotations from the judgment?

The MINISTER FOR MINES: I have not got it.

Mr. Corboy: Very well: I will do so later.

The MINISTER FOR MINES: I am not completely briefed.

Mr. Corboy: That is not fair. You should be completely briefed.

The MINISTER FOR MINES: I am not going to be briefed in this matter.

Mr. Corboy: You should be.

The MINISTER FOR MINES: It is not a matter regarding which I should be briefed. I will not deal with it in all its bearings from a legal standpoint; I could not do it. I am dealing with it from the standpoint of equity. It would be very easy for me to arrange the matter by paying the amount and spreading the payment over a number of years, thus securing a little peace from those who now criticise. I will not pursue that easy line of action. Are we to pay officials of the Crown Law Department high salaries for their advice and then deliberately neglect to follow their recommendations, which leave no room for doubt as to their opinion of the legal position?

Mr. J. Thomson: What did the judges say about it?

The MINISTER FOR MINES: What did they say in the powellising case?

Mr. J. Thomson: That was the only instance.

The MINISTER FOR MINES: Even though it be the only case, that appeal went against the judges of the High Court.

Hon. P. Collier: What about the three cases Ryan took to the Privy Council and won?

Mr. J. Thomson: But he was a lawyer.

The MINISTER FOR MINES: It should not influence the House in the slightest degree to what extent the Government go to prove their claims, if the Government believe they are entitled to take this action. An appeal to the Privy Council is open to the individual, just as it is open to the State. We have no right to give up the case when our legal advisers definitely recommend that we should pursue the course suggested. The application that the member for Yilgarn seeks to prevent, is merely one for leave to appeal. The application does not put the petitioners to any expense whatever, and it will mean comparatively little expense to the Government. It will enable the Judicial Committee of the Privy Council, however, to look into the case and say whether it is right that there should be an appeal.

Mr. J. Thomson: There has been an appeal.

The MINISTER FOR MINES: What the member for Claremont has not heard in the West Australian Club is not worth hearing about this case! This application is for leave to appeal, and it will enable the Privy Council to form an impartial judgment as to whether there is just ground for an appeal. Would the member for Claremont adopt any other course than that suggested?

Mr. J. Thomson: Yes.

The MINISTER FOR MINES: Although it costs the petitioners nothing?

Mr. Corboy: It costs a lot indirectly.

The MINISTER FOR MINES: In order to be perfectly fair to the other party, we supplied them with a copy of the case we intended to submit to the Privy Council. There was no need to do that, but we did so in order to be fair and just to the petitioners, and I suppose they may have gone to some expense to deal with the case.

Mr. Corboy: I was not referring to that aspect, but to the people whose position rests on this decision.

The MINISTER FOR MINES: The House should consider carefully the position between the Government and the petitioners and also the interests of the general taxpayers, and decide whether they will take a course that will prevent the Government's intentions being carried out. If the motion be carried, the hands of the Government will be tied and we will not be able to do anything.

Mr. Pickering: You would not permit that, even if we carried the motion.

The MINISTER FOR MINES: I do not know about that.

Mr. Stubbs: We have Constitutional Government.

The MINISTER FOR MINES: The House should understand that if it is decided that

the appeal shall be withdrawn, it will be withdrawn. Cabinet, of course, would have to decide, but I do not think we would accept a responsibility that no longer would rest with us, in view of the decision of the House. The Crown Law officials advise this course and in view of the fact that we have previously obtained a decision from the Privy Council against the High Court of Australia—and I suppose we shall do so again—we should proceed with the application for leave to appeal, rather than take the responsibility of handing over £80,000 of the general taxpayer's money to these people.

Mr. J. Thomson: Why say £80,000 all the time?

Mr. SPEAKER: Order! The member for Claremont must cease interrupting.

The MINISTER FOR MINES: I have said that it may mean anything up to £80,000. We do not know what it will be; it may be more. The fact remains that it will be up to £80,000 of the taxpayers' money, for which they have got nothing.

The Minister for Works: They never wanted anything.

The MINISTER FOR MINES: More than that, it will mean £80,000 plus what was lost on carrying on operations for a section of the community in the district affected, and the rest of the taxpayers have already paid that difference between the amount the product realised and the cost of the realisation.

Mr. J. Thomson: Did you not have a conference the other day?

The MINISTER FOR MINES: Yes, but there will be no finality to these conferences unless this motion be defeated. The parties will go on in the hope that finally the House will carry the motion, the application for leave to appeal will be withdrawn, and the petitioners can claim the money. I hope they will be disappointed. I will not deal with the matter any further, although I have evidence before me from interested parties, who, if this claim were allowed, would reap the benefit, because they have claims as well; yet they were courageous enough to go into court and say what they believed, and what everyone else in the district believed too, namely, that we were not to make profits nor yet losses and that they had been treated on that basis. The member for Yilgarn said that there was some money held in suspense that should be distributed.

Mr. Corboy: No, I did not say that. I asked the Premier last session what the amount was and he refused to supply the figures.

The MINISTER FOR MINES: I will supply them. The operations of the State smelters commenced during 1914, the payments to sellers of ore and working expenses being a charge to the General Loan Fund under which a vote was granted by Parliament. Subsequently, provisions were made under the Sale of Government Property Trust; then a suspense account was opened in the Treasury books and that is still being operated upon. The expenditure transac-

tions were as follows, leaving out the shillings and pence:—1914-15, General Loan Fund, £68,436; 1915-16, General Loan Fund, £69,029; 1916-17, Sale of Government Property Trust, £91,877; 1917-18, Sale of Government Property Trust, £79,774; 1918-19 to 1920-21, Suspense account in Treasury books, £66,878, making a total of £375,996. That was the amount found by the Government, from these several accounts. The total amount received on account of the sale of metals and credited in the Treasury books up to the 30th June, 1921, was £346,038, the details of the credits being:—Sale of Government Property Trust, £193,470; amount transferred to revenue account, interest on advances and cash expenditure, also final payments on the third and fourth campaigns, included in the expenditure figures I have already mentioned, £19,393; smelter receipts in suspense, £133,173, or a total of £346,038. Of the £133,173, a sum of £36,222 was transferred to the State Smelter, Ravensthorpe Suspense Account (Expenditure) in the Treasury books for the carrying on of operations, leaving a balance at the 30th June, 1921, of £96,951 to the credit of receipts in suspense, which, if not required for similar operations, will be subsequently transferred to the Sale of Government Property Trust. The position is that, to the 30th June, 1921, according to the Treasury books, the payments to sellers and working expenses exceed the total receipts by £29,957, which indicates that all the proceeds of sale have been disbursed. The amount in question, namely, £96,951, being a portion of the receipts I have mentioned although in suspense, therefore belongs to the Government.

Mr. Corboy: I cannot understand why those figures were refused last year.

The MINISTER FOR MINES: I do not know that they were.

Mr. Corboy: Yes, they were.

The MINISTER FOR MINES: I suppose it may have been because it was thought they were wanted in connection with this case.

Mr. Corboy: What harm would it have done? It would have helped your case, so why should they have been refused?

The MINISTER FOR MINES: It would not have helped the case at all. The Government in any legal action are entitled to adopt the same attitude for their own protection that a private individual can adopt. They would not adopt that attitude for the protection of individuals on the Treasury bench but in the interests of the general taxpayers, whose interests Ministers have to conserve. We have no right to allow members to ask questions to obtain information to assist our opponents in their claim against the general taxpayers. If a Government will not shoulder the responsibility of such a line of action, they cannot be relied upon to give proper consideration to the taxpayers' interests. That may have been the rea-

son for withholding the figures last session. In this case, we have treated ore for customers in the Ravensthorpe district and have paid out large sums on account of that ore and now we are faced with a further claim for some £80,000 on the ground of fraud which is said to have arisen out of certain correspondence between the manager and the State Mining Engineer. We have not received a single penny from those individuals, and they have received something in excess of what they were entitled to from the operations of the State smelters. Despite this, we are not, it is proposed, to be allowed to take action in the interests of the general taxpayers! To our opponents it may seem hard, but the proper course was that suggested in the earlier stages of the dispute, namely, to have the question settled by a proper authority who would take into consideration the conditions arising out of the war when these transactions were made.

Mr. J. Thomson: Why was that not done?

The MINISTER FOR MINES: Because the hon. member was not Minister for Mines, Attorney General and Crown Prosecutor.

Mr. J. Thomson: I would have saved over £80,000 had I been Minister for Mines.

The MINISTER FOR MINES: Of course you would. I ask the House to seriously consider this motion. If it be carried, the effect will be to tie the hands of the Government, the protectors of the general taxpayers, in dealing further with this matter. If it is desired by hon. members that we should get the thing settled at a price and on terms that will be satisfactory to the general community, let them give us the opportunity to do it. But do not close the door in our faces.

Mr. Stubbs: Do you desire to settle it amicably?

The MINISTER FOR MINES: We do. But we shall never get any settlement while motions of this kind come before the House. If the hon. member were contending against the Government and were anxious to make a settlement without going to the Privy Council, and if somebody else came along with a motion to disallow application for leave to appeal, would the hon. member, while the motion was being considered, agree to make any final arrangements with us? Of course he would not, for the motion would give him two strings to his bow; if it were carried he could get all that he was asking for. There can be no earnestness in any conference called to negotiate this matter while the motion remains before the House. We are merely taking a course available to all other litigants, and I want the House to defeat the motion so that we may proceed to negotiate on a fair basis, with our hands free.

On motion by Mr. Marshall, debate adjourned.

# MOTION—NARROGIN-DWARDA RAILWAY.

To inquire by select committee.

Debate resumed from 31st August on the following motion by Mr. Hickmott:—

That a select committee be appointed to inquire into the advisability of constructing the Narrogin-Dwarda railway, and that all work on that line be suspended pending report of committee.

Mr. JOHNSTON (Williams - Narrogin) [8.48]: I protest against the action of the Minister in stopping this railway, refusing to give us any statement about it, and then forcing me to speak without any information as to the Government's attitude to the motion.

The Minister for Works: I was going to give you all information, but you jumped up and prevented me.

Mr. JOHNSTON: I did nothing of the sort! This is consistent with the whole attitude of the Government in this matter, that the Minister should force me to speak when I have not full knowledge.

The Minister for Works: I protest against this.

Mr. SPEAKER: Order! The hon. member is in order.

Mr. JOHNSTON: The Minister is forcing me to speak first.

Mr. O'Loughlen: I will move an amendment, so as to give you another chance.

Mr. JOHNSTON: I thank the hon. member for that offer; I gladly accept it. The member for Pingelly (Mr. Hickmott) when moving the motion made out no case at all in opposition to the railway. In the absence of any indication from the Government as to their policy on the question, there is very little for me to reply to. Nearly half this railway runs through the electorate of the member for Pingelly. During the last two or three weeks I have been wondering whether I am not a sort of assistant member for Pingelly—judging by the number of communications I have had from the Pingelly electorate protesting against the hon. member's action. In the Dwarda district is only one road board, the Wandering Road Board. I have a letter from Mr. Ernest H. Watts, a member of the Wandering Road Board, who tells me that on the 14th August that road board telegraphed Mr. Hickmott as follows—

Settlers here surprised your attitude regarding Dwarda-Narrogin railway. Consider line essential to the interests of the district. Respectfully ask you withdraw your motion. From the Wandering Road Board.

Mr. Hickmott: I also have had communications from the board, but not asking me to withdraw the motion.

Mr. JOHNSTON: A lively interest in the question is being taken in the eastern part of the electorate also, for I have had com-

munications from the hon. member's electors at Kondinin and at Yealering Lake, protesting against his action, which may prevent them getting the benefit of reduced freights of 19 miles to Perth and 32 miles to Fremantle. This railway when extended to Armadale will bring Fremantle to within 117 miles of Narrogin, as compared with the 132 miles between Narrogin and Bunbury.

Mr. Money: The last advisory board's report does not show that.

Mr. JOHNSTON: The last advisory board never saw the district. The Government have admitted that.

Mr. Money: The railway people say that if they had the line they would not use it.

Mr. JOHNSTON: I do not know how the hon. member got that information. The information we have had in the House is entirely different.

Hon. P. Collier: It is a habit of the Railway Department to submit one report here, and gossip quite different information to hon. members.

Mr. JOHNSTON: The grade from Narrogin to Armadale via Dwarda is one in 70. There is a railway with bad grades through the timber mills in the Dwellingup district. That fact was fairly put before Parliament when the Bill was going through, notwithstanding which the House approved of the building of the line. But the member for Pingelly does not object to the bad grade. He wants the railway to go, not to Narrogin where we have a butter factory and other modern facilities to which the settlers of Wandering desire access; if the railway were extended to Narrogin all those people could come to Narrogin and so avoid crossing the heavy grades on the route through the timber mills to Pinjarra; the member for Pingelly wishes to extend the railway 15 miles in another direction in his own electorate, not to a town with every requirement of modern civilisation, as Narrogin has, but to a white gum tree near a pool. Every man who travelled on that railway would have to cross over the bad grades between that white gum tree and Pinjarra. If the bad grades in the vicinity of the timber mills are detrimental to the extension of the railway to Narrogin, they are doubly detrimental to the extension in the other direction to the white gum tree, from which the whole of the traffic will have to pass over the bad grade.

[The Deputy Speaker took the Chair.]

The Minister for Works: I wouldn't worry about the grade.

Mr. JOHNSTON: I do not. But that was the only objection the hon. member raised to the railway extension to Narrogin. The Working Railways strongly recommended this line when the Bill was brought down. Mr. Short, a practical man, was then Commissioner for Railways. Today the Commissioner seems to adopt a different attitude.

Mr. Money: There were plenty of funds then.

Mr. JOHNSTON: There were not. The Bill was introduced and passed during the war. At any rate I propose to mention some of the mass of evidence, professional and expert, in favour of the construction of this railway, which was before the Government of the day when the railway was authorised. The member for Pingelly has admitted that he has never been over the route, which he condemns, from Narrogin to Dwarda. I, who have lived in the Great Southern for over 20 years, have been along the route repeatedly. I regret the hon. member did not accept an invitation I extended to him when he gave notice of his motion, to spend a week end at Narrogin and motor out to see that portion of his electorate before lending himself to this injustice to a large body of settlers. With my knowledge of the district, I say advisedly that the railway from Narrogin to Dwarda will run through country as good as is traversed by any other line west of the Great Southern for a similar distance. The reports of the Railway Advisory Board in 1911 and further reports which the Government obtained before introducing the Bill in 1915 all bear out what I say. The Hon. H. Stewart, M.L.C., gives a prize for Sudan grass grown in the South-East province, and the prize last year was won by Mr. Whitford, who lives in the centre of the district which the member for Pingelly condemns.

Mr. Hickmott: How much did he grow?

Mr. JOHNSTON: I do not know. This gentleman, however, took the prize against competitors from the rich areas around Narrogin, Wagin and Katanning. As an agricultural railway alone, this line has much to commend it.

Mr. O'Loughlen: As an agricultural line it would pay.

Mr. JOHNSTON: It will pay even better when linked up with the Great Southern districts so that we can effect a saving in haulage when obtaining our timber supplies from Dwellingup. The Minister for Works specifies that State timber must be used for all public works on the Great Southern railway, but it has all to be hauled from Dwellingup either by way of Collie or Perth.

Mr. Mann: Do you agree with that?

Mr. JOHNSTON: No, but we would save 75 per cent. or more of the freight on our timber from the Dwellingup district if this connecting line were built. This afternoon we dealt with the question of returned soldier settlement. Several soldiers are settled in the Dwarda-Narrogin district. Mr. McLarty has approved of the purchase of properties between Narrogin and Dwarda as far as 15 or 16 miles from an existing railway. Why did he do that, notwithstanding the policy of the State to settle people not more than 12½ miles from a railway?

Mr. O'Loughlen: Why did he?

Mr. JOHNSTON: Because the route was surveyed and every chain of it pegged, a survey that cost over £2,000, and because

a Bill for the construction of the line had been passed by Parliament in 1915. No doubt Mr. McLarty thought it was Parliament's intention to honour that measure. I must pay a tribute to the Labour Government of that day. They did not survey that route without Parliamentary authority. We are told that £18,000 has been spent on surveying a proposed railway between Big Brook and Denmark without Parliamentary authority.

Hon. P. Collier: We were careful to get Parliamentary authority for every one of them.

Mr. JOHNSTON: A special Bill was passed before the Narrogin-Dwarda route was surveyed and it was followed by a measure authorising the construction of the railway.

Hon. P. Collier: The Minister for Works is running amok spending money without Parliamentary authority.

The Premier: It was authorised.

Mr. JOHNSTON: No. In some of the Eastern wheat districts great anxiety exists owing to lack of rain, but in the district between Narrogin and Dwarda the country is like a garden. It is a well-watered and safe part of the State, where settlers can make good money and live without the anxiety which so many of our friends in the Eastern wheat belt unfortunately experience. Returned soldiers went out into this district and saw the survey pegs. Some of them made inquiries from me and from officials of the Lands Department. Any resident of the district would have told them, as I did, that the railway had been authorised, and that never in Western Australia had a railway authorisation Bill been repudiated.

Mr. Hickmott: What returned soldiers are you referring to? Those on the Noombling estate?

Mr. JOHNSTON: No, on the route of the proposed line.

Mr. Hickmott: Fifteen or 16 of them.

Mr. JOHNSTON: I think there are more; but if there were only one soldier instead of 15 or 16 as the member for Pingelly admits, the House should keep faith and construct the railway, particularly if it can be shown that from a national as well as a local point of view, it is part of a big scheme of railway development. The Railway Advisory Board spent weeks if not months in the Great Southern districts. They carefully inspected every part before submitting their reports. Their inspection was not like the inspection made in March, 1921, when four gentlemen blew into the district, if I may so express it, in motor cars and never inspected the section between Narrogin and Dwarda. They suggested a line which may have been intended as a spur line; I think it was. If they did not mean it to be a spur line, it should not be permitted to interfere with a carefully considered scheme of railway development prepared by the original Advisory Board, who recommended the whole of the railways which have been constructed east of the Great Southern line within the last eight or ten years.

The Premier: I think their line was a bit further north.

Mr. JOHNSTON: That is not so. I have the Advisory Board's report, dated the 13th July, 1911. It bears the signatures of my late father (Mr. H. F. Johnston), then Surveyor General, as acting chairman; Mr. John Muir, late Inspector of engineering Surveys; Mr. Despeissis and Mr. A. G. Hewby. On their recommendations were built the railways from Tambellup to Ongerup, east of Katanning to Nyabing, Wagin to Dumbleyung and the extensions right through to Lake Grace, Narrogin to Wickepin, Yilliminning-Kondinin, Brookton-Kunjin, Quairading-Bruce Rock and the whole of the great network of railways throughout the wheat areas. The Premier will concede that the Railway Advisory Board was an efficient board, who did good work for the State.

The Premier: They fixed the routes.

Mr. JOHNSTON: And they recommended the route for the Narrogin-Dwarda line.

Mr. Hickmott: What did they say of it from 14-mile Brook to Narrogin?

Mr. JOHNSTON: If the hon. member reads the report he will see that the railway is recommended. The hon. member has had his say and should reserve his further remarks till the close of the debate. This report is on the system of proposed connecting railways between the Great Southern and South-Western lines. Acting under instructions, the board made an inspection of the country between the South-Western railway and the Great Southern lines lying north of Pinjarra and Narrogin, and reported:—

The objects the board kept in view were

- (a) To shorten the journey between the Great Southern railway and Fremantle;
- (b) To serve as far as possible existing and probable future settlement within the area under review;
- (c) To relieve traffic on the northern portion of the Great Southern railway and provide shorter routes to a port for the wheat areas lying easterly from Narrogin and Brookton. A comprehensive scheme is, therefore, recommended which could be carried out in sections as required, with a view of ultimately connecting up the South-Western and Great Southern railways and serving the bulk of the country between them. After considering the various proposals which have been put forward by local bodies and careful inspection of the areas concerned—

I emphasise the board's statement that they carefully inspected the areas concerned. Now we are asked to turn down their recommendation on the advice of a board who admitted, in reply to a question asked by me last week, that they did not visit the district between Narrogin and Dwarda. Settlers living in the district heard of their visit and asked them if they were going to inspect the route from Narrogin to Dwarda, and the reply they received was, "We are not going to do so. That railway has been authorised by Parliament and it is going to be built. Parliament has authorised it, and it has nothing to do

with us." Subsequently, when the Premier told me I could have a copy of the report, one member of the board made a similar statement to me. The report continues—

After considering the various proposals which have been put forward by local bodies and careful inspection of the areas concerned, we recognised the necessity for a main trunk line connecting the two principal ports of the State (Albany and Fremantle) and recommend the following schemes.

They mentioned Albany and Fremantle as the two principal ports and recommended a main trunk line of which the Dwarda-Narrogin line would be the first section in order to save 57 miles of haulage between Albany and Fremantle. We all know what a tremendous saving that would mean not only to the people of Narrogin and in the districts east of Narrogin, but also to the people of Wagin and the districts south of Wagin right through to Albany. All the people of the country have from time to time to come to the metropolitan area, and it is essential to the proper development of the country that they should be able to do so by the most direct route.

Mr. Money: Do you propose to use the port of Fremantle to serve Narrogin?

Mr. JOHNSTON: Of course; it is the closest to and the natural port of Narrogin and the districts east of Narrogin. I believe that every district in Western Australia should be given access to its closest and natural port. I have always stood for a policy of decentralisation. If we are going to have effective decentralisation, we must give the people of Narrogin access by direct route to the port of Fremantle, just as I would give the people of Norseman access to their closest port—Esperance.

The Minister for Works: Mandurah is 42 miles nearer than Fremantle is.

Mr. JOHNSTON: If the Minister will provide at Mandurah the same facilities we can enjoy when we get to Fremantle, we shall be delighted to patronise that port to the fullest extent. I ask the House not to interfere with a railway which is part of a direct trunk line to our present natural and closest port.

The Premier: It is a very old report.

Mr. JOHNSTON: Yes, but it is the report of men who knew Western Australia, and the report of men with vision and of standing. All the railways that have been built of recent years have been built on the report at any rate of some of these gentlemen. Prof. Lowrie was a member of the board for a good deal of the time, in conjunction with my late father, and Mr. Muir, these two gentlemen having been on the advisory board from its inception. We can get no better information as to the routes from the Great Southern railway to the ports than the information provided by these gentlemen, who were responsible for the railway routes coming in from the east to the Great Southern railway. The railways they recommended in this report, and in conjunction with the Narrogin-Dwarda

line, numbered three. The first they called line A, that is from the point which was then the terminus of the Pinjarra-Hotham railway, and has since been taken on 10 or 12 miles to Dwarda, and from the point where the railway then ended to Narrogin. Although the Minister for Works of the day (Hon. W. C. Angwin), in a very able speech when introducing the Bill for the construction of this railway, put up a mass of good material in support of it, there was so much to recommend it that he did not find it necessary to use the valuable and comprehensive report I have in my hand. Another place, which at the time, viewed with hostile and critical eyes anything that came from the Labour Government, passed the Bill unanimously, without asking for the other relative evidence which the Minister could have put before them.

Hon. P. Collier: Do you say our Government were suspected in that way?

Mr. JOHNSTON: The Upper House accepted the Bill unanimously. I am going to read what the Premier said in its favour, as well as something he has said since.

The Premier: I have not said a word against it.

Mr. JOHNSTON: No, but the Premier has stopped the construction of the line. Actions speak louder than words. Whilst his words have been honeyed and favourable in this connection, his action in stopping the line does not coincide with them.

The Minister for Works: The question of prudence has to be gone into. No one is hostile to the line.

Mr. JOHNSTON: It was under construction before the Premier returned from his memorable trip to the Old Country. The rejoicings that signalled his return home in some parts of the State did not extend to my electorate, nor to the Narrogin-Dwarda district, any longer than the day on which he marked his return by stopping a railway which was in progress during his absence.

The Premier: It will stand inquiry.

Mr. JOHNSTON: The inquiry would be presided over by a gentleman who has expressed hostile views concerning the line, although he has not seen the district through which it is to run.

The Minister for Works: He can be fair.

Mr. JOHNSTON: He can be fair, but knowing that he would preside over the inquiry, if the motion were carried, he should not have expressed the opinions he did in regard to the matter.

Hon. P. Collier: He has already made up his mind; he has to go to the white gum tree.

Mr. JOHNSTON: After he has seen the district, I believe he will not only recommend the line, but will apologise to his electors in that part of his electorate for the action he took in delaying the work they have so much at heart, according to the telegram from the district road board which has been forwarded to me, the member for another district.

Mr. Mann: I suppose you have every confidence in him?

Mr. JOHNSTON: Not in this matter; that is why I am opposing the motion. The board recommend line A, "an extension of the Pinjarra-Hotham railway to Narrogin via the 14-mile brook, the section from the junction to the 14-mile brook, and Hotham River to Narrogin, about 30 miles, to be treated as portion of a proposed trunk line." The Narrogin-Dwarda section is portion of the proposed trunk line. This railway, which the Premier stopped soon after his return from England, "will serve an area of 200,000 acres (shown in pink on the plan), in addition to the area already served by existing and authorised railways." Under the agreement which has been given to us to-day, I find we have to receive 75,000 migrants from the Old Country during the next five years. Here are 200,000 acres of land eminently suitable for closer settlement in a fertile and well-watered district, with a railway the construction of which has now been stopped by the Premier.

The Premier: Is that Crown land?

Mr. JOHNSTON: Most of it has been selected. On the 11th August last I had the honour of introducing to the Premier a deputation. It was shown then that there was room for 400 new settlers in the locality if a judicious system of closer settlement were adopted.

Mr. Richardson: Is it unimproved land?

Mr. JOHNSTON: Most of it is not only occupied but fairly well improved.

Mr. Mann: Then there is no room for migrants there.

Mr. JOHNSTON: Yes, for the land ought to be more closely settled. There is land in the Wandering district only carrying sheep, which is eminently suited for dairying and close settlement. I have been told it is the desire of settlers there to go in for dairying in a large way, if they can get access to a butter factory and have the advantages of connection with the Narrogin district. The report goes on to say—

In the event of this line being carried through from Narrogin to Fremantle via Pinjarra the distance would be Fremantle-Armadale via Jandakot 20 miles, Armadale-Pinjarra 31 miles, Pinjarra-Hotham 44 miles, proposed extension to Narrogin 47 miles.

Fourteen miles of the 47 miles of railway have already been built to Dwarda. Only 33 miles are left between Dwarda and Narrogin. These total up to 142 miles, as against Narrogin to Fremantle via Spencer's Brook 174 miles.

Mr. Money: What would it be if you straightened up the line?

Mr. JOHNSTON: When we get the direct route via Dwarda to Albany, the distance from Narrogin to Fremantle will be only 117 miles. To-day the whole of the traffic from the richest producing district in Western Australia, that is to say the centre of the Great Southern, from Narrogin to Kat-

anning, has to go 174 miles to Fremantle. When we are travelling in the Great Southern district east or south of Narrogin to Fremantle, it must be remembered that we are travelling 57 miles further than we would if we had a direct line along the route recommended by this board, of which the line from Narrogin to Dwarda is the first section. It has already been found necessary to duplicate the railway from Fremantle to Northam. In 1913, when there was a record crop, the question of duplicating a further section of the Great Southern railway was under review by the Railway Department. It is only a matter of a few years before the section of the Great Southern railway from Narrogin to Spencer's Brook will have to be duplicated if the increased production is to be successfully coped with. Members should not agree to such a course. We do not desire a duplication of the railway on the circuitous route of 174 miles between Narrogin and Fremantle. In place of that we ask for the trunk line recommended in this report, which will bring Narrogin within a distance of only 117 miles of Fremantle, a saving of 57 miles. The importance of this to the whole of our producers, particularly in these days of high freights, cannot be over-estimated. The construction of this 33 miles of railway from Narrogin to Dwarda will save 32 miles in the existing distance to Fremantle.

Mr. O'Loughlen: It will be so much less freight on the trunk line.

Mr. JOHNSTON: That is so. I am sure the hon. member, with his great knowledge of political economy, would not desire that the people in the Great Southern districts should pay freight on 57 miles to Fremantle on everything they consume, and produce, in order that the Railway Department may collect further revenue from them. On superphosphates alone the saving of freight on 32 miles would mean a great difference not only to my electors but to the electors of the member for Pingelly, who live in the eastern part of the Great Southern railway, and who cannot reach his electorate except through Narrogin. I speak of the settlers around Yealering Lake and Kondinin. It pains me that a member of the Country Party should bring that party into some measure of disrepute by these unseemly squabbles.

Mr. Mann: You do not blame him if he thinks he is justified?

Mr. JOHNSTON: I cannot reconcile his action with the communications I have received from the Wandering Road Board and from private electors. The Advisory Board continue—

The grades on part of the Pinjarra-Hotham railway are very steep, and for that reason it would be costly to take heavy trains over that line. The traffic to the port, however, would be downhill on that portion of the line where the steep grades occur.

We all know that the heavy traffic from that great producing area would be in the direction of the port. Then the board say—

The line would open up a considerable area of useful country already selected and not at present served by railways, and would also relieve the traffic over the Great Southern railway from Narrogin in times of congestion.

The board emphasise the very point that I desire to put before the House.

By effecting a junction at Narrogin in preference to Williams, the proposed trunk line, if constructed, would be more direct. The Inspector of Engineering Surveys estimates the probable cost of this line at £90,000 providing one in seventy grades and 60lb. rails are used over the section of the main trunk line, and one in fifty grades and 45lb. rails on the upper part.

I commend to the House the vision of the board. They picked out for the main trunk line from Narrogin to Dwarda, and from Dwarda to Armadale, a route on one in seventy grades, a much better route than the existing route via Spencer's Brook on the Great Southern railway, where, particularly immediately north of Narrogin, we have the very worst grades on the whole of that railway. This able and far-sighted board, knowing their business, and containing professional men, picked out a route from Narrogin to Dwarda comprising one in seventy grades, and they recommended 60lb. rails and one in seventy grades for that section, and 45lb. rails and one in fifty grades further on to the timber mills. The board go on to recommend line "B" connecting the Narrogin-Armadale line with Brookton. Let me point out the absolute inconsistency of the member for Pingelly. He went along to the Premier with a big deputation, every member of which was supplied with a copy of this report so far as it affects line "B," from the Narrogin-Armadale line to Brookton. On the 11th August last the hon. member asked the Government to build this railway, and this report was the sole or the main basis of his request. A deputation which I introduced was kept waiting for 20 minutes while the hon. member and his friends were inside with the Premier. I wish to emphasise the absolute hypocrisy of the member for Pingelly in condemning the line "A" from Narrogin to Dwarda recommended by the board and asking the Government to stop the work, his request being based on the strength of his puny knowledge of a district he has never seen. On the very same day as we were asking for this report to be put into effect, the hon. gentleman and his constituents asked for a line from Brookton to the Narrogin-Armadale line, being line "B" in this report. If the hon. member is prepared to accept the report as his bible in regard to the line from Brookton to Armadale, he must admit that it is only a fair thing that the line which the board recommended as line "A" from Narrogin to Dwarda must be similarly and to the same extent in the interests of the State. I have always supported the connection to Brookton shown in line "B," provid-



ing that lines "A," "B," and "C" from Narrogin to Armadale are constructed in their due order, as put forward in this report. The board's report continues—

Line "C." The construction of lines "A" and "B" will leave a section of about 42 miles (shown in dotted red lines on the plan) from near the 42-mile peg on the Albany-road to near the junction of the Fourteen Mile Brook with the Hotham River. The construction of this section (shown dotted red on plan) at some future date would complete the desired trunk line between Albany and Fremantle. The distance along the existing lines from Narrogin to Fremantle via Spencer's Brook and Perth is 174 miles, as against the distance along the proposed trunk line from Narrogin to Fremantle via Armadale of 117 miles, thus showing a saving in length of 57 miles in favour of the proposed trunk line.

Why should we have to travel on our weekly peregrinations to and from the city 57 miles further than is necessary? I recall with pleasure the support always given to this proposal by the late Hon. F. H. Piesse and the late Hon. C. A. Piesse, men of broad ideas. They always favoured a direct communication between the Great Southern railway and the port of Fremantle. In connection with the deputation to Mr. Scaddan, when Premier, asking for the construction of this through line, at which you, Mr. Deputy Speaker, were present, I recollect Mr. Arnold Piesse, who then was member for Katanning, pointing out that his brother, Mr. F. H. Piesse, for some time Minister for Railways in this State and a man who did a great deal for the advancement of the Great Southern district, had in the course of his useful life travelled 80,000 miles further than he need have done if this through trunk line to Armadale had been constructed. To-day, as you know, Mr. Stubbs, there is a similar waste of time travelling long distances to and from the metropolitan area. That waste of time would be obviated if the Albany express followed its proper route from here to Armadale, from Armadale to Dwarda, and then over the line which we are discussing to Narrogin. The board's report proceeds—

This section will serve very little land not already in touch with existing or other proposed railways, and must only be considered as a portion of a direct trunk line. The Inspector of Engineering Surveys estimates the probable cost of this section at £36,000, with 60lb. rails and 1 in 70 grades.

Here again we have this far-sighted board pointing out that if we are careful to pick out a route of one in seventy grade, we can have a much better grade from Narrogin to Fremantle via Dwarda than we have on the circuitous, obsolete route via York and Spencer's Brook. The board state—

It is anticipated that with the present rapid extension of settlement, the carrying capacity of the Great Southern railway will be severely taxed at an early date, and we consider the scheme we are now recommending the best means of meeting future railway requirements in this portion of the State.

That is a matter of great importance—a comprehensive scheme, and the best means of meeting future requirements in that part of the State. I wish to point out that the board who recommended this railway from Narrogin to Dwarda, with an extension to Armadale, thus saving 57 miles in distance and freight between Narrogin and Fremantle, are the board who recommended the whole of those railways which come into Narrogin or to points south of Narrogin. The board desired that all those lines should have the benefit of this great saving in distance. In addition, the board point out that we shall before long be compelled to duplicate the line from Narrogin to Spencer's Brook in order to meet the increasing production. They say, in effect, that such a course is not desirable, and that it is far better, instead of duplicating an existing line, to build a new line from Narrogin to Armadale, opening up new country in the process, as well as saving the great distance I have mentioned. This is not a Narrogin matter at all. I am sorry the word "Narrogin" occurs, because it seems to raise some measure of opposition in certain quarters. I say this is a national trunk railway recommended by the highest professional and engineering authorities as one absolutely necessary for the future development of the agricultural districts of Western Australia and particularly the Great Southern districts. I will deal with a little of the history of this line, and show how closely some Ministers of to-day, as well as leaders of the Opposition, have been associated with the progress of this project.

Hon. P. Collier: We have been associated with all big national questions.

Mr. JOHNSTON: I admit that and particularly in connection with this one. As far as the development of the Great Southern districts from Tambellup to Brookton is concerned, the railways built to various centres were due to the Government of which the member for Boulder was a Minister. I recall the opening of the Hotham railway in 1914. There were 500 people present at Dwarda on that occasion and the then Premier, Mr. Scaddan, promised the gathering, which included many Pingelly electors, that the railway would be extended from Dwarda to Narrogin, in accordance with the advice of the Railway Advisory Board. Mr. Scaddan was as good as his word, because in December of that year—it was in October that he opened the railway—a Bill was introduced for the construction of that line. Here is what the then Minister for Works,

Hon. W. C. Angwin, said in moving the second reading of the Bill—

This railway is a continuation of the Pinjarra-Hotham railway to Narrogin. At the present time, this railway finishes with a dead end at Dwarda. For the better working facilities of the railway it is necessary that the line should be continued on to Narrogin, which is also a central depôt so far the working railways are concerned. This junction, I wish to point out, was recommended by Mr. Babington, who made the survey. Several points on the Great Southern Railway have been suggested as to where this line should junction with that railway. The officers connected with the Railway Department, after giving the several places due consideration, advised the Government that Narrogin was the best point at which the junction should take place. I may add that the Survey Bill was carried previously for the purpose of making the junction at Narrogin as proposed. At the present time, Narrogin itself is 162 miles from Perth, via Spencer's Brook, but by way of Dwarda it is only 143 miles.

That represents a saving of 19 miles to Perth, but 32 miles to Fremantle. That will be realised by hon. members when I say that if they go to Armadale via Pinjarra, they are as close to Fremantle via the Jandakot railway as they are to Perth. Mr. Angwin continued—

It will thus be seen that immediately this line is carried through Narrogin as proposed, there will be a very large saving to the farmers in the way of distance they will have to send their products to the port. That is the saving I am anxious that the Government shall effect. It is in the interests of the farming community that this proposal should be given effect to at once. Mr. Angwin further said—

Hon. members, I think, particularly those representing agricultural districts, will agree with me that the nearer you can bring the products grown by the farmers to the port, the better it is for them and for all concerned.

I also spoke on the subject, but I will not weary the House now by quoting from it. The present Premier, Sir James Mitchell, when dealing with the subject when the debate was resumed, made a lengthy and interesting speech in support of the railway. I do not propose to read all he said, but I will quote one paragraph which appears to me to represent the pith of the views he expressed. He said—

I support the Bill and I hope the Minister will construct the line speedily—  
That was on 22nd December, 1914.

The Premier: Why did you not have the line constructed then?

Mr. JOHNSTON: Because the war broke out. Had not that occurred—and I had the assurance of the Minister for Mines that such would have been the case—I am satisfied that the line would have been constructed before the present Premier came into office.

Hon. W. C. Angwin: Don't you think the reason was that the Labour Government were put out of office?

Mr. JOHNSTON: I will confess that had something to do with it. Hon. members can imagine my feelings of pain when I found that the Premier, on his return from England, took steps to stop the construction of this railway.

The Premier: What do you object to in my remarks?

Mr. JOHNSTON: I support them.

The Minister for Works: He has not gone back on them.

Mr. JOHNSTON: I complain that so far the Premier has not carried into effect his words which appear in "Hansard," and with which I cordially agree.

The Premier: Why do you quarrel with those words?

Mr. JOHNSTON: I support them, but I want the Premier to act in accordance with his speech. He said—

I repeat, as I said before, that the only way to overcome the unemployed trouble is to build railways and settle the land.

How history repeats itself! That is what the Deputy Premier, Mr. Colebatch, and Cabinet thought when it was decided that the railway construction should proceed a few weeks ago.

The Premier: Then the unemployed disappeared.

Mr. JOHNSTON: No, the Premier came back.

The Minister for Works: You cannot say he is unemployed.

Mr. JOHNSTON: The Premier has too much to do, and I think that if he had been able to give this question proper attention, it would have commended itself to him. The Premier continued—

These are the two great things which are needed in this State, and if they are carried out we need have no fear for the future. The policy of railway construction inaugurated by my leader when in power is essentially the right one, and should be continued as speedily as possible. It is not sufficient to merely introduce a Bill and promise the people a railway; the line should be built and built as soon as possible.

The Premier: Why did you not support me then?

Hon. W. C. Angwin: He did.

Hon. P. Collier: I think it was the Premier's speech that had a good deal to do with the member for Williams-Narrogin going over to the other side.

Mr. JOHNSTON: The member for Boulder knows better than that, because the member for North-East Fremantle concluded the debate in the following terms:—

The Government believe that the railway is necessary and when money is available the construction will be immediately commenced.

I consider that when a promise was made on behalf of the Government, and when Sir

James Mitchell emphasised the fact that this line should be built as soon as possible, that should be binding upon successive Governments in Western Australia.

The Minister for Works: But we must have a certain amount of discretion.

Mr. JOHNSTON: In this instance the Government have no discretion, but they have a Railway Survey Bill and a Railway Construction Bill approved by Parliament. I will also show the House that we have a few letters, including one from the present Minister for Works, indicating the Government's desire that the line should be constructed.

The Minister for Works: The letters are quite justified.

Hon. W. C. Angwin: Ministers are good promisers.

Mr. JOHNSTON: I do not wish to proceed without congratulating the member for North-East Fremantle on the speech he delivered here a fortnight ago. It was on the same lines as the one he delivered when, as a Minister of the Crown, he introduced the Bill. If the Premier, now the positions are reversed, would put into effect the views he expressed at the time the Bill was introduced to Parliament, my constituents and some of the people of the Pingelly electorate would have their present serious complaint against the Government entirely removed. The Bill for the construction of this line was passed in 1914. War broke out and the matter was delayed from year to year. For obvious reasons, public works could not be continued at that time. Still, we were not left without promises on this question. Premiers and Ministers visited my constituency and every one, including Sir Henry Lefroy and our present Premier, Sir James Mitchell, was asked when the Narrogin-Dwarda line would be built. There was no suggestion of a policy of repudiation at that time, even to the extent of the appointment of a select committee to inquire into the work. On the other hand, we received lengthy and true explanations regarding the lack of funds, the high cost of railway material and the difficulty of building railways under war conditions. We did not expect anything else in the circumstances and we accepted those replies as satisfactory. They were always backed up by promises that, when railway material was cheaper and railway construction possible, then the line would be built.

The Minister for Works: Rails are being turned out in England now.

Mr. JOHNSTON: If the Minister had told me that before, and that the railway will be built, he might have saved this speech.

[The Speaker resumed the Chair.]

The Premier: You might lose the line.

Mr. JOHNSTON: In addition to the visits from Ministers, we received a letter from Mr. Colebatch, as deputy Premier, in response to representations I made to him at the request of some of the local bodies in my

electorate. We were anxious to know what was the position and when the Government would start building the railway. The Minister in his letter dated 2nd June last said—

The Premier is inquiring closely into the matter in London, and on his return—or perhaps earlier—it may be found possible to place orders for additional 45 lb. rails. In the meantime you can assure your constituents that the Government are fully alive to the necessity, both from a settlement and railway working point of view, of constructing the line between Narrogin and Dwarda.

What more satisfactory assurance could have been given to my constituents? I point out that it was at Mr. Colebatch's request I assured my constituents that the Government were fully alive to the necessity for constructing the line. Surely, Mr. Colebatch's promise contained in that letter means something! Then we have the Minister for Works starting the work at the beginning of July. The people in the district were very pleased, and the municipal council of Narrogin wrote thanking the Government for starting the railway, and for their assurance that it would be completed. This is the reply which the Minister for Works addressed to the town clerk, Narrogin, on the 26th July, 1922:—

Will you kindly thank your friends for the very nice message conveyed to me in your letter of the 24th inst. You can rely on it, the work will be pushed on with as much speed as circumstances allow.

The Minister for Works: I have done that.

Mr. JOHNSTON: No, the work has been stopped. The Minister's letter continues:—

The difficulty is the procuring of rails, but I am sanguine we shall be able to get our supplies within a reasonable time. We are proceeding with the clearing and earthworks in advance, which you may perhaps regard as a guarantee of good faith.

This guarantee of good faith has been followed up by an instruction from the Premier, that the works should be stopped, contrary to Cabinet's decision. A number of men sent down from Perth, and who had been on the job only six or seven weeks, were paid off at a day's notice.

The Minister for Works: And were put on to another job; and we will put them back mighty quickly when we start laying the line.

Mr. JOHNSTON: When will that be? Then we have recorded on the file the views of the highest professional authority in the State. The member for Pingelly did not wait till Parliament met to give notice of his motion, but took advantage of the starting of the line to write a letter on the 6th July to the Acting Premier urging him to build the line on a different route. Mr. Colebatch quite properly referred this request to the highest professional authority, in the person of the Engineer-in-Chief and also to the Minister for Works. I have here the Minister's minute to the Acting Premier, covering the decision

of the Engineer-in-Chief. I propose to read only the reply sent to the member for Pingelly by Mr. Colebatch, covering the Engineer-in-Chief's report. Dated 10th July, 1922, Mr. Colebatch's letter reads:—

Dear Mr. Hickmott.—Regarding your letter of the 6th July and the conversation we had on the matter of the Dwarda-Narrogin railway, the Minister for Works informs me that he has gone into the proposal with the Engineer-in-Chief who says:—"Considerable thought has been given to the route to be followed, and several proposals have been thoroughly investigated, but the decision was that the route authorised by Parliament is the most direct and well fitted for construction, and will also serve a large number of settlers. To deviate, as suggested by Mr. Hickmott, would mean an entire revision of the whole of the surveys, and it would be impossible to make a start in connection with the railway for some considerable time, and of course Parliament would have to be asked to sanction the new route. I do not think we should entertain the proposal."

It is extraordinary that the Government, on the authority of the Engineer-in-Chief, on the 10th July should send that reply to Mr. Hickmott, and that seven weeks later they should by stopping the work take the very course which they refused to take when that letter was written by Mr. Colebatch.

The Minister for Works: The explanation is on the file.

Mr. JOHNSTON: But that report on the file is from gentlemen who have never visited the district, and who told the settlers that as that matter had been decided by Parliament a visit from them was not necessary.

The Minister for Works: Is that stated in that report of last year?

Mr. JOHNSTON: No, but on the 7th of this month I asked the Premier if the Railway Advisory Board had inspected the district between Narrogin and Dwarda along the surveyed authorised route of the Narrogin-Dwarda railway before writing their report of the 15th March, 1921, and the reply by the Premier to that question was "No." How can the Government say that the route recommended in that report is alternative to the authorised surveyed railway, when the advisory board did not deem it their duty to inspect the route of that authorised surveyed railway, when on the contrary they told settlers in the district that the report had nothing whatever to do with the matter, and that Parliament had settled it? This letter from the Acting Premier to Mr. Hickmott, and the Engineer in Chief's views quoted therein, show that at that time it was the fixed determination of the Government to proceed with the construction of the railway on the route authorised by Parliament.

The Minister for Works: That is quite correct—at that time.

Mr. JOHNSTON: That was followed up by an influential deputation to the Premier, which I introduced on the 11th August.

There were present about 40 leading residents of my district, including a member of every local authority and several gentlemen from the Pingelly electorate who, being in town for the farmers' conference, came along and joined the deputation, which was to ask that the construction of the Narrogin-Dwarda railway and its extension to Armadale be pushed on. Through the courtesy of the Premier I have here his official copy of notes of the deputation, taken by his own secretary. From these we learn that Mr. Muller, a member of the Williams Road Board, said he had run several thousand sheep on his land in that district, and that it had been proved the land was capable of producing considerably more than was thought possible in the past; also that he considered 400 new settlers could be placed in the district if it were opened up by a railway.

The Premier: Nobody questions that.

Mr. JOHNSTON: Yet the railway is stopped!

The Minister for Works: For a good reason.

Mr. JOHNSTON: A mass of evidence of the same kind was put before the Premier by that deputation. In conclusion I asked if the deputation could take it that the Dwarda-Narrogin line would be completed by that time next year. The notes show that the Premier said the work would be pushed on but that he could not tell the deputation anything definite regarding it. Of course that report is very much condensed. The Premier said he could not tell us exactly, because the completion might be a couple of months late.

The Premier: No, no.

Mr. JOHNSTON: Yes, that is what was said. At all events it is my recollection of what was said. The report itself shows that the Premier said the work would be pushed on with.

The Minister for Works: And it was pushed on with, and will be again.

Mr. JOHNSTON: The Minister has a peculiar idea of pushing on with the work. The people who received that promise were so pleased that they applauded the Premier, which is not usual at a deputation. It is a serious matter if the Premier can promise that the work shall be pushed on, and then it is stopped.

The Minister for Works: It was not stopped until a fortnight afterwards.

Mr. JOHNSTON: That is so; a fortnight after it was promised that it would be pushed on. The Premier's promise has been broken, and I hope hon. members will not support so flagrant a breach of faith by re-opening, even by the appointment of a select committee, a matter settled on high expert authority. The Premier is losing his optimism. I do not know what has happened to him since his return from England. It appears to me and many of my constituents that the Premier is now a wrecker, one prepared to stop the construction of railways. I recall that in 1916 the then Premier similarly stopped the construction of

the Esperance railway, which has not yet been built. The present Premier was a Minister in the then Cabinet. Knowing that six years afterwards that railway has not been completed, my constituents, naturally, are very much concerned over the action of the Government in stopping this railway.

The Premier: I would have spoken a few words of comfort to you to-night but you have not given me a chance.

Mr. JOHNSTON: I emphasise that the report put forward by the Government as the reason for stopping the work is of no value, since it is the report of a board who admitted that they did not visit the district. I appeal to the House to say that the Acts of Parliament with regard to this railway should not be disregarded. The settlers have been waiting for a railway since 1914. They have received repeated promises that it would be built. They have had the pleasure of seeing the work started but, after 10 or 12 miles of clearing had been done, they have had the humiliation of seeing the work stopped. No one can realise better than the Government how damaging this is to the prestige of any district.

Hon. W. C. Angwin: That is not the worst of it; they sold 45,000 acres of land on the strength of it.

Mr. JOHNSTON: More than that; it has all been selected. No railway Act has ever been repudiated in this State. Every railway authorised by Parliament has been constructed in its turn.

The Minister for Works: This Act has not been repudiated.

Mr. JOHNSTON: No; but if the Government disregard the high professional opinions I have quoted and appoint a select committee to inquire whether the advisory board, the Engineer-in-Chief and the ex-Commissioner of Railways were right in their opinions, it will savour of repudiation.

The Minister for Works: There is no repudiation at all.

Mr. JOHNSTON: I hope that this Parliament will not support such a politically dishonest action.

The Minister for Works: There is no dishonesty at all, and you know it.

Mr. JOHNSTON: There will be no dishonesty if the railway is built; but if it is not built, after having been surveyed and after the settlers have received so many promises that it would be constructed, I shall regard it as political dishonesty. No railway Act has ever been repealed in Western Australia. We do not want this State to descend to the status of a South American republic when that sort of thing is done with every change of Government. If this railway is not built, what faith can people have in the Government? We are anxious to inspire faith in the Government.

Hon. P. Collier: They will not let you.

Mr. JOHNSTON: What faith can people have in the Government when, on the 11th

August, they are clearing the route for an authorised railway and promise to push it to completion, and a fortnight later stop the work?

Hon. W. C. Angwin: The mistake you made was your reference to bringing Narrogin nearer to Fremantle. You should have left that out.

Mr. JOHNSTON: I am out to tell the truth. Is this Act to mean nothing? Is the fact of the Government having actually started the construction of the line to mean nothing? If they mean anything, surely it is that the Government's policy is to give effect to the Act, and that being so, the Government should not countenance this request for a select committee. They should go straight ahead and carry out the duty Parliament has imposed upon them.

Hon. W. C. Angwin: They would not have had a harbour at Bunbury but for the Labour Government. I started that.

The Premier: No fear.

Hon. W. C. Angwin: Yes, I started the breakwater.

Mr. JOHNSTON: I am not interested in the Bunbury breakwater at present. I hope the House will reject the motion and instruct the Government to give effect to the Act. I congratulate the member for North-East Fremantle (Hon. W. C. Angwin) on his recognition of the obligation resting upon Parliament and the Government to give effect to the Act. The Act represents an absolute contract between the people of the district and the Government and I appeal to members not to permit it to be repudiated in the manner desired by a member, I regret to say, of the party to which I have the honour to belong. I hope members will not carry the motion and thus injure and delay the progress of the great district concerned. Parliament and the Government are honestly fairly and squarely pledged to the construction of this line. They have been backed up by the Railway Advisory Board and the Commissioner of Railways, and the other authorities quoted by the member for North-East Fremantle, and it is only fair to the people of the district concerned and of the Great Southern districts generally, that the construction of the railway be put in hand at once and that there be no delay until the line is completed and extended right through to Armadale.

On motion by the Minister for Works, debate adjourned.

*House adjourned at 10.28 p.m.*

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