

Hon. P. Collier: But this was your business.

The MINISTER FOR WORKS: At any rate, I know nothing about it. I will go into the matter and find out if I was there when this matter was decided, but in the meantime, all I can say is that I do not know anything about this matter going through. I do not complain of the Opposition turning up Ministers' speeches made some years ago. That is all fair game, and I only regret that we unfortunately gave them such good ammunition.

Hon. P. Collier: I only gave you a few lines. I was merciful.

The MINISTER FOR WORKS: I do not know that I need dwell further on this matter. I have been hurt very much during this debate this evening. I do not like talking sentimental piffle. I am essentially a man to whom loyalty is the main question, and I have been hurt indeed at hearing reflections cast upon my Premier. I do not always agree with him nor does he always agree with me, but I say, believing and knowing it to be true, that he has acted absolutely honestly and honourably all through this matter. If he is to receive any censure at the hands of this Chamber, let me have some of it too.

Hon. W. C. Angwin: You will get some of it.

Hon. P. Collier: You come in first in the motion. The Premier is only concerned in the secondary censure.

The MINISTER FOR WORKS: The Premier has behaved, so far as I know, in a manly and straightforward way to all members of the Cabinet regarding this matter. I do not believe there is the slightest foundation for the suggestion that he has purposely hidden this matter so as to get it through in the small hours of the morning, when the House was not fully aware of what was going on. Sir James Mitchell has too much sense of honour to stoop to matters such as that, and I am sorry indeed he has had to listen to statements of that description. Be that as it may, the House can judge in this matter. Let members go through the files. Let them not be satisfied with a mere cursory examination, but let them get the four or five files dealing with this matter and connect them up and see where the truth lies. If the House decides that the appointment of a Royal Commission to investigate this matter is justified, I think it will be due to the late Attorney General, Mr. Robinson, that he shall have some say in the matter. He may be able to advance a different point of view from that held by members of the Opposition, and in some respects from that which appeals to me. I have given to the House, with what ability I have, a straightforward plain statement and I ask the House to accept it.

On motion by Mr. Underwood, debate adjourned.

House adjourned at 10.55 p.m.

Legislative Council,

Wednesday, 21st December, 1921.

Assent to Bills	...	...	...	...	...	Page
						2529

The PRESIDENT took the Chair at 3 p.m., and read prayers.

ASSENT TO BILLS.

Message received from the Governor notifying assent to the following Bills:—

- 1, Reciprocal Enforcement of Maintenance Orders.
- 2, Bank Holidays Amendment.
- 3, Gold Buyers.

House adjourned at 3.3 p.m.

Legislative Assembly,

Wednesday, 21st December, 1921.

Question: Goldfields Water Supply Mains	Page
Select Committee: Hospitals Bill, Extension of Time	2529
Assent to Bills	2530
Motion: Want of Confidence in the Government	2530
Standing Orders, Suspension	2581
Bills: General Loan and Inscribed Stock Act Amendment, 1s.	2581
Sale of Liquor Regulation Act Continuance, 1s.	2581
Closer Settlement, 3s.	2581
Industrial Arbitration Act Amendment, 3s.	2581

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

QUESTION—GOLDFIELDS WATER SUPPLY, MAINS.

Mr. MULLANY (for Mr. MacCallum Smith) asked the Minister for Water Supply: 1, Are the goldfields water mains in a satisfactory state of repair? 2, What is the cost of repair of the 30-inch goldfields main water pipe line? 3, What is the nature of the repairs? 4, Is it the case that the steel mains are becoming so pitted and corroded that their life is now greatly limited? 5, If so, how long is it estimated such mains will last?

The MINISTER FOR WATER SUPPLY replied: 1, Yes. 2, £17,000 for current year, including "diversions," i.e., relaying and lifting portions of the main. 3, Caulking, plugging, cutting, and welding; relaying sections of main with pipes made good by oxy-welding, fixing overrings on bad ends, and other work usual on steel mains. 4, No; owing to de-aerating the water, corrosion was stopped some four years ago, and in the opinion of the Chief Engineer for Water Supply the main can be kept in working order for 20 years, that is with proper attention and maintenance. 5, Replied to by No. 4.

SELECT COMMITTEE, HOSPITALS BILL.

Extension of Time.

On motion by Mr. Gibson, the time for bringing up the report of the select committee was extended to the 4th January.

ASSENT TO BILLS.

Message from Governor received and read, notifying assent to the following Bills:—

- 1, Courts of Session.
- 2, Perth Hebrew Congregation Lands.
- 3, Reciprocal Enforcement of Maintenance Orders.
- 4, Bank Holidays Amendment.
- 5, Gold Buyers.

MOTION—WANT OF CONFIDENCE IN THE GOVERNMENT.

Waroona-Lake Clifton Railway.

Debate resumed from the previous day on the following motion by Hon. P. Collier:—

That, in the opinion of this House, the Ministers in the present Government who participated in the formation and completion of the contract to build and purchase the Waroona-Lake Clifton railway without the authority of Parliament, and in defiance of a resolution passed by the Assembly as to the order of building railway lines in the State, are deserving of the utmost censure; and the Government, who have known all the facts in connection with the said contract and withheld them from the knowledge of the House and the people, have forfeited the confidence of the Assembly.

Mr. UNDERWOOD (Pilbara) [4.38]: In dealing with this subject, I may be allowed to comment shortly on the speeches which have been made. I listened carefully to the Minister for Works, and while he was speaking, that song from the "Mikado" recurred to me—

The flowers that bloom in the spring,
tra la la,
Have nothing to do with the case.

That sums up the speech of the Minister for Works.

The Minister for Works: Thank you for the compliment.

Mr. UNDERWOOD: The member for Kanowna (Hon. T. Walker) said that a spirit of corruption was abroad. I have found, somewhat to my disappointment, that most people outside of Parliament are prone to believe that Parliamentarians are always apt to be corrupt. The opposite is correct. If the Australian Parliaments have anything at all to be proud of, it is that scarcely ever has it been proved that members are corrupt. The reason why people outside are apt to hold this opinion is due, I think, to the fact that members themselves are so prone to throw accusations of corruption across the floor of the House. Although recognising that the work has not been too clean or clear, I still have an open mind, and I believe that not one member or officer connected with this matter has done it from corrupt motives. In 1916 we passed a Bill for an Act granting a special lease giving the right to build a railway from Waroona to Lake Clifton. It seems to me that many members, some intentionally, some otherwise, are misreading that Act. On the file are found the words "Under the authority of the Act." The Leader of the Opposition used the same expression. In the Act no authority is given. The famous paragraph in the agreement, No. 13, says it shall be lawful for us, our heirs and successors to take over the line on certain conditions. The mere fact of it being lawful does not authorise us to do so. There are thousands of things that thousands of men could do lawfully, but they are not authorised to do them. For instance, it would be lawful for the Government to build a railway from, say, Meekatharra to Marble Bar, but there is no authority to do so. It would be quite lawful for me to become Premier of Western Australia, and I can assure members that I would be Premier if I could get the authority of Parliament. To say that because it is lawful to do a certain thing, one is authorised to do it, is only quibbling with or misunderstanding words. After going through the file, I have no doubt that the reason many Ministers hold that this matter should have been submitted to Parliament was that they realised that the Act as passed does not give authority. From the file we find that one or two Ministers were under the impression that, if they came back to Parliament, Parliament would not agree to any alteration to the Act. It has been said that the Act is not altered, that we have not deviated from the Act. The Act reads, "It shall be lawful to take over the line," of course, after it is constructed. It is impossible to take over something which is not there. The Government, by their agreement, altered that to say, "We will take it over" and that is a vital alteration of the Act passed by this Parliament. When something that has been decided by Parliament is altered, undoubtedly Parliament should be consulted, and if Par-

liament, in its wisdom, or through the lack of it decides against making the alteration, after all it is Parliament that is supreme. Most of the discussion has centred around Mr. R. T. Robinson. I have very few words to spare in dealing with him. The electors of Western Australia have dealt with him already. He is not here and I do not know why we should be bothered to consider him. It has been suggested that he should be called to the bar of the House. I am not a very busy man at present, but I have not time to spare to listen to Mr. Robinson's sophistries in defence of his actions.

Mr. O'Loughlin: It is good weather in which to be brought to the bar of the House.

Mr. UNDERWOOD: I undertake to say that if we brought him to the bar of the House he would smother us with verbiage so that many members would not understand the correct position.

Hon. P. Collier: If six of his colleagues could not understand half a dozen lines, how could we understand him for an hour?

Mr. UNDERWOOD: It has been suggested that a Royal Commission should be appointed to inquire into the matter. I cannot think that that would do much good.

Hon. W. C. Angwin: More waste of money.

Mr. UNDERWOOD: Exactly. The damage is done. There may be a possible chance of getting out of it. Speaking for myself and on behalf of the National Labour members, I wish to say that we intend to support the Government. There are four out of the six Ministers who were not in this at all. The rest have either resigned or have been left out by the people of the State. In supporting the Government I want it to be understood that we are neither condoning nor excusing the manner in which the two Ministers who are left conducted the business. They have at least been guilty of considerable carelessness. I now come to the Minister for Education, who signed the agreement which brought us into this position. Without a shadow of doubt, Cabinet decided that this matter should be referred to Parliament.

Hon. W. C. Angwin: There is a big doubt.

Mr. UNDERWOOD: Not when we read the letter of the Under Secretary for Lands, the first paragraph of which says "It should be referred to Parliament." It is stated that Mr. Robinson put up an agreement for the then Acting Premier, Mr. Colebatch, to sign. That agreement was endorsed by the Solicitor General, Mr. Sayer, and concurred in by Mr. Robinson. Mr. Colebatch says that, having that endorsement, he did not read the agreement. This matter had evidently been discussed for months. Three days before the signing of the agreement the decision of Cabinet had been given. After that, Mr. Colebatch signed the agreement. The "West Australian" did not publish this agreement and the Leader of the Opposition did not read it.

Hon. P. Collier: I did read it. It is here.

Mr. UNDERWOOD: It is contained in the sheet of paper I have in my hand.

Hon. P. Collier: I commented upon there being really only one paragraph in it.

Mr. UNDERWOOD: A man used to reading files would surely glance down that document and see if the necessary clause was in it much quicker than he would decipher Mr. Sayer's writing.

Mr. Munsie: Yes, if there was much of it.

Mr. UNDERWOOD: The Act says "Subject to the approval of Parliament being obtained, the Government of Western Australia shall grant." This is the clause that should have appeared in the agreement, and a man used to reading files should have seen at a glance whether it was in or not. Mr. Colebatch was undoubtedly a very busy man. He was doing the work of two or three men, and had a tram strike to handle as well. At the same time, I cannot say less than this, that to sign the agreement after the decision of Cabinet was gross carelessness on his part. Because Ministers do something in mistake that is not altogether a reason why they should retain office. If the captain of a ship carelessly runs a ship ashore, he loses his ticket and is not allowed to take command of a ship again. A Minister of State occupies a considerably more important position than the captain of a ship. Even the confession of carelessness ought to put the Minister for Education out of his position. The other Minister concerned is the Minister for Works. He had considerable knowledge of this matter. The proposed company said that if it did not get this agreement, it would not go on with the works. The works were in the Minister's electorate. The Minister took part in the Cabinet meeting and then went away. When he came back he was under the impression that the matter should go before Parliament, and that being the case the work should not be gone on with until the approval of Parliament had been obtained. Knowing that this matter should come before Parliament, and knowing beyond any doubt that it had not come before Parliament, the Minister went straight on with the work. He also knew that the State was going to take the line over after it was finished. The Minister for Works does not come out of this, notwithstanding that he was away in Melbourne, so well as I, and I think most members, would like.

Hon. P. Collier: That is so, or as he would have us believe.

Mr. UNDERWOOD: Yes. So far as the question of secrecy is concerned, I should say the Premier has taken the only course open to him.

Mr. Willcock: But he took a long time about it.

Mr. UNDERWOOD: He took a fair time about it. If the hon. member would read the files, he would see that the question was debated with the company up to a few months ago, as to whether agricultural lime should be supplied and upon other matters, possibly

in the endeavour to see a way out of the position.

Hon. W. C. Angwin: An excuse for it.

Mr. UNDERWOOD: So far as I can judge, the Premier has acted as I or anyone else would have acted. The Leader of the Opposition has spoken of secrecy. When one is dealing, or negotiating, with other people one cannot disclose everything.

Hon. P. Collier: They were not dealing in regard to the purchase of the line, only as to the cost of it. That was beyond question. The Premier recognised that from the beginning, and knew he had to make the purchase.

Mr. UNDERWOOD: There is another point. The agreement says "To the satisfaction of the Government as a going concern." When negotiations are going on, it is certainly not advisable to make them public. The Leader of the Opposition agrees with me.

Hon. P. Collier: I entirely disagree with you.

Mr. UNDERWOOD: It is obvious that particulars cannot be made public whilst these things are being dealt with. That has always been recognised in all Governments that I have been connected with. The other Ministers know nothing about it; they are not in it.

Mr. Wilson: Were you a member then?

Mr. UNDERWOOD: Yes, I was a member, but I had nothing to do with this.

The Minister for Works: You were in the North-West.

Mr. UNDERWOOD: Yes, and I did not sit in Cabinet after I came back. I resigned.

Mr. Wilson: You resigned as a protest.

Mr. UNDERWOOD: I resigned for other reasons. If I had known of this it would have been a sufficient reason. The matter was discussed in May, 1918, when I was in the North-West, and again in January, 1919, when I was also in the North-West.

The Minister for Works: Were you not in Cabinet during the interregnum?

Mr. UNDERWOOD: This question did not come up. Ministers do not know what is going on in every department.

The Minister for Works: Apparently I am supposed to know what went on in every department.

Mr. UNDERWOOD: Not at all. The Minister is supposed to know what is going on in his own department.

The Minister for Works: I do.

Mr. UNDERWOOD: The Minister knew the line was being constructed and that the intention was to buy it, and he knew it had not been before Parliament.

The Minister for Works: But not constructed by the Public Works Department.

Mr. UNDERWOOD: Could we permit railway lines to be built on such a subterfuge?

Hon. P. Collier: A subterfuge absolutely.

Mr. UNDERWOOD: The subterfuge is that we will give private people the right

to construct a railway, we guaranteeing to take it over from them as soon as it is constructed. We could not possibly proceed on such principles. As regards the Premier, I am convinced he has done his work as it should be done. He has been negotiating in the matter. The other Ministers know nothing about the matter. There is another portion of the motion to which I may devote a minute, and that is the reference to the resolution regarding the Esperance-Northwards railway.

Hon. P. Collier: There is no Esperance-Northwards Railway in the motion.

Mr. UNDERWOOD: The reference to the resolution that all new railways shall be built in the order of their authorisation.

Hon. P. Collier: This motion has nothing to do with the Esperance line at all; the Esperance line is not in it.

Hon. T. Walker: It is not worded so.

Hon. P. Collier: Why drag in the Esperance line?

Mr. UNDERWOOD: When we carried that resolution, we had a silly half-hour to spare. The resolution is not worth the paper it is written on.

Hon. T. Walker: After this it is not.

Mr. UNDERWOOD: It never was worth anything at all. After all, anything Parliament has done, Parliament can undo.

Hon. T. Walker: Parliament refused to undo that resolution.

Mr. UNDERWOOD: Let me point out to the hon. member that passing a resolution in this House is not like getting married; one can alter it. There is one other point, and to draw attention to this point gives me no pleasure at all. The lime at Lake Clifton, it appears, is not suitable for making cement. That is infinitely more serious to us as a State than any of this business that we have been dealing with here.

The Premier: I have not heard that before.

Mr. UNDERWOOD: I want to put this up to the Premier. It is a fact that the cement works at Burswood are not now drawing their lime from Lake Clifton. The lime is coming down the Midland Railway, whether from Gingin or Dongarra I do not know.

Hon. T. Walker: From Gingin.

Mr. UNDERWOOD: There is not much lime at Gingin. However, that is not the point. The point is that the cement works would not go to Gingin for lime if the Lake Clifton lime was suitable.

Mr. Maley: If the lime was entirely suitable, it could not be properly dried in winter time.

Mr. UNDERWOOD: I should like to be assured that that is the only reason for the use of Gingin lime by the cement works. Some considerable time ago I heard that the lime when drawn out of Lake Clifton contains a percentage of salt which represents a serious proposition. As

a Western Australian one must regret that such a beautiful deposit of lime as that at Lake Clifton is not so good as we thought it to be. That fact affects this deal materially. The agreement says that the company must run the works to the satisfaction of the Government. A clause in the agreement provides that. If the Lake Clifton lime is no good, then the works will not be run to the satisfaction of the Government. I advise the Government, if they have not already stated that they are satisfied with the running of the works—if they have not given the case away, that is—to fight the case. It is much better to fight the matter out in the courts than to have a Royal Commission on it. If that Lake Clifton lime is no good, then, even after six months, the works are not being run to the satisfaction of the Government—if the lime is proved to be unsuitable for cement making. It is for the Government now to find out whether the works have been run to their satisfaction, namely with a view to getting traffic for our railway system. If the Government have not already stepped in again and sent some more minutes, it seems to me, as a bush lawyer, that there is reasonable cause after all for getting past that agreement.

Hon. W. C. ANGWIN (North-East Fremantle) [5.6]: I fail to understand the concluding arguments of the last speaker. This railway was not constructed with reference to any condition whether the Lake Clifton lime was good or not. It was constructed with reference to the condition that the company should act bona fide in establishing works for the purpose of carrying out their undertaking.

Mr. Mullany: Are you putting up an argument for the company now?

Hon. P. Collier: No. The member for North-East Fremantle is knocking down a silly case against them.

Hon. W. C. ANGWIN: In my own mind I am confident that the Government cannot get out of the agreement.

Hon. P. Collier: Of course not, and everybody knows it.

Hon. W. C. ANGWIN: As a member of this Chamber, I would not vote for the Government to get out of an honest agreement, duly entered into, by any such side wind as that suggested by the member for Pilbara (Mr. Underwood).

Mr. Underwood: It is not a side wind, but a straight course.

Hon. W. C. ANGWIN: On referring to the reports in the newspapers the hon. member will find that the company have honestly lived up to their agreement. Whether or not the lime is suitable for cement making is a matter entirely apart from the agreement. Lime to be obtained from Lake Clifton is to be made available to the agriculturists if the agriculturists so desire. Lime is there for the purpose of making cement, if the lime is suitable for that purpose. The com-

pany have erected cement works in accordance with their agreement with the Government.

Mr. Mullany: But the company stated the lime was suitable for cement making.

Hon. W. C. ANGWIN: Many people make mistakes, and perhaps it is very unfortunate for the company that they have made a mistake in the connection stated by the member for Pilbara. If the lime is unsuitable for cement making, that is a loss to the company. In my opinion, however, an action has been taken in connection with the building of this railway that cannot exactly bear the light of day. Nevertheless, though that has been done, it is not the duty of this Chamber to try to penalise some person else because we will not frankly admit that we ourselves have made a mistake.

Mr. Sampson: The line was built on the assumption that the lime was suitable for cement making.

Hon. W. C. ANGWIN: Long before this company came into the business at all, it was stated by authorities in this State that the lime was suitable.

Mr. Sampson: If it is not suitable, is the working satisfactory?

Hon. W. C. ANGWIN: The member for Pilbara argued that the Lake Clifton lime, by reason of its salt contents, is not suitable for cement making; from which he infers that there would be a failure of the traffic expected from the railway. Consequently, he argues, the Government should ascertain whether or not the lime is suitable for cement making, and, if it is not suitable, the hon. member further argues, the Government might get out of paying the company the money to which they are honestly entitled under the agreement. The hon. member knows perfectly well that we on this side could not vote for such a proposition. If that is the view of the National Labour Party, they are on their own, I believe, in this House.

Hon. P. Collier: It is mere shuffling.

Hon. W. C. ANGWIN: Yes; shuffling for an excuse to get out of an undertaking which had been entered into bona fide on the part of the company.

Mr. Willcock: With men of business acumen!

Hon. W. C. ANGWIN: The principal point before the public at present is to know whether this matter was considered by the Government with a view to its being brought before Parliament. That is the principal point we have to determine. We know from the speech of the Minister for Works, of whose remarks I have a copy here, that in the early stages of the company, before they got the lease of Lake Clifton, the main question was whether the route of the railway should be altered.

Mr. Pickering: That is right.

Hon. W. C. ANGWIN: That was the principal question for the company to deal with, and it aroused strong antagonism in the Minister for Works; that is to say, not antag-

onism towards the building of the railway, but antagonism towards the proposed alteration of the route. So far as I remember, the Minister used these words: "As member for the district, and also as Minister, I will oppose any attempt being made to alter the agreement for the purpose of making an alteration in the route."

The Minister for Works: That is right. I had pledged my word.

Hon. W. C. ANGWIN: It is pretty clear that at this time the Government had some idea of taking over the line, taking it over as far back as the early part of 1918. Indeed, there is not the least doubt about it. The Minister at that time was honest in regard to putting the matter before Parliament. His minutes confirm that view. To show that the Government had at that time, early in 1918, the building of the railway under consideration, let me quote some words from a long minute put up by the Minister for Works—

Provided the Government are satisfied as to the actual bona fides of those whom Mr. Oakden represents, and a reduction in the price of lime be made, it seems to me that the proposal as to building a railway might fairly be considered, although the conditions put forward might require to be modified.

Towards the finish of the minute the Minister for Works says—

I do not consider that anything can be done without putting the whole matter before Parliament in the most open way; but with regard to the alteration of the point at which the railway will leave the South-Western line there is bound to be a great controversy amongst the local people, and I would advise that no alteration in this respect may be made.

The Minister for Works: What is the date of that minute?

Hon. W. C. ANGWIN: I cannot give the hon. gentleman the date. He quoted that last night himself. The minute shows clearly that even in those early days, before the formation of the company, the lease was in the hands of Mr. Johnson. The lease was not owned by the Sydney cement company, who were merely negotiating to obtain a transfer of the lease. To enable them to float this Lake Clifton company to take control of the lease, it was necessary that they should have a direct undertaking from the Government that the Government would build the line; we heard it quoted last night from a report on the file that unless the Government gave a direct undertaking for the building of the railway, the company could not be floated.

Mr. Pi-king: Do you mean an undertaking for the purchasing of the railway, or an undertaking for the building of the railway?

Hon. W. C. ANGWIN: For the building of the railway. The word "purchasing" is used by way of subterfuge. The Government built the Lake Clifton railway under similar conditions to those under which the Govern-

ment have built every railway they have ever built in this State.

Hon. P. Collier: That is so, just as if it was a railway authorised by this House.

Hon. W. C. ANGWIN: On the 12th August, 1919, I asked the Minister for Works a number of questions, but the first one will suffice for my point at the present juncture. A reference to "Hansard" shows that I asked the following question:—"Is the Public Works Department constructing a railway line from Waroona to Lake Clifton?" To that the Minister replied, "No." Hon. members will realise that that is a direct answer. I ask hon. members, however, to refer to the Public Works Department file 267/19, which is on the Table of the House at the present moment. If they peruse that file, they will find similar papers dealing with the construction of this railway to those they will find on files dealing with railways which have been admittedly constructed by the Government. In this instance, the only difference is that the company has passed over the money to the Government to pay for the construction temporarily.

Hon. P. Collier: And then the Government pay the money back.

Hon. W. C. ANGWIN: Mr. Darker, one of the principal engineers for railways, was consulted, and Mr. Stoddart, another railway engineer, was also consulted. In the construction of this railway, they had the use of the Government stores for material; they had the use of Government plant and the Government stocks were available. The whole construction was carried out by the Public Works Department on an exactly similar basis to that adopted when the work is carried out for the State. There may be this difference, that Mr. Anketell, one of the departmental railway engineers, was placed in full charge of the construction works. He referred matters to the Engineer-in-Chief once or twice. It must be remembered that the Engineer-in-Chief always places an engineer in charge of railway construction work. Thus, the only difference which enabled them to say that the Government were not constructing the line directly, was that Mr. Anketell was a servant of the company.

Mr Sampson: Who paid his wages?

Hon. W. C. ANGWIN: The Government paid the wages. The money was advanced to the Government by the company, no doubt on an overdraft, with the Government security for repayment at the bank. Hon. members should note that all these negotiations took place before this company was in possession of the lease, and even after the date of the signing of the agreement under which the Government were to take over the railway, the company was not in possession of that lease. I ask hon. members if that was a straightforward transaction. If it had been the intention of the Government to build the line, they should have put something to that effect in the Bill which was brought before Parliament. If it was the intention of Parliament that the Government should build the

line, some such provision should have been placed in the Bill. As a matter of fact, the course adopted was a round-about method of carrying out what every member of the Government—I exempt none—knew was contrary to the wishes of Parliament. The Leader of the Opposition read one or two extracts from the files last night to show that the Government had no intention of bringing the matter before Parliament. There is the minute from the Minister for Industries to the Minister for Railways dated 24th September, 1918, which reads as follows:—

I asked you and the Minister for Works to meet Mr. Oakden at Parliament House, and it was suggested that as a large quantity of line, something like 30,000 tons per annum, was to be conveyed over the Government line, a special price might be quoted.

Hon. members will notice the reference to carrying the line "over the Government line."

The Minister for Works: That refers to the Government line from Waroona.

Hon. W. C. ANGWIN: The minute does not say so; rather does it show that it refers to the one question. Later on, as quoted by the Leader of the Opposition already, the Commissioner of Railways dealt with the question of freights.

The Minister for Works: That was his business.

Hon. W. C. ANGWIN: The Commissioner decided that he could not reduce the freight rates unless 60lb. rails were used. The Minister for Works said that there were no 60lb. rails to be obtained, which made it impossible to construct a line of that description. No doubt the Minister for Works was informed to that effect, but evidently the Minister for Industries was not satisfied regarding that aspect. There is a letter on the file written in November, 1918. I think that was the date—quoting a price for 60lb. rails to be delivered at the end of February.

The Minister for Works: Who was the letter from?

Hon. W. C. ANGWIN: From Elder, Smith & Co.

The Minister for Works: The Engineer-in-Chief knows nothing about that communication. I asked him about it this morning.

Hon. W. C. ANGWIN: The letter is on the file and it is a confirmation of a communication from the Minister for Industries.

The Minister for Works: Is it on the Public Works Department's file?

Hon. W. C. ANGWIN: No, it is on the file of the Minister for Industries.

The Minister for Works: That accounts for it. I do not know anything about it.

Hon. W. C. ANGWIN: In reading these files, I have not been able to understand the position of the Minister for Works. I have been endeavouring to find out what was wrong with him. The only conclusion I can come to is that he—

Hon. P. Collier: Lost his temper.

Hon. W. C. ANGWIN: That he got into one of his tantrums, such as he displays in this Chamber when he walks out of the House. It appears to me that he got into one of his tantrums and tossed over the thing to the Minister for Industries saying, "Take the whole damned lot and do it yourself."

Hon. P. Collier: And he did do it, too.

The Minister for Works: The member for North-East Fremantle must be a thought-reader.

Hon. W. C. ANGWIN: That was the only conclusion I could come to.

The Minister for Works: You know I never get into tantrums.

Hon. W. C. ANGWIN: Almost everything in connection with this railway, no matter what it was, whether it be the quality of the rails, the procuring of rails, the securing of dogspikes or sleepers or anything else at all, was attended to by the Minister for Industries and not carried out through the Minister for Works. It is all very strange to me, and I have been wondering what was wrong with the Minister. It was apparent that he did not like it, for even instructions regarding the carrying out of the works were conveyed to him.

The Minister for Works: The Minister for Industries did not boss me. Don't get that into your head!

Hon. W. C. ANGWIN: It appears very much as though he did boss the Minister, judging from the files.

Mr. Troy: At any rate, he got there just the same.

Hon. W. C. ANGWIN: We know, as a matter of fact, there was no intention of this matter being taken to Parliament. There is a copy of a lettergram on the file, reference to which was made by the Minister for Works and the Leader of the Opposition last night, in which the Minister for Industries informed Mr. Oakden of the Sydney company, that if the route was to be altered, it meant applying to Parliament to alter the concession, which the Minister for Industries proceeded, "I think highly objectionable."

Mr. Wilson: Why was that?

Hon. W. C. ANGWIN: I do not know why. I am merely pointing out that, according to the then Minister for Industries, it was highly objectionable to bring the matter before Parliament.

Hon. P. Collier: In his opinion, Parliament was an undesirable body.

Hon. W. C. ANGWIN: We find, too, that Mr. Oakden, after his interview with Ministers, also came to the conclusion that such a course was highly objectionable. As a matter of fact, he refused to allow the matter to go to Parliament.

Mr. Johnston: In doing that, he was wise.

Hon. W. C. ANGWIN: Then we come to the minute mentioned by the Minister for Works particularly on two or three occasions, because he regarded it as a matter of so much importance. He said there was a draft agreement on the file, Clause 12 of which provided that the matter had to be sub-

mitted to Parliament for the authorisation of funds. The Minister said he was interested in the file and took it home so that he might go through it quietly. He told the House that he made an alteration, first in pencil and then in ink. The alteration the Minister made was in connection with the construction of the railway and not in connection with the taking over of the line.

The Minister for Works: That is correct.

Hon. W. C. ANGWIN: The agreement entered into does not include that provision. I was waiting for the Minister for Works to go further in connection with that aspect. I drew the attention of the member for North Perth (Mr. MacCallum Smith) to the fact that the Minister was quoting correctly from this draft agreement and pointed out that the alterations had been made, I was expecting him to refer to another minute, and I mentioned to the member for North Perth that if the Minister did not refer to it, then his case would be no good.

Hon. P. Collier: He overlooked the matter entirely.

Hon. W. C. ANGWIN: We find from the agreement that Clause 12, which was written by Mr. Robinson in his own handwriting, sets out that it was subject to Parliamentary approval for the authorisation of funds. The Minister took it and conferred with the Solicitor General, who later pointed out that the company would not undertake to go on with the work if there was to be delay in order that it might be submitted to Parliament. Then the Minister for Works and the Solicitor General had a long conference. The Minister did not tell us that.

The Minister for Works: Yes, I did.

Hon. W. C. ANGWIN: Not a word of it.

The Minister for Works: Yes, I said the agreement went to Mr. Sayer and that I had a conference with him. That is on my notes.

Hon. P. Collier: The Minister never mentioned it.

Hon. W. C. ANGWIN: There is a letter on the file, dated 10th January, 1919, from the Minister for Works to the Premier which sets out the following:—

Clause 10 which covers the option to purchase, has been the subject of considerable discussion between us—

That is between the Solicitor General and the Minister—

—and I have asked him to include in the option that the Minister will not be called upon to exercise the option until the whole of the works have been in operation as a going concern for at least six months—

The Minister for Works: That is quite correct.

Hon. W. C. ANGWIN: The minute proceeds:—

The object of this is that, should there be any difficulty, physically or otherwise, in carrying out the objects of the company, and should there be any cessation of work, the Government would be landed

with the railway, for which the use would only be for such local traffic as may develop.

I ask hon. members this question: How could the Government be landed with the railway, if Parliament had to decide? Is it not *prima facie* evidence that the Minister for Works was under the impression that by putting in the six months provision, there was no necessity for submitting the matter to Parliament. Does it not show that they were fully aware that so far from having to be submitted to Parliament, the clause had been put in?

The Minister for Works: No. The provision regarding the works being a going concern for six months is in other previous minutes, but it had been omitted by the Solicitor General. I wanted to know why it had been omitted.

Hon. W. C. ANGWIN: But this is a letter to the Premier.

The Minister for Works: I know that.

Hon. W. C. ANGWIN: This was put in at the time the controversy was going on in regard to the agreement being submitted to Parliament. "It is all right," said the Minister, "so long as they construct the works, and run them for six months. Then we shall not be landed with the railway, until we are sure of the traffic, and so can take it over." It proves to me that Ministers were aware that the agreement was drafted in accordance with the decision they arrived at a few days later. No other construction can be put on it.

The Minister for Works: You are wrong.

Hon. P. Collier: When did the Minister for Works learn that it was not to be subject to Parliament?

The Minister for Works: I will tell you.

Hon. W. C. ANGWIN: I notice that in this morning's newspaper Mr. Robinson says exactly what I am saying now, namely that the arrangement was made because Mr. Oakden would not agree to the transaction being submitted to Parliament; and that after a conference between the Solicitor General and the Minister for Works those words I have read were included in accordance with the minute he submitted to the Premier on the 10th January, which explains that those words were inserted with a view to eliminating the provision that it should be submitted to Parliament.

The Minister for Works: You are wrong.

Hon. W. C. ANGWIN: Well, that is the minute on the file. I agree with my leader that these negotiations should not have been carried out by the Minister for Industries. It was a question exclusively for the Works Department and the Premier's office. If any difficulty cropped up, the Premier should have dealt with it. The Minister for Works, if he did throw it all over to the Minister for Industries was not carrying out his duties; because he had the engineers and the staff to advise him, he had everything necessary to enable him to advise the Premier in regard to the con-

struction of the line, whereas the Minister for Industries had no such advantage, but had to negotiate the agreement on the scanty information he received.

The Minister for Works: I explained last night why the Minister for Industries dealt with it.

Hon. W. C. ANGWIN: You said it was because the Minister for Industries wanted to get the cement works going. But that was settled by Act of Parliament. There was no necessity for the Minister for Industries to go into it a second time. If the lessee did not carry out the conditions prescribed by Parliament, the lease would lapse.

The Minister for Works: The Minister for Industries could negotiate over the purchase of rails if he liked.

Hon. P. Collier: That was not his job, either.

The Minister for Works: He could please himself.

Hon. P. Collier: Yes, under the happy-go-lucky way in which the Cabinet was run.

Hon. W. C. ANGWIN: I suppose we shall have to accept the statement of the Minister for Works; however, that was his minute, written in January of 1919.

The Minister for Works: I do not depart one step from any minute I have written.

Hon. W. C. ANGWIN: The file is not very clear in regard to the contract for the carriage of lime over the line. We have heard previously of silverfish getting into a file, and this file seems to have suffered in the same way. Apparently the Labour Government were not the only Government who allowed silverfish to prey upon a file.

Hon. P. Collier: The silverfish went over from our Government to our successors.

Hon. W. C. ANGWIN: Some of the numbers on this file have been altered, and presumably the silverfish did it. According to the file, on the 18th November, 1918, a telegram was sent by the Minister for Industries—what he had to do with the Railway Department I do not know—to the general manager of the cement company in Sydney, stating that the freight would be reduced on a minimum of 25,000 tons per annum. But on the 16th, two days prior to that, a telegram passed from the Minister for Railways in Kalgoorlie to the Minister for Industries, refusing to make any such reduction. It read as follows—

Lake Clifton. In view of the Commissioner's report, Parliamentary approval of the concession, am not disposed favourably to reduction of freight.

That was sent on the 16th. Two days later, on the 18th, a telegram was sent by the Minister for Industries to Sydney, intimating that Cabinet had agreed to the reduction. And on the very same day a telegram was sent to the Minister for Railways in Kalgoorlie, as follows:—

Lettergram embodying Cabinet decision including reduction was despatched Friday night.

The Minister for Works: I was assured only this afternoon that no Cabinet minute recorded any decision in regard to the freight.

Hon. P. Collier: But Mr. Robinson has a minute on the file!

Hon. W. C. ANGWIN: The telegrams are on the file! I have not had time to find out what day of the week that was.

Hon. P. Collier: The 18th was a Friday.

Hon. W. C. ANGWIN: Then the respective telegrams must have been sent to Sydney and to the Minister for Railways at one and the same time. It shows a looseness somewhere. This is the business-acumen Government, the men who predicted that the finances of the State would be put in order if the carpenters and the miners and the engine-drivers were put out, and men of business ability put in, men endowed with the acumen necessary to restore the finances of the State. That was the cry four years ago. It was published in every newspaper in Western Australia. Yet to-day we have this—

Hon. P. Collier: Bungling.

Hon. W. C. ANGWIN: No, worse than bungling. I do not wish to be hard on the Minister for Works, because we are personal friends, but in my opinion the Minister for Works knew well what was going on in respect of the agreement; in my opinion he showed an utter disregard of public duty in not looking into the conditions and circumstances surrounding the construction of the railway. Neither this House nor any other House can excuse any Minister or Ministers merely because he or they do not happen to have been in a Government under another name. It could not be honestly done. If, as the member for Pilbara (Mr. Underwood) said, what was done was wrong, but he will vote in support of that action, can that be regarded as an honest vote? In effect certain hon. members say, "We do not agree with the action taken by the Government, but we will vote for the Government because four of the Ministers knew nothing whatever about it." The Premier says he brought this matter before Parliament as early as he could. He knew of this position two years ago; he told us that last night. When Sir Henry Lefroy, Mr. Robinson, Mr. Gardiner, and Mr. Willmott were members of the House, that was the time when Sir James Mitchell should have disclosed what he knew about it. If the present Premier thought that anything wrong had been done, if he did not hold with the action taken by the previous Government, then to be fair to those men he should have brought the matter before Parliament while they were still here, for then they would have had an opportunity to clear themselves. Why should the late Attorney General be compelled to have recourse to the Press in an endeavour to defend his action? Why should Mr. Gardiner be

compelled to write a letter to the Press with the same object? Why should Sir Henry Lefroy—as doubtless he will do later—have to seek to protect his reputation in the same way, since all of them could have explained the position on the floor of the House when their successors in office became aware of the transaction? Now Ministers are trying to find a way out. They say, "Please Sir, we were not there, and so do not know anything about it. Please excuse us, because it was Sir Henry Lefroy's Government which did it, and not the Government of Sir James Mitchell." And now we find members who, having listened yesterday morning to that plausible tongue we know so well, have come to the conclusion that they must support the Government because it was not the transaction of this Government.

Mr. Teesdale: That is only surmise; you do not know what took place. You are only guessing.

[The Deputy Speaker took the Chair.]

Hon. W. C. ANGWIN: I only wish I had that plausible tongue which so effectively moved hon. members yesterday morning. They know in their own hearts that their attitude is wrong. If the member for Roebourne (Mr. Teesdale) had a business manager and that manager signed, without reading it, a document which constrained the hon. member to pay out a large sum of money, how long would that manager be left in his job? Not any hon. member would keep such a manager for five minutes! If this were a private matter somebody would have to be fired; but because it is a public concern, because the State has to pay, it is all right. The member for Roebourne would say to his manager "You admit that you have signed on my behalf an agreement without first reading it. Why, a mere schoolboy would not do such a thing!"

Mr. Pickering.: It was a long agreement.

Hon. W. C. ANGWIN: I do not care about its length. The very admission that the agreement was not read before being signed should be sufficient to turn the responsible Minister out of office. And if the Premier will turn him out of office, is that sufficient? But we must also dismiss the Premier and those associated with him. The country has to be protected this time, not Ministers. It is necessary to look after the finances of the State, and here we are saddled with a railway that has cost more than any other railway that has been constructed in Western Australia, a railway built with second hand rails costing £8 or £9 a ton.

Mr. Teesdale: And your own people supported it.

Mr. O'Loughlen: Who supported it?

Mr. Teesdale: You, for one.

Hon. P. Collier: The company constructed it, not the Government.

The DEPUTY SPEAKER: Order! The member for Roebourne will have an opportunity of speaking.

Hon. W. C. ANGWIN: The railway, which runs over a distance of only 14½ miles, cost £70,000, and according to the Minister for Works, at the time, if it had cost only £40,000 it would have shown a loss of £3,000 a year. What will be the loss on £70,000.

Mr. Pickering: About £5,000.

Hon. W. C. ANGWIN: And if it does not carry any line what will be the loss then? If the line is no good for cement, the railway will be of no use at all.

Hon. P. Collier: They can lease it to the company again.

Mr. Teesdale: You have not an ounce of truth about you.

Hon. P. Collier: Perhaps Hedges will take it over.

Hon. W. C. ANGWIN: If there were an election taking place next March, would hon. members opposite be as quiet over this business as they are at the present time? How many of them would try to run away from under it? Many would say, "We cannot support a Government that is responsible for an action such as this!" Yet we find them now unanimously supporting the Government.

Mr. O'Loughlen: Not unanimously.

Hon. W. C. ANGWIN: Supporting a Government which has amongst its members one who spends half a million of money a year in one department only, and who signs agreements without reading them, and who, no doubt, will sign officers' minutes in the same way.

Hon. P. Collier: A rubber stamp.

Hon. W. C. ANGWIN: We have it from his own statement that he never read the agreement, and hon. members opposite will vote to keep that man in office.

Mr. O'Loughlen: There is one there who will not.

Hon. W. C. ANGWIN: Then we have the Minister for Works, a very good Minister except for this action. I have gone around the country and held up the Minister for Works almost as an idol for the people to worship. Now, in connection with this matter, which involves the expenditure of £70,000, he has taken very little action to save the country. He must have known, according to the minute he wrote the Premier, that Parliament was not to be asked to approve of this. Cabinet decided in accordance with these wishes, and then the Minister shelters himself behind the statement "I went to Melbourne two days afterwards."

The Minister for Works: I do not shelter myself behind any such statement and never have done so.

Hon. W. C. ANGWIN: I am only quoting the Minister's own words. He said that he accompanied Sir Henry Lefroy and Mr. Gardiner to Melbourne on the 17th, the day after Cabinet held a meeting, and therefore he was not responsible for what occurred after.

The Minister for Works: I said then, and I say now, that the matter was finalised by Cabinet before we left.

Hon. W. C. ANGWIN: That may be all right with Government supporters, but it will not go down with me. I cannot swallow it,

particularly after the minute I have read regarding the Government being saddled with the rails. Members who will vote to support the Government under such conditions are not true to the pledges given by them to the electors, especially that pledge on which so many of them were returned that they would do their utmost to see that the finances were restored to a sound position. So far as the Premier is concerned, the action of which he stands condemned is that of not reporting the matter to Parliament 18 months ago. He should then have given those members concerned an opportunity to put their case before Parliament. That would have been fair play. Instead of that, however, he waits until they get out and then says "You altered the decision of Cabinet." That is a wrong attitude to adopt, and it is not worthy of any member of the House. We know now, from what was published this morning, what the decision is to be. The member for Roebourne of course, will support the Government.

The DEPUTY SPEAKER: The member for Roebourne is not concerned in the motion.

Hon. W. C. ANGWIN: The late Attorney General is out of the House and cannot speak for himself. The Premier in his speech last night showed that he was carrying out the policy dictated by the "West Australian" in its issue of Monday.

Mr. Teesdale: That is not fair.

The Premier: Did you say the "Worker"?

Hon. W. C. ANGWIN: Is it not strange that the "West Australian" should have said that the Government should not take any responsibility, and that the Premier, before he had been on his feet for two minutes, should have repeated that statement.

The Premier: I do not take the responsibility any more than you do.

Hon. W. C. ANGWIN: Is it not strange that the "West Australian" should say that a Royal Commission should be appointed for the purpose of investigating the matter and that the Premier should remark that he would be pleased to appoint a Royal Commission if anyone thought he was entitled to an inquiry.

Mr. Teesdale: Simply a coincidence.

The Premier: Would you deny the late Attorney General the right to have an inquiry?

Hon. W. C. ANGWIN: So far as the late Attorney General is concerned, if we had 50 Royal Commissions they would not alter the position, and the Premier would have great difficulty in making the people of the State believe that the statement published in this morning's paper, with regard to the Cabinet minute, was not correct. The Solicitor General's minute bears out what I say and the Minister for Works' minute also bears it out.

The Minister for Works: It does not.

Hon. P. Collier: And he says that Premier Lefroy was consulted by Oakden.

Hon. W. C. ANGWIN: Everything goes to show that the contention of the ex Attorney General with regard to the Cabinet minute is correct.

The Premier: Was there not a letter from the Under Secretary for Lands?

Hon. P. Collier: Nearly nine months before, there was.

Hon. W. C. ANGWIN: The letter written by the Under Secretary for Lands to Mr. Johnson did not state that the matter would be referred to Parliament.

The Premier: Yes, it did; read the closing paragraph.

Hon. W. C. ANGWIN: This is what the letter says—

In reply to the recent correspondence addressed by you to the Premier with regard to the Lake Clifton agreement, I have the honour by direction to inform you that the agreement cannot be varied without the authority of Parliament, which will be meeting in about two months' time.

At this time there was under consideration the question of the alteration of the route.

With regard to your proposal that your company should build the line and that the Government should take it over at cost in exchange for debentures bearing interest at $5\frac{1}{2}$ per cent., the Government feel that this proposal could not be entertained unless it had the assurance that work would be in actual operation, thus providing traffic for the railway. Consequently, it is suggested that you amend your offer to provide that the railway to be built by you be taken over by the Government on the terms you suggest after the necessary plant and machinery for the lime and cement works have been actually established as a going concern, thus securing traffic for the railway. If this suggestion meets with your approval steps can be taken to prepare an agreement to form the basis of an amending Bill to be submitted to Parliament early in the coming session.

The Premier: That is quite clear.

Hon. W. C. ANGWIN: The only thing necessary to secure the purchase of the railway was to do as the Premier has done now. No Bill was required, because it was lawful for the Government to purchase the railway after its construction. A Bill would only be required in the event of an alteration of the route taking place.

The Premier: For the purchase of the line.

Hon. W. C. ANGWIN: Yes.

The Premier: There you are.

Hon. W. C. ANGWIN: That was not a definite undertaking that the matter would be submitted to Parliament. When the agreement was drafted, it contained no such clause. That clause was written in by Mr. R. T. Robinson in his own handwriting. The Premier was not in the Chamber just now when I was dealing with that matter. Is the Premier also aware, that after consultation with the Minister for Works and Solicitor General, other words were inserted, because the Minister said the Government would be landed with the railway which would be used

for only such local traffic as might develop? So where does Parliament come in?

The Premier: That was not the Cabinet minute. The Cabinet minute distinctly stated that the conditions set up in the minute were to be carried out.

Hon. W. C. ANGWIN: It did not say anything of the kind. Cabinet said that the statutory agreement should not be varied and that the agreement was to be drafted in accordance with paragraph 13 of the authorised agreement.

The Premier: And the letter of the 31st May, 1918.

Hon. W. C. ANGWIN: Yes, in connection with taking over the line at cost, less depreciation, by giving Government stock bearing $5\frac{1}{2}$ per cent. interest. There was nothing in the letter relating to parliamentary approval, because there was no definite undertaking that it would be submitted to Parliament. The manager objected to the agreement being submitted to Parliament, and the consequence was that the agreement was put through. I have devoted several hours to a careful perusal of the file and, unless further proof is brought forward, nothing will make me believe otherwise than that every Minister knew the Cabinet minute implied that the matter should not be submitted to Parliament.

The Minister for Works: You are wrong.

Hon. W. C. ANGWIN: That is my belief.

The Minister for Works: You are entitled to that belief, but it is wrong.

Mr. Heron: The fact remains that it was not submitted to Parliament.

Hon. W. C. ANGWIN: There is no doubt that the Minister for Works is now very much dissatisfied with the company.

Hon. P. Collier: He is going to flog them now.

The Minister for Works: Why?

Hon. W. C. ANGWIN: They are not the men he expected them to be.

Mr. Troy: They never are.

Hon. P. Collier: But they are safe now.

Hon. W. C. ANGWIN: The Government built the railway for the company and acceded to every request they could possibly prefer without lodging much objection, and then the company came along and started to put the boot into the Government. Let me quote the letter of the 17th October, 1921, from the Minister for Works to the Premier. It states—

The Engineer-in-Chief's valuation is made up on the actual cost of construction, the difference, approximately £12,000, being for items which the company have claimed and which the Engineer-in-Chief is of opinion are not covered by the Government undertaking. I may say, on seeing the claims. I am personally very much disappointed in the company, as I find that they have put in an amount for a bonus which they gave to Mr. Anketell, who was the engineer in charge of the carrying out of the work. The correspondence and what has taken place personally between myself and

the responsible officers of the company, would show that they have no justification for putting such a claim as this forward, as I made it quite clear that I could not agree that such a charge should be debited against the Government construction as if I did, it would be quite contrary to the procedure and regulations of the service, and would raise considerable comment and even jealousy amongst different officers if the Government agreed to such an indirect way of augmenting the salary of an officer and shouldered in the amount to be paid to the company this augmentation of income. For the company to put this forward after the clear understanding which has been between them and myself, is quite sufficient to show me that they are not too scrupulous in what they propose to do. This and other items such as directors' fees, office expenses, and so forth, are matters which the Engineer-in-Chief has deleted and should never have been charged up.

[The Speaker resumed the Chair.]

The Minister for Works: I regard it as an impudent claim.

Hon. W. C. ANGWIN: I do not. I am doubtful whether it can be characterised as impudent, and I do not know that it is an unscrupulous claim, that is if the Minister's statement is correct that Mr. Anketell, in constructing this line, was doing it for the company. If he was working for the company, the company would have to supervise him, and thus the directors of the company would be entitled to fees for their work of supervision. If it was an unscrupulous claim which never should have been made, then we cannot escape from the conclusion that the Government must have been constructing the line on their own account and quite apart from the directors of the company. Surely the Minister for Works would not expect the directors of the company to undertake a £70,000 job, take full charge and control of the construction, and then expect nothing for their work. Where would their office staff come in? Some one had to do the office work. If the company were doing the office work, they had to provide the staff.

Mr. Pickering: Are you justifying the charging of these items by the company?

Hon. W. C. ANGWIN: No. I am pointing out that the Minister could not object to the charges being made if the directors were carrying out the construction of the railway.

The Minister for Works: You know that was not the case.

Hon. W. C. ANGWIN: If the directors were not carrying out the construction of the railway, and if the Works Department were doing it entirely, then no charge should be made. In those circumstances, it would be impudent and unscrupulous to make such a charge.

The Premier: There would be no question of a bonus, either.

Hon. W. C. ANGWIN: No.

The Minister for Works: Why should they ask me whether they could give Anketell a bonus?

Mr. Pickering: Because they thought you were finding the money.

Mr. Wilson: They thought you were soft.

Hon. W. C. ANGWIN: It was because they knew well that they had made a good deal with the Government. They knew that the Government was composed of men who, instead of being possessed of keen intellect and of business acumen such as they had expected, were men with whom they could do as they liked. In Mr. Anketell they had a very good officer to carry out the work and they thought they might make him a present. He is not the first officer who has been recompensed in this way.

The Minister for Works: That would be making a present of Government money to him.

Hon. W. C. ANGWIN: But the Minister did not know at that time that it would be Government money. The company were quite justified in seeking to assist the officer in the matter of salary.

Mr. Latham: At the expense of the Government.

Hon. W. C. ANGWIN: I do not say that. If the directors were constructing the railway, as the Minister says they were, this is the position so far as the directors were concerned. For the time being, Mr. Anketell was not a Government officer. He was lent to the company to carry out the work for them. There is an old saying that if you make a mistake once, you have to make a good many more mistakes before you get clear of the first mistake. I think this saying can be well applied in connection with this agreement. The Government have been trying in every way possible to get out of the difficulty in which they found themselves in the first place but, instead of getting out of it, they have got deeper into the mire with every move made to extricate themselves. In the last minute on the file in connection with this railway, the Minister for Works says that the company are not too scrupulous in what they propose to do.

Hon. P. Collier: A belated discovery.

The Premier: Well, we have all had experience.

Hon. P. Collier: Oh, yes.

Mr. O'Loughlen: You have paid very dearly for it, and the country will have to pay for it for the next 42 years.

Hon. W. C. ANGWIN: It is somewhat surprising that those members, who years ago uttered such strong warnings to others then in office to beware of taking false steps, should themselves have got more deeply into the mire than their predecessors ever did. Never in all their history

did the Labour Government make such a bloomer as this. There is one thing I can say for the Labour Government, and that is that its members stuck to each other, and the Government was smashed as a result. They never tried to pass the blame on to someone else outside. Each individually carried his own share of the responsibility and, irrespective of whether all were involved, all felt themselves justified in trying to take some of the burden cast on to the shoulders of colleagues.

Mr. Harrison: Which shows that they were under very good discipline.

Hon. W. C. ANGWIN: We knew very well that the position was not half so black as it was painted. We knew very well that the State, with a Labour Government in office, was in safe hands. We knew very well what the position would be once a change of Government was made, and that the talk about business acumen and ability was only a delusion and a snare. We knew that the time would not be far distant when the Labour Government's successors would be far deeper in the mire, and when the people would realise that, if they wanted a Government to look after the finances of the State, they would have to select men who would keep their noses to the grindstone. Since that time things have gone from bad to worse and now information, which had been kept back, has been given to us only because it could not be kept back any longer. Time after time secret agreements have been entered into.

Mr. Harrison: You have had pretty good experience of them.

Hon. W. C. ANGWIN: One of the chief things against which the present Minister for Works spoke more strongly than any other member of this House, and even went so far as to move a vote of no-confidence in the Government, was with regard to a secret agreement, and he was instrumental in getting the House to assert that in future there should be no secret agreements and no secret contracts, and that any Government or Minister who dared to enter into a secret agreement in future would be censured and thrown out of office. That was the attitude adopted five or six years ago, and if that applied five or six years ago, how much more should it apply to-day when the State is in a much worse financial position than it then was? This is not a party question. We do not wish to gain any kudos as a result of this action on the part of the Government. We are not anxious to take office; we do not want office, but we do want to see the finances of the State put on a proper foundation. We want to see that the finances of the State are protected and carefully watched with a view to wiping out the great load of debt under which we are staggering at the present time.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. HARRISON (Avon) [7.30]: We have had Ministers and ex-Ministers of the Crown speaking on this motion, which the Premier has accepted as a motion of want of confidence in the Government. I do not know if there was any just reason why the Premier should accept it as a motion of want of confidence, but as he has taken it in that way I intend to offer a few remarks as a layman upon the matter. In 1916 a Bill was put through the House, called the Special Lease (Lake Clifton) Bill, and the railway under discussion formed part of the lease agreement. It is particularly in regard to this railway that the motion has been launched. At the time this Bill was brought down it was felt that it was necessary in order that the lime requirements of a large proportion of the State might be met. The South-West division had been in need of lime for years. It was felt that this lease would be conveniently situated for a considerable number of the settlers who required the lime that was on it. We were told that there were large quantities of this commodity available. Under the terms of the lease 2,400 acres of land were granted to the lessees.

Hon. P. Collier: Of water, not land.

Mr. HARRISON: There is land over which the railway is run. It was not all water. The water is only shallow and the lime deposits are just beneath the water. These deposits have to be got out and dried before they are of any commercial value. The agreement was first dealt with by Mr. W. D. Johnson, then Minister for Lands in the Labour Government. This was accepted by the Wilson Government and the Bill was introduced by Sir Henry Lefroy as Minister for Lands. Clause 13 of the lease agreement has been referred to. This clause contains the following words:—

That the lessee will as soon as the said railway is completed and thereafter at all times during the terms of this lease, supply lime to the public, so far as there may be a demand for the same, to the extent of the output for the time being of the demised premises, which shall not be less than 50 tons per day, in a dry condition and finally crushed so as to pass through a 20 inch mesh sieve, or unscreened, as the purchaser may require, and in either case containing on analysis not less than 80 per cent. carbonate, and being the produce of the demised premises, at a price not to exceed 12s. per ton screened, or 10s. per ton unscreened, delivered at Waroona.

The company was to work this property and produce for the public a certain quantity of lime. They were to fulfil these conditions in conjunction with the right to build this railway, which it was optional upon the Government to take over after it was built. The crux of the difficulty so far as the motion is concerned is that Parlia-

mentary authority has not been sought. It was understood that a portion of the agreement should contain the proviso that Parliamentary authority should be sought. There are many minutes on the files dealing with various matters which have already been referred to. It appears that things were going on satisfactorily until about the 7th January, 1919. On the 6th, 7th, 9th, 13th and 16th January quite a lot of minutes were written on the question. Up to that time it was thought that whatever was done about the railway would be referred to Parliament. We have had legal men stating that a certain thing was the case, and we have Ministers stating that up to that time they understood that the whole transaction would require Parliamentary endorsement. Until now the authority of Parliament has not been sought. It now transpires that an alteration was made in the terms of the agreement. It was thought that this particular industry would be of great advantage to the State, that it was most important that it should be assisted, and accordingly it was assisted as is shown by the Act and the lease agreement. We all thought that something of benefit would accrue to the State. We are now in some doubt as to the value of the lime deposits in this area.

Mr. Lambert: There ought not to be any doubt.

Mr. HARRISON: According to the remarks of the member for Pilbara (Mr. Underwood) there is a doubt. I am not a chemist capable of analysing this lime, or a lawyer capable of dissecting legal technicalities, but I am of opinion that it is bad policy for the State to have an Attorney General acting as Minister for Industries on the one side, and on the other side, that is the side of the company, as senior partner in the firm of solicitors acting for that company.

Mr. Lambert: Was not the late Attorney General, Mr. Justice Draper, doing that when he acted for the pastoralists?

Mr. HARRISON: I am referring to the late Attorney General and Minister for Industries.

Mr. Lambert: They all do the same thing.

Mr. HARRISON: It is not right in the interests of the State that a man should be in a position to act as Attorney General, as legal adviser to the Government, and at the same time act on behalf of a company, which is doing business with the Government in a certain transaction. In a communication to the Press Mr. Robinson points out that the whole of these transactions were carried out by junior partners. In my opinion the junior partners outwitted the senior partner in this deal, if what Mr. Robinson says is the case. The company seems to have got the advantage of the Attorney General.

Hon. T. Walker: How innocent!

Mr. Lambert: Did you put that forward when Mr. Justice Draper, as Attorney General, was passing legislation through for the benefit of the pastoralists?

Mr. SPEAKER: Order!

Mr. HARRISON: Various minutes have been written with regard to various alterations to the conditions of the lease, and minutes were put up as from one department to another. This matter should not have been dealt with by a man acting as Attorney General on the one side and the representative of the firm of solicitors interested on the other side. If I had my way a Bill would be brought down to prevent such a thing from happening in the future. It is against the interests of the State. The course I suggest would be a protection to future Attorney Generals, and prevent any stigma being attached to them from similar actions while representing the people of the State. They would then be freed from any innuendoes and suggestions that they were working on behalf of their clients and not in the interests of the State.

Hon. T. Walker: That is the law now.

Mr. HARRISON: According to the Premier and the Leader of the Opposition, the legal position is such that the State has no chance of defeating this particular company. If the Government refused to pay and the company took legal action the Government would have no chance of defending themselves against the company. Every phase of the situation has been carefully watched in the interests of the company. Up to the present the yield of lime appears to have been nothing like that which was provided for in the agreement.

Mr. Lambert: Would it be used if they did get it?

Mr. HARRISON: Members on the cross benches feel that this £70,000 could have been much better used in opening up other parts of the country. Several railways have been authorised in various electorates, and these are much needed. We expected that the railway would be built by the company, and would be run by the company until the Government exercised their option and purchased it when they so desired. We find now there is no choice in the matter, and that the money has to be found. The Premier has brought down his Loan Estimates containing provision for the payment. We were hung up by a resolution of this House that railways should be built according to the order in which they were authorised to be built by Parliament. I objected to that at the time. No one could foresee which railway would be of paramount importance in the future. This private railway will now have to be paid for by the taxpayers of the State, although railways previously authorised have not yet been constructed. There is scarcely an electorate in Western Australia that is not in need of railway communication. We were told that rails were not procurable and that money was not available with which to purchase them if they were procurable, and

yet this company, financed from New South Wales, has been able to have its railway built and will be ultimately paid for by the Government.

Mr. Teesdale: The railway was built especially to help your industry.

Mr. HARRISON: There is some ground for that assertion. Those who are interested in agriculture know the value of lime for the land, and know that it will make the land more productive. After all, it may be that this money will have been judiciously spent and that great value will accrue to the State. The company was granted an extension during the period of the war because they could not get the material necessary to enable them to fulfil the conditions of the lease. They were also granted other extensions and facilities. Terms had already been given by members of this House as to the deviation from Pinjarrah. Notes had been put up by the Commissioner of Railways as to weight of rail, the 45lbs. rail to be used. All these matters have been the subject of discussion, and I do not want to go over the ground again. It appears to me, however, that the money to be devoted to the purchase of the Lake Clifton railway could have been more advantageously utilised by the State in other directions.

Mr. MacCallum Smith: Do not forget this railway was the means of building the cement works.

Mr. HARRISON: The member for North Perth is chairman of directors of another company, and he knows that the cement proposition was a very good opening for investment, as there was an assured market for large quantities of cement. There was a very good guarantee to these people when expending money on this railway to convey their goods to market.

Mr. Teesdale: You run down outside capital when it does come in.

Mr. HARRISON: Nothing of the kind. I say, let us get all the capital from outside as well as from inside that we possibly can, and let us utilise it.

Mr. Simons: Let us get capital without graft.

The Minister for Works: I ask for a withdrawal of that remark. The member for East Perth has said that there is graft and corruption in the House.

Mr. SPEAKER: The member for Murray-Wellington has taken exception to some statement made by the member for East Perth concerning corruption.

Mr. Simons: I said it was possible to get capital into this country without graft.

Hon. T. Walker: That is a mere truism.

Mr. SPEAKER: There is no point of order involved.

The Minister for Works: The statement is different when the member for East Perth is allowed to add words to it.

Mr. O'Loughlin: That is wrong.

Mr. SPEAKER: Order!

Mr. O'Loughlin: The member for East Perth made a true statement.

Mr. SPEAKER: I am satisfied that that was the statement. That is what I understood. I understood the member for East Perth to say, "Get in capital without corruption."

The Minister for Works: The inference, of course, is—

Hon. P. Collier: Never mind about any inference. That was the statement.

Mr. SPEAKER: Order!

Mr. HARRISON: This railway was required for the purpose of conveying lime and cement to the consumers of those commodities. It was necessary that the Lake Clifton lime deposit should be linked up with our present railway system. What I complain about is that the State is compelled to take over the line before the time at which, when we passed the Act, we thought it would have to be taken over. There has been no authorisation since sought from Parliament to alter the conditions of the agreement. However, we now come to the position that the Lefroy Government, in negotiating with the promoters, arranged that payment should be accepted in 5½ per cent. bonds. At that time it was not interred that the Act gave the Government the right to purchase the railway. In my opinion care should have been taken to see that any agreement to purchase the railway contained a provision that the purchase was subject to parliamentary approval. This was doubly necessary in view of the fact that many districts have been waiting for years for railway communication which has been promised them, but which has been so far withheld owing to lack of funds. I am satisfied from what has been stated by the Minister for Works, and also by Mr. Colebatch himself, that at the time the latter gentleman signed the document he believed that it would have to be submitted to Parliament for authorisation of the terms and conditions of the lease. Four of the six members of the present Cabinet were not then Ministers of the Crown. The motion has been accepted by the Premier as a motion of want of confidence. My conceptions of justice will not allow me to vote against those four Ministers who were not members of the Cabinet at the time the agreement was made. Even the present Premier was not then a member of Cabinet.

Hon. T. Walker: What about the two Ministers who were members of that Cabinet?

Mr. HARRISON: Studying the files, one finds that Mr. Colebatch, as acting Premier, was approached by the Attorney General, and also had a minute from Mr. Sayer, on the subject. Mr. George himself has stated that Mr. Colebatch, at the time he signed the agreement, thought it was to be endorsed by Parliament.

Hon. W. C. Angwin: Do you think he is such a simpleton as that?

Mr. HARRISON: Since January of 1919 there has been plenty of time to go into the matter further. The member for Pilbara (Mr. Underwood) observed that the captain

of a vessel, if he runs her on the rocks, loses his certificate. The hon. member was likening Mr. Colebatch to the captain of a vessel. But I think the two cases are not analogous. I look upon Mr. Colebatch rather as a captain who has come to port and has taken a pilot on board. Surely Mr. Colebatch was entitled to accept the assurances of the Attorney General and of the Solicitor General. Why should he set his opinion against two such legal opinions?

Hon. P. Collier: It was not a matter of legal opinion at all. It was a question of whether Parliament was to be in or be out.

Mr. HARRISON: That is the position as I view it, and as I am likely to continue to view it.

Hon. P. Collier: No doubt!

Mr. HARRISON: I adopt the comparison with the pilot. Now, are we to condemn the present Ministry for what was done by a former Attorney General, if he is at fault? A perusal of the file leads me to believe that the late Attorney General should be heard at the bar of the House. I do not want to condemn the gentleman unheard, but I am not in favour of spending a lot of money on a Royal Commission, especially since it has been given out by the Premier, the Leader of the Opposition, and other members that we have no chance whatever of escaping payment of the money for that railway. If we refuse to pay, we shall have costs piling up from day to day. I am not in favour of that, either. Still, rather than have a Royal Commission I would test the matter in the law courts, notwithstanding my belief that this course would increase the eventual cost. I do not believe in appointing a Royal Commission in this instance because we have seen the files ourselves. Suppose a Royal Commission is appointed. That body will consist either of members of Parliament, or perhaps a Supreme Court judge. The Royal Commission will go through the files, of which there are quite a number in the various departments, so that the inquiry would be costly. I do not think the result is likely to be worth the expense. Therefore I am opposed to a Royal Commission in this matter.

Hon. W. C. Angwin: Seeing that Ministers are anxious to get out from underneath, I should think you would support the Royal Commission.

Mr. HARRISON: I am of opinion that Mr. Robinson should be heard at the bar of the House.

Hon. T. Walker: What for? What good could that do?

Mr. HARRISON: Mr. Robinson might explain some of the points on which members want his explanation. Last night we heard from the member for Kanowna (Hon. T. Walker) as to the point of secrecy, the crime of secrecy. People who live in glass houses should not throw stones.

Mr. O'Loughlen: You are a Solomon!

Mr. HARRISON: There have been quite a lot of secret contracts in the past.

Hon. P. Collier: What were they?

Hon. T. Walker: Yes, what were they?

Mr. HARRISON: There was the powellising agreement, for instance.

Hon. P. Collier: And the Premier who made that agreement now belongs to your party and is one of your leaders.

Mr. HARRISON: All the members of that Cabinet were equally responsible. There is not just one affair of the kind; if we had the light of day let in there would be quite a number. Now, what can we do? We have to take one of two positions: we have to vote against the motion, or we have to support the motion, in which latter case there will be some other Government in power. What other Government will we get?

Hon. W. C. Angwin: You might be put in.

Mr. HARRISON: We might get another Government.

Hon. P. Collier: Uriah Heep!

Mr. HARRISON: The hon. member who moved this want of confidence motion has himself in the past been connected with actions which will not bear the light of day, in regard to secret contracts.

Hon. P. Collier: What do you mean by "the light of day"?

Mr. HARRISON: I have told hon. members.

Hon. P. Collier: I rise to a point of order.

Mr. SPEAKER: What is the point of order?

Hon. P. Collier: I object to the statement of the member for Avon that I have been associated with a Government whose actions would not bear the light of day. That is a reflection upon me.

Mr. HARRISON: I said, as far as secret contracts were concerned.

Mr. SPEAKER: The member for Boulder has taken exception to a statement of the member for Avon, and has asked for a withdrawal.

Mr. HARRISON: Well, Mr. Speaker—

Mr. SPEAKER: The hon. member must withdraw without any reservation.

Mr. HARRISON: I withdraw. We have read in the columns of the Press, unfortunately, of quite a number of transactions, and also of a certain other matter which came out in evidence.

Mr. O'Loughlin: What are those transactions and matters?

Hon. P. Collier: What are you insinuating?

Mr. HARRISON: The powellising contract has already been mentioned. Another case which has occurred since I have been in this House is that of the member for North-East Fremantle (Hon. W. C. Angwin) with regard to the Nevanas contract. The member for North-East Fremantle was the man who closed that negotiation. Indeed, I remember his being eulogised in this Chamber

over the matter. However, I do not wish to rake up the past.

Hon. P. Collier: Oh, no!

Hon. T. Walker: Rake it up by all means.

Mr. HARRISON: I make these assertions because references first came from the other side of the Chamber regarding the crime of secrecy.

Hon. P. Collier: That is not so.

Mr. HARRISON: It was done most emphatically. As for judging Ministers of the Crown on the score of crimes of secrecy, I repeat what I said at the outset, that people who live in glass houses should not throw stones.

Hon. P. Collier: I was quoting from speeches made years ago by the present Premier. Had not you brains enough to understand that?

Mr. HARRISON: I do not altogether like that letter in the Press, because it refers to a former member, who is absent—Sir Henry Lefroy. That hon. gentleman is not here to speak for himself. I believe Sir Henry Lefroy left this State for the East just at the time when, according to these files, so much was being done in this matter. An undeserved reflection has been cast upon Sir Henry Lefroy. So far as members of this party are concerned, we would much rather that the money for the Lake Clifton railway had not to be taken out of the Treasury chest at present, but that an equivalent sum could be drawn from the public funds in order to meet previous railway commitments.

Hon. P. Collier: A brilliant speech!

Mr. McCALLUM (South Fremantle) [8.0]: I will not detain the House long with what I have to say regarding the motion before the House. I hope what I have to say will be to the point, because I realise I am talking to inanimate benches. I know that instructions have been issued to members sitting on the Government side as to how they must vote.

The Premier: Speak for yourself.

Mr. McCALLUM: Nothing that speakers on the Opposition side of the House can say will affect the vote on the question because the secret conclave has met. Long before the Leader of the Opposition stated his case, before they knew the facts to be presented by him in support of the motion, that secret conclave sat outside this Chamber and issued instructions to members of this House.

Mr. Latham: Who issued instructions?

Mr. McCALLUM: You, Mr. Speaker, remember long ago, during the course of your political life, the attacks made upon you through the columns of the Press and the public platforms because you, with others, were tied to the political machine and had to bow to the dictates of a secret caucus. Because, it was stated, you attended meetings in the dark, deep dungeon of the Trades Hall, where the fates of Governments were decided, because you attended in the secret vaults of Labour's headquarters and received

your instructions as to how you were to vote, and how the destinies of the State were to be shaped, where the very ventilators were blocked up so that no one could hear, where armed guards were posted outside the doors so that no listener could hear what was going on, because of all these things, you, Mr. Speaker, as with others in the Labour movement, had to submit to attacks in the Press and from the public platform. Many a time, Mr. Speaker, you will remember how you had to stand up against that sort of thing on the public platform. What have we to-day? These very men who raked you, Mr. Speaker, for attending caucus meetings to get your instructions and to discuss State issues, are now attending meetings themselves, debating a motion and coming to a decision even before hearing the case of the Leader of the Opposition stated on the floor of the House. Before they knew the facts on which the Leader of the Opposition relied for support for his motion, they arrived at their decision. Those who have spoken so far come forward with statements that they "regret this" and "disagree with that," but still they will vote in support of the Government. Those members agree that things have happened which should not have occurred, but still, they say, "I must support the Government." How many times had the Labour movement to stand up against the cry that, owing to various considerations, they should be relegated to political obscurity, and owing to what was referred to as secret caucus decisions, and so on, there should be a return to responsible government; that the affairs of the country should be conducted from inside and not outside Parliament. That was given out as the reason why the Labour movement should not have the support of the people. Members now sitting on the Ministerial side of the House went out time after time on the public platform, or expressed their views through the Press, with the cries that I have referred to, and yet to-day we find, so far from dissociating themselves from such actions, they themselves are now pursuing such a course.

The Premier: You are quite wrong.

Mr. McCALLUM: Am I? This morning we see in flaring headlines in the "West-Australian" that there has been a meeting of the secret conclave, and caucus has issued instructions. Unlike the fulminations of the past, we merely read that "the party stand solid."

Hon. P. Collier: That was not caucus; that was only a meeting.

Mr. McCALLUM: According to the Press report, it was not a secret conclave; it was not a meeting behind the backs of the Legislature; there is no reference to the constitutional aspect of such a gathering where the fate of the country is decided. Instead of references such as we had in the past, when Labour met to discuss matters, we have the bright snappy reference, "The party stands solid."

Mr. Teesdale: Of course we stand solid.

Mr. McCALLUM: But, we are told, there is one black sheep. We are told unanimity is denied the party, for there was one black sheep. Is he the member for Roebourne (Mr. Teesdale)?

Hon. P. Collier: Oh no, not he.

Mr. Simons: He is a true merino.

Mr. McCALLUM: Is it the member for Roebourne?

Mr. Teesdale: No, never.

Mr. Marshall: Right or wrong, he stands solid.

Mr. McCALLUM: Who is that one member who stood out?

Mr. Teesdale: It is all right; he is sorry about it now.

Mr. McCALLUM: Is he? Who is he? Surely we are entitled to know who he is. Will he come to the penitent form and admit he has made a great mistake? If there is one man with sufficient initiative and backbone to say he is not in favour of what the Government have done, is he to suffer from the thumb-screw and the rack and be prevented from exercising his own judgment? Is all the tyranny of caucus to be thrust upon him, and is he not to be a free man?

The Premier: You speak as one having experience.

Mr. McCALLUM: I speak as one who has had to stand against the jibes of the hon. member as well as of others. I was the one who was supposed to put the screw on members of the Labour party who sat in this Chamber, and some of those who are in the present Cabinet can say equally with me that there was not a word of truth in the statements made on this score against the Labour Government when they were in power. Now we want to know who are the bosses.

Mr. Mann: You lived through it very well.

Mr. McCALLUM: The odium has shifted from the Trades Hall to St. George's-terrace. As a matter of fact there was no foundation of truth in the allegations made against the Labour Government and the Trades Hall. There was no truth in those statements, Mr. Speaker, as you know. You had to go to the Trades Hall, so they said, and I stood at the door with a gun in my hand and told you that if you did not vote in a certain way out you would go. You know that was what was said and written at the time, even if you, Mr. Speaker, did not see it at the Trades Hall for yourself. But it is a different kind of thing we see going on now. Nowadays Ministerialists meet in the Premier's office. They sit down there and discuss matters; they adjourn for lunch; they come back again and discuss the matter further; they have their cigars and perhaps their whisky and soda. There is nothing of caucus about that.

Mr. Angelo: Nor any whisky and soda either.

Mr. McCALLUM: Did not the Premier shout? No? Then you were not worth it.

Mr. SPEAKER: Order!

Mr. McCALLUM: The present Ministerialist section of the House is doing exactly what they denounced the Labour movement for

from one end of Australia to the other. They denounced us, saying we were not free citizens, and that our parliamentary members did not come here with a right to exercise their own judgment, but were tied down by decisions of some outside superior body as to how we should vote and what we were to do. They still say that of the Labour movement. I ask hon. members to say what they are doing to-day. Is it correct that, prior to hearing what the Leader of the Opposition had to say, they received their instructions as to how they should vote on the motion? Thus, the decision of this Chamber is to be decided by members outside the Chamber. The Government supporters to-day are putting into actual practice what they accused the Labour Party of doing in the past, with this difference, that the Ministerialists of to-day are doing it more thoroughly.

Mr. Latham: We have benefited from your experience.

Mr. McCALLUM: They say that imitation is the sincerest form of flattery.

The Premier: Apparently you do not like flattery.

Mr. Angelo: We are beating you at your own game.

Mr. McCALLUM: In this, Mr. Speaker can bear me out, that whilst he was a member of the Labour movement he was never on any occasion called upon to decide any question without hearing the facts of the case. You, Mr. Speaker, never attended a caucus meeting at which you were asked to pass a vote unless all the facts were before you. That is the difference between the method adopted by the Labour movement and that adopted by members sitting on the Ministerial side of the House.

Mr. Harrison: The facts are all on the files.

Mr. McCALLUM: I venture to say there are not two members on the Government side of the House who have seen the files. I know the files were in great demand and I know how many of us were waiting on the doorstep to have a look at them. I know pretty well what happened to the files and I know what members perused them. It is no use the members of the Country Party saying they know what is on the files.

Mr. Latham: Yes, we do.

Mr. McCALLUM: I know you did not have them.

Mr. Harrison: That is not so.

Mr. SPEAKER: Hon. members must keep order!

Mr. McCALLUM: That is the situation we are facing to-day. The Labour Party has had to submit through the Press and from the public platform to misrepresentation and to maligning. Bogeys have been thrust up against us, and as fast as we break them down others have arisen before us. Now we find members sitting opposite imitating what they accused us of doing in the past. They proceed, however, in a more thorough manner. Members on the

Government side of the House are deprived of the right to express their thoughts and of the right to exercise their own judgment; they have to submit to decisions arrived at outside the House on matters that should be determined inside the House. That which they alleged against the Labour movement they are doing with added efficiency themselves. What has been the answer of the Government to the case put up by the Leader of the Opposition? Neither the Premier nor the Minister for Works has attempted for one moment to justify this agreement. They have not attempted to say it was a good thing. As a matter of fact, both say it was a bad business deal. They admit the agreement should never have been made. They argue, however, that because they have shed the ex-Attorney General, Mr. Robinson, they themselves are no longer responsible for this matter. Having got rid of Robinson, they ask the House to say that the present Government are no longer responsible, and that no responsibility whatever attaches to them for the actions of the Lefroy Government. There are two aspects I want to examine. I want to ask if Cabinet itself has no responsibility. Is the responsibility upon the shoulders of individuals, on Ministers separately, or is Cabinet as a whole to stand or fall together? Does the mere fact that Robinson left the Government shed the responsibility entirely from Cabinet for an action taken while Robinson was a member of the Cabinet? Cabinet has suppressed the knowledge of this secret agreement for over two years. The Premier has admitted that he knew of the position for two years but he never took the people, nor yet Parliament, into his confidence. Let me deal with the first phase. Having shed the late Attorney General, Mr. Robinson, has Cabinet no further responsibility for this matter?

The Premier: That is not the position.

Mr. McCALLUM: That would be the position if it was a Labour Government concerned.

The Premier: This Cabinet was not concerned.

Mr. McCALLUM: If a Labour Government had arrived at this decision and the Minister responsible had been passed out of the Cabinet, and even if there had been a change of Premiers, would the present Premier get up and say that it was a new Government, that because a Minister had gone and the Premier had gone, that the Labour movement was no longer responsible for the actions of the previous Labour Government? Can members imagine the Premier arguing along those lines? I fancy I can hear him arguing that it would be a new Government, and that it should not be called upon to answer for the actions of the previous Government! To-day the Premier holds the Labour movement responsible for the actions of the Labour

Government and yet he takes a former Labour Minister into his own Cabinet.

The Premier: I never said a word about it.

Mr. McCALLUM: You have said it.

The Premier: When did I say it?

Mr. McCALLUM: You inferred it right through your speech last night.

The Premier: Nothing of the sort.

Mr. McCALLUM: If that is the position, what does it matter whether Ministers are on the Opposition side of the House or on the Government side. The Premier still speaks against the Labour Government. How can the Premier follow that line of argument and expect to be freed from the decisions of the party he is associated with now? He has been associated with those gentlemen all along. How, then, can he now attempt to disown their decision? I ask the Premier, does he argue that the responsibility for this position left his Government when Mr. Robinson went out? Mr. Robinson was not dismissed from the Cabinet; had the Premier dismissed him on this account, the Premier, perhaps, could so argue. But Mr. Robinson was not dismissed; he resigned of his own volition. The Premier does not even tell us there was any difference of opinion over this between him and the Attorney General when the Attorney General was in his Cabinet.

The Premier: I did not then know of it.

Mr. McCALLUM: If the Premier now argues that he is free from the decisions of Cabinet arrived at when Mr. Robinson was in that Cabinet, is he going to hold this party responsible for the decisions referred to by the Leader of the Country Party just now, secret agreements which the Premier denounced so strongly when on this side of the House? The Premier has sitting with him now, as Minister for Railways, the man responsible for the Nevanas contract. If the Premier has shed Mr. Robinson, at all events he has adopted Mr. Scaddan. So, if the Premier denies responsibility for the Lake Clifton scandal, he has to accept responsibility for the Nevanas scandal. If he disowns Mr. Robinson and says it is not Cabinet, but the individual Minister, who carries responsibility, he has to shoulder responsibility for the past actions of Mr. Scaddan, who is the man who was responsible for the Nevanas contract, and who now is a member, both of the Government and of the Country Party. Indeed, he has been a member of every party in the House; he has gone clean round the Chamber, and now he is a member of the Government. I want to know from the Premier which line of argument he adopts. Does he say that responsibility lies with the individual Minister, or with the Government as a whole? If he says he is free from responsibility in respect of the Lake Clifton scandal, then he must accept responsibility for the Nevanas scandal.

Hon. P. Collier: The Minister for Works moved a motion of no-confidence in the Lab-

our Government on the score of the Nevanas contract, and called it mal-administration.

Mr. McCALLUM: When members opposite start to wash dirty linen——

Mr. Harrison: You have given us nothing about the Lake Clifton negotiations.

Mr. McCALLUM: The hon. member was most enlightening in his own speech. Did he not explain to us all the negotiations between Ministers and the company? He traced all the negotiations to their completion. His speech was most informative, and when he sat down no member present was more enlightened than when he began. The Premier says he refuses to shoulder responsibility for this contract. He admits that an error was made, but he asks what harm has been done.

The Premier: I did not ask anything of the sort.

Mr. McCALLUM: The Premier last night asked what harm had been done by the delay in bringing this before Parliament.

The Premier: That is quite another matter.

Mr. McCALLUM: I want to reply to the Premier's inquiry. If the Premier's statement is to count for anything at all, if his references, and those of the Minister for Works, to the ex-Attorney General are to be considered, they are tantamount to saying that the ex-Attorney General is unfit to again occupy a position of trust in this State. If the statements of the Premier and of the Minister for Works do not mean that Mr. Robinson is unfit to again occupy a position of trust in public life, they mean nothing at all. The Premier charged the Labour Government with the crime of secrecy, and said that the punishment ought to be made fit the crime. Yet the Premier now asks what harm has been done by this secrecy, by hiding from Parliament his belief that an ex-Minister was unfit to again enter public life in this State.

The Premier: I never said anything of the sort.

Mr. McCALLUM: There has since been a general election, at which Mr. Robinson contested a seat. He might have come back, re-elected as a representative of the people, in which case probably he would have again occupied a Ministerial position. Yet the Premier who accuses that man of being unfit to occupy a position of trust in the public life of the State remained silent, did not let the Parliament or the people know what this man had done. He says this man is unfit to occupy a position of trust in the State.

The Premier: I never said anything of the kind.

Mr. McCALLUM: The Premier said the Labour Government were guilty of the crime of secrecy. Yet the Premier sits back and allows this man to go out and court the suffrages of the electors, when the Premier, if we are to take his statements for anything at all, knew that the man was unfit to be here. I agree with the member for North-East Fremantle (Hon. W. C. Angwin) that the time when this should have been disclosed by the Premier was while Sir Henry Lefroy

and Mr. Robinson were still members of the Chamber; that is when the Premier should have brought down this information and told the public that he did not agree with the action of those gentlemen, and that he thought the man mainly responsible for the deal was not fit to occupy a position of public trust. But he waits until those gentlemen have ceased to be members of the House before he brings down the information. Then the Premier asks what harm has been done by the delay. Is that not harm enough? What would the Premier say if the Leader of the Opposition had acted as the Premier has done? I can imagine what the Premier would say if a Labour Government had acted as this Government have acted, had refrained from bringing down such information until after a general election, when the accused persons were not here to fight out the matter on the floor of the House. The Premier who asks what harm has been done by the delay still retains in his Cabinet the man who admits that he signed this agreement without having read it, an agreement which the Premier says is bad business and not in the interests of the people or of the State. His own Minister admits that he did not read an agreement of one clause, that he is too lazy or too tired or too incompetent to read it down; and then the Premier wants to know what harm is there in allowing the man who makes such an admission to remain in the Cabinet, to continue in a position where he can sign away £70,000 without reading what he signs. I will show later that the agreement means something more than £70,000. The Premier still keeps that Minister in his Cabinet. Hon. members say they are going to vote to retain those Ministers, although they disagree with their actions. One hon. member has said that his vote is not to be taken as an endorsement of the action of the two Ministers who remain in the Cabinet. Still, he is going to vote to keep the Government in power. Hon. members disagree with what has been done, say that it is bad business, a bad bargain, against the decision of Parliament and against public policy, but that nevertheless they will vote to keep the Government in power. Does the Premier think he has done no harm by retaining in his Cabinet the man who admits that he signed this agreement without reading it? Is that man fit to retain his position, a position in which he may do the same thing again to-morrow and every day of the year? Are the people of the State to have no more security than that? They are to go to bed each night knowing that there is in the Cabinet a Minister who is likely to land them in a similarly awkward position any day. And then the Premier wants to know what harm he has done! He is doing harm every day during which he allows the existing position to continue. Is it any worse to negotiate a secret agreement than to keep that agreement secret? Are the men who negotiate a secret agreement any worse than those who,

after learning of it, continue to keep it secret? Which are the worse? In my opinion there is no difference between the two. If one is to be condemned, let both be condemned; if one is wrong both are wrong; if one is against public policy, the other equally is against public policy. No Government who will sit down for two years knowing of something against public policy have a right to continue to hold their portfolios. In respect of the Minister for Works, before and since I entered this House, I have sat at his feet and listened to his amazing experiences. Times out of number have I heard him describe how, first, he was apprenticed as an engineer, how afterwards he became a tradesman and then a contractor. I have listened without appearing to be weary to the story of all the roads and bridges he has built, heard him recite the great engineering works he has been in charge of, listened patiently to him while he told us of the thousands of men he has had under his control, of how he ran the black goose foundry, how he became Commissioner of Railways, of his long experience as Minister of the Crown, how eventually he became father of the House, and of the ages he has spent in public life. Totting it all up, allowing for so many years in this position, and so many years carrying that responsibility, I have tried to find out who and what this Minister is. I have almost been led to the conclusion that it was he who built the ark for Noah, and I have even found myself wondering whether it was not he who tempted Eve to partake of that apple. I have been amazed at his long years of experience. We have often listened while he described to us his business acumen and his great financial experience, while he has told us of his wonderful control over his department, how he watches everything that goes through, how that nothing can happen without his being in touch with it, that indeed he knows everything that goes on; and now he comes down to the House and says, "I did not know anything about this agreement." Instead of his being a smart, keen business man, full of commercial acumen, well accustomed to controlling men, he wants us to believe that he is a poor unsophisticated way-backer.

The Minister for Works: On a point of order, Sir.

MR. SPEAKER: What is the point of order?

The Minister for Works: I object to the hon. member telling lies.

MR. SPEAKER: The Minister will withdraw that statement.

The Minister for Works: As I am out of order, I will withdraw.

MR. McCALLUM: During his speech last night the Minister told us time after time that he did not know a thing about this question.

Hon. P. Collier: He even said he did not understand the Cabinet minute.

MR. McCALLUM: When the question was put to him about railway freights, he said

he did not know that this had been fixed up without the decision to come to Parliament, and how often has the Leader of the Opposition plied him with the question as to when he first knew that it had been decided to go on with the agreement without it being submitted to Parliament! Will the Minister tell us? Though he went on and built the line—

The Minister for Works: I did not build the line.

Mr. McCALLUM: The Minister's department did.

The Minister for Works: My department did not.

Mr. Marshall: Some of your officers did.

Mr. McCALLUM: It was all done under the supervision of the Minister's officers. Does the Minister want us to understand that he did not even know that his own officials were supervising the work?

Hon. P. Collier: It grewed, like Topsy.

The Minister for Works: I do not want you to understand anything at all.

Mr. McCALLUM: If we are to understand that the Government comprises business men, if we are to believe all that has been told us in the past about all the years of experience which the Minister for Works has had on different classes of work and of all the application that he gives to his job—well, I used to believe it; I used to sit at the Minister's feet and marvel at his keen business instincts and believe all he told me, but now he has disillusioned me. Now he says, "McCallum, you were a fool."

The Minister for Works: I did not say it, but I thought it.

Mr. McCALLUM: I have not the least doubt about that, but perhaps before I have finished, the Minister will have reason to alter his opinion of me. I am merely telling the Minister what has been going on in my mind, and I would like him now to let us know when he first learnt of this agreement to purchase the line without referring to Parliament?

The Minister for Works: I will let you know.

Hon. P. Collier: When?

Mr. McCALLUM: That question has been put repeatedly and no answer has been given.

The Minister for Works: I told you long ago in my speech when I first knew, but you have not the brains to understand it.

Hon. P. Collier: Would you mind repeating it?

Mr. McCALLUM: When it comes to my turn—if ever it does—to allow a deal like this to pass under my nose and then come to Parliament and admit that I knew nothing about it, I shall acknowledge the impeachment. The Minister has admitted this more than once in his speech.

The Minister for Works: I have not, and I cannot use the correct word to describe your statement, because it would be against the Standing Orders.

Mr. McCALLUM: There are two agreements involved in the discussion and, although

the debate has largely hinged on the one relating to the taking over of the line, I wish to refer to the other agreement, which seems to be equally if not more extraordinary. The other agreement deals with the freight. It is worth while placing these facts on record, because the loss in this respect will mean much more to the people of the State than the cost of the railway itself. It will give the company greater gifts and rob the people of more money than the other agreement. This agreement was made on the 20th January, 1919, between the Commissioner of Railways and the Portland Cement Company Ltd. of Western Australia, and reads:—

An agreement made the twentieth day of January, one thousand nine hundred and nineteen between The Commissioner of Railways for the State of Western Australia of the one part and The Western Australian Portland Cement Company Limited of the other part as follows:—Subject to the conditions hereunder stated, the Commissioner of Railways agrees to carry lime for the company from Lake Clifton to Burswood at the rate of three-farthings per ton per mile, plus shunting charges at Burswood at the ordinary rates as prescribed for the time being. This agreement is subject to the following conditions:—(a) That the lime is used for the manufacture of cement. (b) That the quantity of lime consigned by the company from Lake Clifton to Burswood for that purpose shall not be less than 25,000 tons in any year. (c) That subject to the Commissioner of Railways supplying the trucks required, a minimum number of trucks, as determined by the Commissioner of Railways, will be used in transit on each train from Lake Clifton to Waroona, and that all trucks shall be loaded to their full carrying capacity for lime. (d) That the company supplies its own sheets for covering for lime, such sheets to be returned to Lake Clifton free of charge. (e) That the ruling grade of the railway between Lake Clifton and Waroona be not steeper than 1 in 75. Provided that, if in any year the quantity of lime consigned by the company as aforesaid is less than 25,000 tons, then freight for the next following year shall be at the ordinary rates for the carriage of lime for general use as prescribed for the time being. Provided also that the company shall be exempt from its obligation to carry the said minimum quantity in any year if prevented by act of God, force majeure or strikes. This agreement shall continue in force during the currency of the lease granted under Special Lease Lake Clifton Act, 1916. As witness the common seal of the Commissioner of Railways and the common seal of the company. (Sgd.) E. S. Hume, Deputy Commissioner of Railways.

I want to point out the significance of this agreement. It provides for the carting of lime at the rate of 3¼d. per ton per mile. It further provides that the Commissioner of Railways agrees to carry the lime at that price

for 42 years. The ordinary rate at the time the agreement was made was 1d. per ton per mile, but since the agreement was signed the ordinary rate has been increased from 1d. to 1½d. per ton per mile, but the charge of ¾d. to the company still remains. This is how the rates work out: From Waroona to Burswood the ordinary rate would be 8s. 5d. per ton, but the company will have their lime carted over that distance for 4s. 2d. a ton. In other words the company will receive a concession from the railways of 4s. 3d. per ton.

Hon. P. Collier: The company are charged less than one-half of the ordinary rate.

Mr. Latham: Lime is carted for nothing in New Zealand.

Mr. McCALLUM: Whereas the original concession to the company meant a reduction of only 25 per cent., namely ¼d. on 1d., at the present time it means a reduction of more than 50 per cent. Owing to the ordinary rate having increased, the company are now able to cart their lime at less than 50 per cent. of the ordinary freight. This Government of business men, this Government of men with so much commercial knowledge, these men possessed of all the business acumen, these men who wanted the miner and the blacksmith turned out of office because men with sound business training were essential, could not draw up an agreement providing for a 25 per cent. concession. No, they fixed the rate at ¾d. as against 1d., and the company are now enjoying a concession of over 50 per cent. of the ordinary rate. On the 25,000 tons minimum to be carted every year, this will mean a saving to the company of £6,400 a year, and, for the period of 42 years, it will mean a loss to the railways of £268,000. If the words of the Minister for Works may be taken as correct—and I know that there are indications that they will prove correct, as the company are already arranging to increase their plant—they are likely to carry nearer to 80,000 tons than 25,000 tons.

The Minister for Works: When did I say that?

Mr. McCALLUM: Last night.

The Minister for Works: I did not.

Hon. P. Collier: In the file you state that they expected to carry 80,000 tons a year. If they do you will lose £20,000 a year.

Mr. McCALLUM: If the Minister's anticipation is realised—

The Minister for Works: I hope I may live to see it.

Mr. McCALLUM: If the 80,000 tons are carried every year, it will mean a loss in the 42 years of £806,400.

Mr. Harrison: The same would apply to the electric light agreement.

Mr. McCALLUM: This is not a mere discussion on the taking over of a railway at a cost of £70,000. It is a matter of £70,000 plus the loss of £806,400, and this applies only in the event of there being no further increase in freights. If freights are further increased, the loss will be even greater.

The Minister for Works: What if the freights go down?

Mr. McCALLUM: There would still be some loss. I wish to remind the House that recently the railway unions have appeared before the Arbitration Court appealing for improved wages and conditions, and the whole case for the Government and the Commissioner has been that the railways are a losing proposition and cannot afford to pay. They say the railways cannot be made to pay; there is not the trade or the money in the country to make them pay. Yet here is an amount of £800,000 given away to one company alone during a period of 42 years. The workers in the Arbitration Court are faced with the argument that the railways cannot afford to pay the improved wages or concede the better working conditions. It is something more than the £70,000 that is involved. This agreement appears to be worse if anything than the other one. It was made in defiance of the wire sent from Kalgoorlie by the Minister for Railways. The Minister for Railways disapproved of the granting of this reduction in freight and the Minister for Works says he does not remember it at all.

The Minister for Works: That has nothing to do with me.

Mr. McCALLUM: Is not the Minister for Works a member of Cabinet?

Hon. P. Collier: There is a minute on the file in which Mr. Robinson says you were aware of it.

The Minister for Works: Mr. Speaker, may I say one word?

Hon. P. Collier: You cannot interrupt a member.

Mr. SPEAKER: Order!

The Minister for Works: I just want to say about 20 words.

Hon. P. Collier: What, interrupt a speaker!

Mr. SPEAKER: The hon. member must refrain from interrupting.

Hon. P. Collier: Whoever heard of such a suggestion!

The Minister for Works: There is no Cabinet minute, anyhow.

Mr. McCALLUM: The file distinctly states that the Minister for Industries wired to the Minister for Railways in Kalgoorlie stating that he had transmitted the decision of Cabinet to Sydney. The decision was that the reduced rate had been agreed to. We find, further, from the file that Mr. Oakden said there were other Ministers than Mr. Robinson who were opposed to Parliament being consulted. Who were those other Ministers?

The Minister for Works: I for one, of course.

Mr. McCALLUM: Was the Minister for Works one of them?

The Minister for Works: Of course, in your opinion.

Mr. McCALLUM: That is what I want to know. The House is entitled to know

who the other Ministers were. Mr. Oakden said distinctly there were other Ministers than Mr. Robinson hostile to Parliament being consulted. Are they still in the Cabinet? Are we to understand that there are more than the two? If this is not so, why was not Mr. Oakden's statement indignantly repudiated? There has been no denial, no answer, no case put up in reply to Mr. Oakden. Each Minister has sat down under his statement. If there was any answer, why was it not put forward?

The Minister for Works: You ask so many questions you cannot expect replies.

Mr. McCALLUM: The manager of the company even went so far as to say he would not go on with the work at all if there was any doubt about the matter going to Parliament. The Solicitor General says that Mr. Cox and Mr. Oakden waited on him and protested against Parliament being consulted. Mr. Oakden says further it was a covenant, and was the basis of the formation of the company. In a minute written on the 8th December, 1921, the Solicitor General stated to the Premier that it was emphasised by Mr. Oakden that the company would never have been floated but for the agreement of the 20th January, 1919. That was the agreement for the purchase of the railway, which, in fact, was referred to in the company's prospectus.

Hon. P. Collier: It was that agreement which enabled the company to raise the capital.

Mr. McCALLUM: Did the Minister for Works ever see the prospectus of the company?

The Minister for Works: Yes.

Mr. McCALLUM: Did not the Minister see that the Government had undertaken to purchase the line without referring the matter to Parliament? Did not the Minister know that the company were hawking this business all around the Commonwealth on the strength of the undertaking of the Government to purchase the line without reference to Parliament?

The Minister for Works interjected.

Mr. McCALLUM: That is what we want to know, and that is what the Minister declines to answer. The affair was hawked all over the country, and was put up as a scheme to invite the subscription of capital to the company. It was said that the Government had agreed without reference to Parliament that the line was to be taken over. I do not think anyone who has read the files can come to any conclusion but that this was so. A lot was said that does not appear on the files.

The Minister for Works: Of course there would be.

Mr. McCALLUM: Even at the commencement Mr. Nathan said that a certain gentleman had recently visited the State, and that his negotiations had been successful.

The Minister for Works: When you came to me about Trades Hall affairs there was a devil of a lot said.

Mr. McCALLUM: It would be more interesting to know what has been left off the files than what is on them.

Hon. P. Collier: Are there any other secret agreements we do not know anything about?

The Minister for Works: Any amount of them; millions!

Mr. McCALLUM: The company admits that extracts from the files were sent to them, that confidential minutes were supplied to them by a Minister of the Crown, and that these were sent to Sydney and returned by the company. They tendered their thanks to the Minister for Industries for the confidential minutes he had sent them. When we ask the Minister for Works what he has to say he merely replies, "It is not playing the game."

The Minister for Works: It is not playing the game.

Hon. P. Collier: Nothing more serious than that!

Mr. McCALLUM: Merely that it was not playing the game. Fancy a Labour Government sending confidential minutes to a company in Sydney, and supplying one of their own clients with confidential information of this nature! The Minister for Works would have stood up and cried "That is not cricket; it is not fair." Why is there this interest on the part of Ministers, this anxiety to shield an ex-Attorney General? Why is the Minister so smooth in his tongue concerning that gentleman? Why does he not attack him as he would attack any other man? Is there any reason for his silence? Why, when such strong action is taken that every honest man would disapprove of, does the Minister only say, "It is not playing the game"?

Hon. P. Collier: And that is all.

Mr. McCALLUM: Is there any reason for this hesitancy?

The Minister for Works: No!

Mr. McCALLUM: Why is there a different attitude towards this gentleman than there would be towards any other man who had acted in a similar way? Do Ministers look upon Mr. Robinson as different to my colleagues here?

The Minister for Works: Certainly not!

Mr. McCALLUM: The Minister says, "It is not playing the game," when action of this description took place.

Hon. P. Collier: That is not the action he would take against us.

Mr. Troy: Why did you not take action when you first knew about it?

Mr. SPEAKER: Order!

Mr. McCALLUM: I do not know why Ministers adopt this attitude. If they do disapprove of what has been done why should they show any anxiety to shield this ex-Minister? They throw the responsibility upon him, but the entire responsibility cannot be placed upon his shoulders.

The Minister for Works: They pay more attention to what I say than to all that may be said outside.

Mr. McCALLUM: I do not know.

The Minister for Works: I do.

Mr. McCALLUM: Perhaps the Minister thinks that the abuse he levelled against Labour Ministers was of no effect, that the electors took no notice of it, and that after all he did not mean it and that he was merely toying with them, that when he denounced them and accused them of all the crimes in the political calendar he did not mean it, but really meant that they were a fine body of men. Now, if he could have sheeted home to them anything like this the roof would not have stayed upon the Chamber. His wrath would have lifted it clean off. Why is it that the Minister is so anxious that nothing severe should be said?

The Minister for Works: I am not anxious.

Mr. McCALLUM: The whole speech of the hon. member indicates that it is not playing the game to send out these confidential minutes; "my minutes," as he called them.

Hon. P. Collier: Just that and nothing more.

Mr. McCALLUM: He knows that they were sent away, and all he says is that it is not playing the game. The Premier has stated that this is the first opportunity he considered had occurred for him to bring this matter before Parliament. I ask the Premier, if he had employed a managing director, to run a company for him, and that managing director came down to the shareholders and presented two successive balance sheets, each of which omitted all mention of a liability of £70,000 standing against the company, what would he have said to that managing director?

The Premier: They had no right to claim anything until now.

Mr. McCALLUM: The liability was there all the time. The Premier has come down with two financial statements, and this is the second of his Loan Estimates, before mentioning the matter.

The Premier: I could not ask the House to vote the money before it was due.

Mr. McCALLUM: I do not suggest he should ask the House to vote it. The least he could have done was to advise the country that this £70,000 would be falling due in the future.

The Premier: It was not due.

Mr. McCALLUM: The liability was there, and the Premier knew of it two years ago. It is only on the second occasion of his bringing down his Loan Estimates when he cannot put it off any longer, that he advises the people of what has been done.

The Premier: Everything is right. When the money became due I asked Parliament to vote it.

Mr. McCALLUM: Yes, at the death-knock, at the very last moment, when he could not do otherwise. If he had not made provision now what would have happened? The House should have been acquainted at the very first opportunity when the Premier's first financial statement was presented to Parliament. The House should have been made aware of the matter as soon as the Premier discovered it.

The Premier: It could not be done.

Mr. McCALLUM: When the Premier was on this side of the House he complained about secret contracts made by the Labour Government. He said "How many more are there?"

The Premier: I have not made any contracts; remember that.

Mr. McCALLUM: This is the second secret contract within two weeks that we have been made aware of. There was the Kurrawang secret contract which came under our notice a week ago.

The Premier: What nonsense you talk!

Mr. SPEAKER: Order! I cannot allow that topic to be discussed.

Mr. McCALLUM: I am only mentioning it as another of these contracts. The information was only dragged out of Ministers by means of questions. Then we have the fact that the sale of the "Kangaroo" could have been effected and two other boats purchased for the money, and that £190,000 was spent in alterations, the total running into about half a million pounds. When the question was asked by the member for North-East Fremantle in this House the whole thing was denied. It was stated that no offer was made.

Hon. P. Collier: It was deliberately untrue.

Mr. McCALLUM: Yes. Who has the most right to ask how many more secret contracts there are; the other side of the House or this side?

The Minister for Works: You are asking it.

Mr. McCALLUM: I am only repeating what the Premier said when he was on this side of the House.

The Minister for Works: But not for the same reason.

Mr. McCALLUM: Are we not right in putting the same question to this Government?

The Minister for Works: Put it.

Mr. McCALLUM: Is it not passing strange that Mr. Hedges and Mr. Robinson, the two gentlemen who stand out in the matter of these contracts, are relatives.

The Minister for Works: Well.

Mr. McCALLUM: Was it a coincidence?

The Minister for Works: You might have been a relative if you had married into the family.

Mr. McCALLUM: And I might have been in the contracts.

Mr. SPEAKER: Order! The Minister must contain himself and maintain order.

The Minister for Works: I cannot contain myself.

Mr. SPEAKER: The Minister must do so if he wants to remain in the Chamber.

The Minister for Works: I will try to do so.

Mr. McCALLUM: If Ministers do honestly, sincerely and thoroughly disagree with what has been done, and if they are opposed to the agreement which has been entered into, how is it that a Cabinet Minister can get off scot free? If an ordinary mem-

ber of a road board overstepped the law and did anything without proper legal sanction, he would be held personally responsible for what had happened, but not so in the case of a Cabinet Minister.

The Premier: I hope you are not responsible for all you say.

Mr. McCALLUM: How differently is a Minister treated! Other Ministers do not seem to take any notice at all. Secret conclaves are held outside the House, and instructions are given as to the vote before any case is actually put up in support of the motion of which notice was given last week by the Leader of the Opposition. I hope the House will not tolerate the reference of this matter to a Royal Commission. This would be merely providing something soft upon which the Government would fall. The information is all here, and full particulars have been given to the House. It is up to the Government to take the necessary action. If the Government think that the action of any of their Ministers is wrong they should ventilate the matter in the interests of the country. There is a law in this land under which these things can be tested and decided. There is no necessity to set up any other tribunal to deal with the matter, and cause additional expense to be incurred. Everyone is in possession of the full facts, and there is no necessity for any further expense. The law should be put into motion, in the same way as it would be in the case of a member of an ordinary road board. I know the Minister for Works has said nothing we do on this side will have any effect; the votes are there and that the whole thing has been decided outside.

The Minister for Works: I never made that statement.

Mr. SPEAKER: Order! The Minister takes exception to that remark.

Mr. McCALLUM: I withdraw it. The Minister knows that all the talk that can emanate from this House cannot influence the vote on the other side.

The Premier: Oh, yes.

Mr. McCALLUM: He knows that instructions have gone out, and that a decision was arrived at before Parliament met.

The Premier: No instructions of any sort were given.

Mr. McCALLUM: It was arrived at before the Leader of the Opposition had spoken. It is our duty, sitting in opposition, to take what action is open to us, to let the people know all about this matter and to give them the facts of it. I hope when the people have an opportunity they will awaken to the situation and reverse the vote they gave in March of this year.

Mr. MONEY (Bunbury) [8.58]: I will endeavour, in treating with this transaction, to show whether it is deserving of a vote of censure at the hands of the House. It has been somewhat difficult to follow the various

speakers, because many interpretations have been placed upon the transaction. Ministers are not altogether at one.

Hon. P. Collier: Not quite. There is just a little difference between them.

Mr. MONEY: One little thought when this question of utilising lime for the agricultural districts was brought up some 10 years ago, that it would give rise to such a discussion as we have had to-night. The object at the back of the Special Lease (Lake Clifton) Bill was to supply the farmers with agricultural lime. Safeguards were included in the Bill with regard to the quality, the fineness and the dryness of the lime. Something was done in April, 1916, by means of an agreement, and ultimately this agreement appeared in the Bill that was brought before the House. The Act was passed at the end of 1916. What we have to consider is what was done subsequent to the passing of the Act, and whether the action taken came within the four corners of the authority given by it. Undoubtedly, prior to the agreement subsequently entered into, other agreements were drafted, and negotiations were going on. But they were all abandoned, these prior negotiations, these prior agreements containing 12 or 14 clauses concerning which we have heard so much. None of them has anything whatever to do with the agreement entered into on the 19th January, 1919.

Hon. P. Collier: There was a Cabinet decision on the 16th January, and an agreement was signed on the 20th.

Mr. MONEY: All the talk about previous negotiations has nothing whatever to do with the case.

Hon. P. Collier: Like the flowers that bloom in the spring!

Mr. MONEY: That agreement entered into on the 20th January is very simple. It consists of one clause, which follows the very Act of Parliament itself. There is nothing else—no exception, no addition, simply a carrying out of the Act in the simplest words possible, in the very words of the Special Lease (Lake Clifton) Act, 1916. It was said that the agreement should have contained a clause providing for the submission of the agreement itself to Parliament. That view, probably, has arisen in consequence of all those prior negotiations, those prior draft agreements which were arranging for a variation of the authority in the Act of Parliament. There was an intention to deviate the line to Pinjarra, instead of building it from Lake Clifton to Waroona; and there were other variations not provided for in the Act. I think it quite possible that Ministers were so engrossed with those draft agreements, which they had had before them for some considerable time, and which they knew would require the ratification of Parliament, that ultimately they thought any agreement whatever would require parliamentary authority. But Ministers say, "No, that was not so; we said the agreement must be in accordance with the letter from the Under Secretary for Lands and in accordance with the

minutes of Cabinet." Now let us see what are the minutes of Cabinet. One of them says—

The statutory agreement should not be varied.

What does that mean? That the lease in the Act of 1916 should not be varied. That is the first minute.

Hon. P. Collier: It cannot mean anything else.

Mr. MONEY: The second minute states—

The Government agrees to purchase on the terms set out in the letter of the Under Secretary for Lands of the 31/5/1918 under the authority of paragraph 13 of the authorised agreement under the authority of the Act.

In view of the prolonged negotiations and preliminary agreements, I can quite understand that it was taken for granted that parliamentary authority was necessary. But there is nothing in those minutes to warrant such belief. When the Leader of the Opposition was dealing with this point, I said as much to him by way of interjection. Now let us look at the letter of the Under Secretary for Lands which is said to govern the transaction, and which is further said to impose a necessity for coming to Parliament. The first paragraph of that letter reads—

In reply to the recent correspondence addressed by you to the Hon. the Premier with regard to the Lake Clifton agreement, I have the honour, by direction, to inform you that the agreement cannot be varied without the authority of Parliament.

The effect of that first paragraph is this: "If you want to alter this agreement, which is already in an Act of Parliament, you have got to go to Parliament to get it altered." Parliament would be meeting shortly, and a Bill could be introduced. But I want to draw particular attention to the fact that his first paragraph deals with amendments. It is not a confirming agreement, it is not an assuring agreement; it is an amending agreement. I need hardly say that if we are amending an Act of Parliament, we are altering it, and not confirming or confirming it. An amendment of an Act of Parliament which did not alter the Act would not be accepted by the standing Orders of the House or by common sense. The second paragraph of the Under Secretary's letter reads—

The Government is anxious to facilitate operations, and is willing to submit an amending Bill to Parliament, provided that you and the Government can agree upon amendments likely to be acceptable to the House.

There is a suggestion in that paragraph, "You and we come together and agree upon what amendments you want in the lease which is already authorised by the Act, and we will submit an amending Bill

to the House." But that did not eventuate; there was no alteration asked for ultimately. It was decided to abandon all amendments and all variations, and to accept the authority which was already laid down in the Act of Parliament, thus avoiding the necessity of again coming to Parliament. In the course of discussion it had been mentioned that it would not be advisable to approach Parliament again. Thus there is a clear confirmation of the decision to keep within the four corners of the Act already passed by Parliament. Paragraph 3 of the Under Secretary's letter reads as follows:—

With regard to the proposal that your company should build the line, and that the Government should take it over at cost in exchange for debentures bearing interest at 5½ per cent., the Government feel that this proposal would not be endorsed unless it had the assurance that work would be in actual operation, thus providing traffic for the railway. Consequently it is suggested that you amend your offer to provide that the railway to be built by you be taken over by the Government on the terms you suggest, after the necessary plant and machinery for the lime and cement works have been actually established as a going concern, thus securing traffic to the railway.

I want to draw attention to that paragraph. There is no reference in it to any amending Bill. This is a provision emanating from the lease itself. The lease itself says that the railway may be purchased by the Government.

The Premier: After it has been built.

Mr. MONEY: It does not say so; that is the point. I was not in the House when the Act was passed.

Mr. Underwood: The Act says so.

Mr. MONEY: I do not know quite what the Act means. I know what the Act says, that at any time during the lease the Government can purchase the railway. I have known people purchase a motor car before it has been constructed. Many sales of motor cars are effected before the construction of the cars. It is beyond argument. Motor cars are quoted to be built in six months' time, and to be delivered in eight or nine months' time. There is nothing in that paragraph referring to any amending Bill whatever. The paragraph has reference to the purchase of the railway, which purchase is mentioned in the lease itself under the Act. Now, what is the next paragraph in that wonderful letter?

If this suggestion meets with your approval, steps can be taken to prepare an agreement to form the basis of an amending Bill to be submitted to Parliament early in the coming session.

That is the whole letter. All the paragraphs of the letter are entirely separate.

Paragraph 1 is on one subject; paragraph 2 is on two subjects; paragraph 3 is on a different matter again; paragraph 4 covers the lot, saying that if it is necessary to have an amending Bill, the measure can be prepared to come before the House promptly. However, that was not necessary because the letter was not acted upon, because the parties did not come together for any greater powers, because they did not agree to alter the conditions of the lease.

Mr. Underwood: They did. The Government as much as said, "We will buy," instead of "We may buy."

Mr. Troy: Yes; it is a different matter altogether.

Mr. MONEY: As admitted, I think, in this House, the agreement entered into is to purchase this railway from Waroona to Lake Clifton at cost of construction.

Mr. O'Loughlen: Did you ever contemplate that it would be purchased?

Mr. MONEY: I do not know.

Mr. O'Loughlen: You must have contemplated it.

Mr. MONEY: What does the hon. member expect? I am not like him. I come to this House, and on the files before it, and on the information which has been given, I simply deal with what the transaction actually is.

Mr. O'Loughlen: But did you imagine that the railway would be purchased?

Mr. MONEY: I do not imagine. I merely look at the facts.

Mr. Troy: Does the agreement compel the Government to purchase?

Mr. MONEY: Undoubtedly it does.

Mr. Troy: But does the lease?

Mr. MONEY: No; but it gives authority to purchase.

Mr. Underwood: The lease merely says that "it shall be lawful."

Mr. MONEY: "It shall be lawful." If it is lawful, one can do it; if a thing is not lawful, one cannot do it. I now quote from the Act of Parliament itself—

Provided that at any time during the currency of this lease—

And I may say that the lease started on the 1st January, 1919, or earlier—

it shall be lawful for us to purchase the said railway at a sum equal to the cost of construction less depreciation as determined by the actual condition of the line. For the purpose of this provision the cost of construction and depreciation shall be fixed by the Engineer-in-Chief or such other officer as for the time being shall be in charge of the construction of Government railways.

That is clear. Under that contract, which forms part of an Act of Parliament, it is lawful for the Government to purchase. That is entirely in accordance with that particular paragraph 13, to which reference

has been made, and it says that the Government will purchase upon the completion of the railway and after the railway has been in operation a matter of six months. It does not say that debentures are absolutely optative, but that if the Government desire to pay by debentures in place of cash the vendors will accept debentures. That is simply a contract entered into in the very words of the Act of Parliament. That, for the moment, is the contract. We have been told that another contract was entered into with regard to freight. It seems imperative, upon the railway being taken over by the Government, that a further contract should be entered into relatively to freight. In reference to this subject it is stated—

In the event of our purchasing the railway, provision shall be made for the carriage thereon of lime and cement for the lessee at rates not to exceed the current rates for the time being on Government railways, and facilities of transport equal to those existing at the date of the commencement shall be continued.

The contract of freight is, therefore, imperative; and I feel no surprise whatever that while the other contract was going on, the feature was noticed, that to make the other contract complete one must carry out that imperative "shall," as otherwise one might be carrying out in detail the authority contained in the Act. As to the freight itself I know nothing about it, do not know whether it pays or does not pay. But in reference to the whole transaction some argument had to be carried out under the Act itself. I do not say it was originally anticipated that the cement works would be at Lake Clifton. I have no doubt that when the measure was before Parliament in 1916, it was never anticipated that the cement works would be located near the city of Perth. Parliament had no idea of any such thing. In fact, nothing of the kind is mentioned in the Bill introduced because it is really for the carriage of lime and cement. The vendor of the cement does not pay the charges on the carriage of the commodity to Perth, but it is the purchaser who pays. Undoubtedly it was anticipated that all the lime and all the cement from these works would be railed from Lake Clifton to where it was wanted in Western Australia. Subsequent to this contract fresh arrangements were made and I have no doubt that in making the contract with reference to freight, it would be considered whether the works should be at Burswood or at Lake Clifton. I have no doubt that the consideration which weighed in fixing the cheaper rate was that if the lime were manufactured on the spot at Lake Clifton, the payments in freight, which would be received by the Government if the cement works were erected at Burswood, would not go to the Government. It may safely be asserted that that aspect was taken into consideration in fixing the freights.

The Minister for Works: There was a suggestion that the works should be erected elsewhere.

Mr. MONEY: At the time, we had expected that we would have decentralisation, but again we were disappointed in that the cement works were established in Perth.

Mr. Angelo: You would have had them elsewhere if they could have got the machinery.

Mr. MONEY: In any case, we in the South-West lost the works. I do not care who brings forward a proposition, whether it be for the establishment of freezing works or cement works or anything else, it seems that they can only go to Perth or the metropolitan area.

The Minister for Mines: What would Nevanas say about that?

Mr. MONEY: It might have been mentioned that it would have been better had these works been erected nearer to the source of their coal supplies. Instead of that, all the coal and all the lime necessary for the manufacture of cement comes to Perth. This is only one of the many examples we have had during the years past. We saw it when it was suggested that the bunkering trade should be taken to the port nearest to the coal supplies, but instead of that, coal has to be hauled through to Perth at a loss for years past rather than provide the facilities at the natural port.

Mr. SPEAKER: Order! The hon. member is dealing with a matter outside the discussion before the Chamber.

Hon. W. C. Angwin: You could not tell a private company where it was to erect its works.

Mr. Troy: In any case, what sort of a speech is this? What are you aiming at?

Mr. MONEY: I am only dealing with the facts as I find them. They are simple. In referring to the agreement, and the minute of Cabinet which has so freely been discussed, I cannot see that there is anything in the minute suggesting that the contract was to come before Parliament. If we analyse the letter of the Under Secretary for Lands, which has been so frequently mentioned, I think it will be found that it only refers to an amending Bill.

Mr. Underwood: Will you read the first paragraph?

Mr. MONEY: If it referred to an enabling Bill, it would say so.

Hon. T. Walker: Will you read Mr. Sayer's minute?

Mr. MONEY: It refers to an amending Bill.

Hon. W. C. Angwin: Hear, hear! I agree with you there.

Mr. MONEY: I do not know what was in the minds of Ministers. I imagine they thought it had to come before Parliament.

Mr. Underwood: Will you read the letter from the Under Secretary for Lands?

Mr. MONEY: If I can clear this matter up—

Hon. P. Collier: Do not try; it will take too long.

Mr. SPEAKER: Order! The hon. member has already read that letter.

Mr. MONEY: Certainly. I have, but I think I can refer to it again.

Hon. P. Collier: It is only waste time.

Mr. MONEY: The Under Secretary's letter states in the opening paragraph that "the agreement cannot be varied without the authority of Parliament"—

Mr. Underwood: That is sufficient; you need not read any more.

Mr. MONEY: Unless we were to vary the agreement, it would be a confirming Bill; it would not be an amending Bill. Regarding the statements which have been made during the course of the debate, I cannot approve of the innuendoes which have been hurled around regarding someone who is not in this House. In the words of Isaac Disraeli:

"Reputation, that false and idle imposition, obtained

Without merit and lost without deserving."

If a man has not the power to answer imputations against him, we should be extraordinarily careful not to make them. It is not fair; the man is not here to answer them. I remember the days when the late Engineer-in-Chief, C. Y. O'Connor, was slated in this House. We look upon that as one of the greatest shames in our history, for he was politically murdered.

Mr. SPEAKER: Order! That has nothing to do with the motion before the House. I cannot allow the member to proceed along these lines.

Mr. Wilson: You do not put C. Y. O'Connor in the same category as the other fellow?

Mr. MONEY: That just shows the prejudice that exists.

Mr. Troy: We admit they were both engineers.

Mr. SPEAKER: Order!

Mr. MONEY: Let us be careful in making these innuendoes and allegations against a man outside the House. Half the discussion, in my opinion, has been directed against a gentleman not mentioned in the motion at all.

Mr. Troy: Who is that?

Mr. MONEY: I have known the Leader of the Opposition for a long time, and last night he said that certain letters were signed by the ex-Attorney General. I am sure that to-night he would express his regret at having made those assertions.

Mr. Troy: How do you know?

Mr. MONEY: I think I do.

Mr. Troy: Why so?

Mr. MONEY: Let the hon. member leave that aspect to his own leader. I trust him in such a matter. When a serious allegation is made, and it is not true, it is just possible that others may not be true. Let us therefore be careful. I warn this House against accepting statements against others unless

the persons referred to are present to answer the allegations. As to the general transaction covered by the motion, we can boil it down to this: The Government of the day in 1919 exercised their right in the interests of the State. As I understand the position it was this: At the time the special Lake Clifton lease was entered into, Western Australia required a huge amount of cement. We were sending thousands of pounds out of the State in order to import cement. It was of great benefit to Western Australia to have cement works of our own, and so prevent that money from going outside the State. The company, so it appears to me, were not in a position to carry out the works, as they had not the capital. The company approached the Government with a request that they should build a railway. The Government said they could not do so and the company put forward the proposition that if they built the line, the Government should exercise their option to take the railway over six months after the works had been in operation. Undoubtedly, the negotiations proceeded along those lines and it was decided that the Government would purchase the line six months after operations had been commenced.

Mr. Willcock: The Ministers say they knew nothing about it.

Mr. MONEY: The agreement speaks for itself. We cannot say what was in the minds of anyone, but we can go on documentary evidence. We have it in black and white before us. This shows that the Government decided to do this.

Mr. Willcock: Ministers say they did not so decide.

Mr. MONEY: It was in the interests of the State.

Mr. Willcock: The Minister for Works said it was not.

Mr. MONEY: I do not know whether it was an error of judgment or not, but if I could get the other man's capital to build a railway, I would do it every time, because the State would reap the benefit without expense to the State. Apparently the great obstacle raised in connection with this matter, is that the people's money was used for the acquisition of a railway. I think we can take it that had this deal not gone through, we might not have had the cement works established in Western Australia. The mere fact that those works are established must be of advantage to the State. Whether the freight charged represents a payable proposition, I cannot say, but for many years past certain material has been carried over the railways for a farthing a mile and other essentials have been carried for a half-penny a mile, whereas the company's commodity is carried at three-farthings per mile. By way of illustration, I say it would be of advantage to the State if another essential in the shape of gravel, which is required for the roads, was also carried over the railways at such a cheap rate.

Mr. SPEAKER: Order! The hon. member must keep to the motion. I cannot al-

low him to continue with so many illustrations.

The Minister for Mines: Did you say that you wanted asbestos down below?

Mr. MONEY: I do not think we should worry so much about something that happened two years ago; what we have to go upon is what we have in black and white before us.

Mr. JOHNSTON (Williams-Narrogin) [9.29]: Had I caught your eye earlier, Mr. Speaker, I would have gone more fully into the negotiations between the company and the Government and matters affecting the construction and purchase of the railway and the question of freight over the line. As the matter has been thrashed so fully from the Opposition side of the House, however, I do not propose at this late hour to cover the lengthy negotiations in the course of my brief remarks. I do wish to give reasons why I as a member of the Country Party intend to vote against the motion which has been tabled by the Leader of the Opposition. My reasons are certainly not those that have been ascribed to us on this occasion. I am speaking for myself. As a member of the Country Party I say it is not because we approve of the expenditure of the people's money without the authority of Parliament. Parliamentary control of expenditure is a principle this party stands for, and I believe had this transaction been made public whilst the Government that entered into the contract were in office, we would have shown them so in no unmistakable manner; so, too, had the present Government been the Government responsible for those transactions. It is certainly not because I approve of this railway being built ahead of those authorised as far back as 1914 in defiance of the resolution of Parliament. This is a matter about which I feel very sore, because I know the necessities of large bodies of settlers in many parts of the State who have been awaiting the authorised railways since their authorisation as long ago as 1914. We find with amazement that this company entered into negotiations with the Government and, in consequence, the railway has been built practically by the Government, and now the Government have taken it over; and so the company has its railway, whilst those settlers who have been waiting seven and eight years have no railway at all and do not know when they are to get railways. Mr. Robinson had a desire to establish a secondary industry giving employment to, perhaps, a couple of hundred people in the city. The expenditure of this £70,000 on other railways in accordance with the expressed desires of Parliament would probably have given employment to a couple of thousand persons in a primary industry.

Hon. W. C. Angwin: There are in the Cabinet four Ministers who built this railway.

Mr. JOHNSTON: But not who committed the country to it. The country was committed to it by only two of them. No member of this party is involved.

Hon. P. Collier: By a sheer streak of good luck!

Mr. JOHNSTON: I compare unfavourably the preferential treatment which this company has received at the hands of the Government for the establishment of this secondary industry with the efforts which another company has made to secure support from the Government for the assistance of the industry of wheat growing. For two or three years has the Grain Elevators Company been trying to establish bulk handling in this State.

Mr. SPEAKER: I cannot allow the hon. member to proceed with that.

Mr. JOHNSTON: At any rate, the elevators company has not secured any support from the Government. I especially condemn the expenditure of this £70,000 when I think that it could have been much better expended on the establishment of the bulk handling system. I condemn utterly and entirely this agreement for the carriage of lime at a specially low rate, when I find that the cheap rate applies only to lime taken from Lake Clifton to Burswood for the manufacture of cement, whilst lime taken from Lake Clifton to the farming districts has to pay double the freight. I condemn the Commissioner of Railways for having signed such an agreement.

Hon. P. Collier: It was the Government, not the Commissioner.

Mr. JOHNSTON: At any rate I condemn the giving of this company exemption from increased freights for 42 years, whilst all other freights are being increased almost annually. To-day the company is paying only half the freight which other people have to pay for the carriage of lime, except lime for fertilising; and when I see how rapidly freights generally are increasing, I tremble to think what the disproportion will be at the end of the term of 42 years. If any freight concession was to be given, the men who have been bearing the burden of opening up the back blocks were entitled to it before this wealthy Sydney corporation which has managed to enlist the sympathy of so many influential gentlemen in the Government. Above all do I resent the repeated statements of the member for South Fremantle (Mr. McCallum) that we in this party are voting for the Government because we are not free to do otherwise. The hon. member knows better. He knows the platform, not only of his own party, but of every other political party; and he knows that when the Nationalist movement was formed it was specially laid down that every member should have complete freedom of political action. The Country Party have always had complete freedom of political action except, as in the case of the hon. member's own party, in matters affecting the party platform. When the party meets

together to decide the best way in which its platform can be carried into operation its decisions are binding. The fate of the Government does not come into consideration in the platform of the party. Unless it is a question concerning some plank of that platform, every member has complete freedom of political action.

Mr. McCallum: Were you at the caucus meeting yesterday?

Mr. JOHNSTON: I was at a meeting, and I want to say—I am sorry the Premier did not say it—that the report in the "West Australian" of that meeting is certainly untrue. I am not at liberty to say anything more, but I cannot sit quiet and hear it stated that the report referred to was correct in detail.

Mr. McCallum: They say you were the black sheep.

Mr. JOHNSTON: I want to emphasise again that I and other members of the party have always claimed freedom of political action. These charges made in the House that members are coerced constitute one of the factors which bring Parliament low in the eyes of the people. I am not supporting the Government in this matter for the reasons suggested by the remarks of the Leader of the Country Party, namely, that somebody else did something of a similar nature in years gone by. That reason does not appeal to me. I am supporting the Government in this because the Country Party and the Nationalists are in coalition with Sir James Mitchell and the party supporting him. The agreement between us has not been running very long. It was only entered into or renewed immediately after the last general election. If ever the time should come when the members of the Country Party are not satisfied with the Administration, they have under their own constitution an honourable and proper method of withdrawing from it. I do not suggest that such a thing is likely to occur immediately, but if ever we should desire to take that action, it will be on our own initiative, and not at the suggestion or command of the Leader of the Opposition.

Mr. McCallum: What about Monger? He is the man who would tell you what to do.

Mr. JOHNSTON: He would not tell us what to do, any more than was he the man who told us to enter into it. In fact, the original coalition between the Country Party and the Nationalists was entered into by the Country Party at a time when Parliament was not sitting, and when they had to take the responsibility on their own shoulders.

Mr. SPEAKER: I am afraid that has nothing to do with the question before the House.

Mr. JOHNSTON: The reason why I am supporting the Government in this is that we are in an honourable alliance with the Ministry, and that we have three members in the Government, none of whom is in any way associated with this contract. It is not likely that I or other members on these

cross benches would turn out those three Ministers for an action taken before they entered the Ministry.

Hon. P. Collier: Are you not concerned about the other Ministers?

Mr. JOHNSTON: I take it that is a question to be considered later. There may be a reconstruction. Apart from this Lake Clifton affair, I have found the Minister for Works to be one of the best administrators in the Cabinet. The Leader of the Opposition wants us of the Country Party to turn out of office three Country Party members for something done before they entered the Government.

Hon. P. Collier: What about the first part of the motion, which censures only the two Ministers responsible? Can you not support that?

Mr. JOHNSTON: The hon. member knows what would follow, under the Cabinet system.

Hon. T. Walker: If your three good men are associated with two bad men, what then?

Mr. JOHNSTON: I remind the Leader of the Opposition of the Biblical history of Sodom and Gomorrah. There was a city of many thousands of people, and Providence ordained that if seven good men were found in that city, all should be saved. Here we have a Government, three members of whom have not been attacked at all. Yet we are asked to condemn all.

Hon. T. Walker: That is the worst thing ever said about the Government—to compare it to Sodom and Gomorrah.

Mr. JOHNSTON: Even the Leader of the Opposition has not thought to put any serious blame on the Premier in this matter; yet in face of that he asks us to turn down our colleagues in the Government.

Hon. P. Collier: Will you not even come half-way?

Mr. JOHNSTON: I do not propose to do so. But the reason which actuates me as one of a solid party—if we are solid—behind the Government is because we are in this coalition, and while it lasts—I do not know how long that will be—it will certainly be loyally observed from these cross benches.

[The Deputy Speaker took the Chair.]

Mr. TROY (Mt. Magnet) [9.45]: I do not propose to discuss whether the agreement means that the Government must purchase this railway or not. It is generally admitted that the Government must purchase the railway. The agreement has been signed with Cabinet authority and the Government must purchase the railway. My complaint is that the purchase of the railway and the agreement entered into with regard to freights is a very bad thing indeed for the country. I intend to vote for the motion, because of the fact that the members who comprised the then Government and who are members of the present Government betrayed the best interests of the people of this State, inasmuch as one of them consented to the agreement

and has admitted that he signed the agreement without knowing its purport, and the other Minister carried out the terms of the agreement knowing that the country had been betrayed. Ministers have said that they intended, when the agreement was approved by Cabinet, that the railway would not be purchased, except with the consent of Parliament. Yet throughout all the correspondence which took place, throughout all the negotiations and throughout all the interviews, it is significant that the company laid down one principle and that was that the Government must purchase the railway without the consent of Parliament. Is it possible that the Ministers negotiating in this business for six months were unaware of the company's decision in that matter? When Mr. Lefroy was in Sydney—I think Mr. Gardiner was with him—Mr. Oakden, the general manager of the cement company, interviewed them and pointed out that the company were unwilling to go on with the work, unless the Government would purchase the railway without the consent of Parliament. Mr. Oakden states that the Premier and other Ministers held that it would be highly objectionable to submit the agreement to Parliament. Right through the whole of the correspondence on the file, one finds that vital principle emphatically laid down by the company, that the railway must be purchased by the Government without the consent of Parliament. Yet we are asked by the Minister for Works to believe that he, a Minister in this Cabinet, and that Mr. Colebatch, a Minister in another place, knew nothing about this vital principle.

The Minister for Works: That is not said at all.

Mr. TROY: It is said.

The Minister for Works: It is not.

Mr. TROY: The Minister for Works stated that when Cabinet accepted the agreement, they agreed that, if the railway was purchased, it must be with the consent of Parliament.

The Minister for Works: That is so.

Mr. TROY: The Minister knows very well that, throughout the whole of the file, the one question of difference which stands out and which was repeatedly discussed was that the company would not go on unless the Government purchased the railway without the consent of Parliament.

The Minister for Works: We did not deviate from the intention.

Mr. TROY: The agreement shows that the intention was deviated from inasmuch as the Government have now to find £70,000 for the purchase of the railway. If the Minister for Works and Mr. Colebatch had in view the fact that no agreement should be made unless the question of the purchase was to be referred to Parliament, why did not Mr. Colebatch, who was aware of all this conflict of opinion and who must

ave been aware of the whole of the negotiations, scan that little agreement of the clause and make sure? That was the vital question and yet Mr. Colebatch signed the agreement of one little clause and did not know what he had signed.

The Minister for Works: He had the certificate of his own officers.

Mr. TROY: He had the certificate of the Attorney General, but he knew perfectly well it was not his business to sign the agreement without knowing the facts. If he had read the agreement, he could have seen that that which the Minister states should have been provided was not provided in the agreement. We are told that Mr. Colebatch must escape, that he is not responsible, that he is a man with no sense, with no understanding, with no intelligence or sense of responsibility.

The Minister for Works: Not at all.

Mr. TROY: What else are we asked to believe? Members on the Government side are asked to vote for the retention of Mr. Colebatch in the Ministry on the ground that he is a stupid man and not responsible for his actions. Mr. Colebatch has been the cause of repeated blunders in administration. This is not the first time he has fallen low. This is not the first blunder he has made. What has happened is that the Premier has kept this matter dark, and his Ministers have kept this matter dark for so long years. Why? Because Mr. Colebatch, their associate and colleague, is mixed up in the business. The strong friendship existing between the Premier and Mr. Colebatch is well known. It is well known that Mr. Colebatch's record is one succession of great blunders. Yet the Premier, from a sense of loyalty to his colleague, has kept this matter dark, because to divulge it would have meant that Mr. Colebatch would have been thrust out of the Ministry. We are asked to say that a Minister, who in the absence of his colleague was acting Premier, had no sense of responsibility in a matter of this character, and must escape, either because he had not time or was too lazy or too indifferent to scan the agreement which means so much to the State and which will cost the State £70,000 for the building of the railway and £270,000 by way of railway freights. In spite of this, Mr. Colebatch must remain in the Ministry. If ever there was any occasion in the history of a country when a Minister should not remain in the Government, that occasion is the present. That is why I support the motion. No member on the Government side of the House can controvert my statement. No one can justify Mr. Colebatch's laziness or irresponsibility.

Mr. Teesdale: He was too busy, I suppose.

Mr. TROY: If Ministers go round the country attending zoological conferences in Adelaide, bowling tournaments in Hobart, and A.M.P. meetings in Sydney, and then seek to excuse themselves on the ground that they

have not the time to attend to the business of their office, they should cease to hold office. This country cannot afford to pay Ministers like that, and I for one refuse to accept that excuse. Mr. Colebatch was acting Premier, and he failed in his duty in relation to a vital matter and should be turned out of office. The Minister for Works tells us that he himself is absolutely clean in the matter, that he had no part in it, and that as a result he cannot be blamed for what occurred. He takes refuge behind the statement that the Attorney General did not play the game, a very mild statement. In the corridors he has been ramping about what he will do to Robinson. Why does he not ramp in this House about what he will do to Robinson?

The Minister for Works: That is a statement which is not true.

Mr. TROY: I will leave members to judge whether it is true or otherwise. Members know for a fact that the Minister has expressed the greatest indignation regarding Mr. Robinson's action.

The Minister for Works: Even if I did, you have no right to refer to it here.

Mr. TROY: It is no secret. The Minister was going to chew him up and play the very dickens to show his resentment, but when he speaks in this House, the only thing he says is "Robinson did not play the game."

The Minister for Works: I assume you were hiding behind some corner when I was speaking privately.

Mr. TROY: That is a peculiar virtue of the Minister himself. Let me show where the Minister stands. It is of no use the Minister squirming; he must take his gruel. The Minister stated last night that the Government did not build the railway. This has been rightly characterised by the Leader of the National Labour Party as a subterfuge.

Hon. P. Collier: You mean the independent leading the National Labour Party.

Mr. TROY: He said it was a subterfuge and that the Government did build the line. The Minister for Works said "I was not responsible; I did not build it." I asked by way of interjection "Who was the Minister who authorised the construction of the line?" And the Minister for Works replied "I do not know."

The Minister for Works: You asked me who was the Minister acting while I was away, and I said I did not know.

Mr. TROY: In the absence of the Minister for Works, there was an acting Minister, and the Minister for Works would have us believe that he does not know who that was.

Mr. Willcock: And he was away three or four months.

Mr. TROY: The Minister for Works does not know who was acting in his absence. Yet he poses as a great man of affairs, a man who has his finger on this, that and the other thing.

The Minister for Works: I know a gentleman when I see him.

Mr. TROY: We do not want to discuss that. The Minister may know a gentleman, but he does not remember a patent fact as to who acted as his *locum tenens* during his absence from the State. That is the weakest statement I have ever heard. The Minister was away for four months and the department was administered by some other Minister and yet he does not know who it was. Well, the Minister for Works can tell that to someone else; it is useless for him to tell it to us. The Minister said last night that Mr. Robinson did not play the game. Let us see what Mr. Robinson had to say in the course of his statement published in the Press this morning. Mr. Robinson stated that the Cabinet, of which the present Minister for Works was a member and of which Mr. Colebatch was a member, approved of the agreement on the understanding and with the knowledge that the Government must purchase the railway. In other words Mr. Robinson says, "You are all in it." Yet the Minister for Works last night said "I am not in it; I have been betrayed by my colleague."

The Minister for Works: That is not a fair statement of my speech and you know it.

Mr. TROY: Mr. Robinson says in effect "They are all in it; they were all parties to it." He said they agreed without demur.

The Minister for Works: We concurred in the Cabinet minute and no more.

Mr. TROY: Mr. Robinson says they were all in the business, and all the Minister for Works can say is "Robinson did not play the game." Yet in this morning's paper Mr. Robinson runs his statement down the Minister's throat.

The Minister for Works: No, he does not.

Mr. TROY: For two years the Minister for Works knew of this contract and knew that the Government were committed to this expenditure. He is full of resentment regarding Mr. Robinson. Mr. Robinson has not played the game. Mr. Robinson has betrayed them. Mr. Robinson has entered into an agreement contrary to what they decided. This is what he would have us believe, and yet for two years he sat in the same Cabinet with Mr. Robinson and never said a word about it.

The Minister for Works: That is a matter for the Premier.

Mr. TROY: The Minister for Works is one of those who is always talking about his integrity and his honour and his associates.

The Minister for Works: I would not have you for an associate.

Mr. TROY: I would never ask the Minister. The Minister did not get me anyhow. I do not care what he says about me. I am giving my views fairly concerning him, as I am entitled to do. The Minister sat in Cabinet with Mr. Robinson. He sat with him as a colleague for two long years and he knew all the time that Mr. Robinson had betrayed his trust.

The Minister for Works: That is not true.

Mr. TROY: The Minister says he knew.

The Minister for Works: What you have said is not true.

Mr. TROY: He says he knew, but all that he says about it is that he is not playing the game.

The Minister for Works: I say that your statement about being his colleague for two years is untrue.

Mr. TROY: The Minister has no business to say that my statement is not true. I will let that pass. I do not care what he says.

The Minister for Works: I know you do not.

Mr. TROY: Mr. Robinson sat as his colleague, and yet he was never exposed for an action which is the worst action that has ever been perpetrated in this country.

The Minister for Works: Your statement is not true.

Mr. TROY: I will give the Minister something else to go on with.

The Minister for Works: Do.

Mr. TROY: I will give another reason why this motion should be voted for and why the Government should not exist any longer. The Premier states he is not responsible either, and yet for two years he has known of this transaction, that Mr. Robinson the Attorney General, had betrayed the country and his own colleagues. But the Premier has not said a word about it. Only last March a general election was conducted in this country. Mr. Robinson, the gentleman they knew had betrayed them, the man who had committed the action they now condemn and who was untrue to his oath, was the Nationalist candidate for Canning. The Government did not say, "Do not return that man; he is not clean"; they endorsed his candidature and desired to see him returned to Parliament. He would have been returned but for the opposition from this side of the House. He was a supporter of their party an associate of theirs and their candidate, notwithstanding that they knew all these things regarding him. That is my objection to the Minister any longer occupying the position he does. If he was the lily-white dove he has told us he is, he could never have stood that is, if I am to judge from the statement he made when on this side of this House. I could never have sat with a man for as long as he did, believing that he had betrayed the Cabinet of which he was a member.

The Minister for Works: He was out of Cabinet five months afterwards. Your statement about two years is untrue.

Mr. TROY: He had full knowledge of what Mr. Robinson had done, and yet the people were not told that he was a man who ought not to be returned to Parliament. I read very carefully Mr. Robinson's explanation in this morning's paper. I do not wish to blame Mr. Robinson unduly. I want to hear his views of the case. I make this statement in answer to the special pleading of the member for Bunbury (Mr. Money). The hon. member said we ought not to judge that man. He has been the most censured man outside the House. I judge Mr. Robinson

upon the statement he made in this morning's paper. He says the whole Ministry was guilty, that they knew as well as he did. The Ministry say, "He betrayed us." Mr. Robinson says "The condition that the purchase should not be submitted to Parliament was well known to members of the Ministry." There has been no denial of that statement to-night. Of what is Mr. Robinson guilty that he is not entitled to be an associate of members on that side of the House, if they are as clean as they have told us they are? What would the Minister for Works have done if an officer of his department had extracted from the files the minutes that were extracted by Mr. Robinson and sent to the company? He would have suspended him immediately and either sacked or prosecuted him. What would the Minister have done with the Engineer-in-Chief?

The Minister for Works: I know what I would do with you.

Mr. TROY: What would he have done if the Engineer-in-Chief or the Under Secretary for Public Works had extracted the minutes which were extracted by Mr. Robinson and given to the company to form a claim against the Government? He would have been filled with indignation and would have suspended the officer and summarily dismissed him. But he says nothing about it when Mr. Robinson is concerned. And yet he tells us the Government are clean, above-board, and fair, and that there is no secrecy about the matter. How can he say that in view of the facts? Mr. Robinson was not an ordinary officer of the department. He was Attorney General of the State, sworn into the Ministry to protect the best interests of the State. Mr. Robinson violated his sacred oath, so we are told by the Government, and he betrayed them, and yet they would still be sitting with him and he would still be their colleague if he had not been defeated at the last election. They tell us there was no reason for any secrecy.

Hon. P. Collier: Now he is out.

Mr. TROY: Now he is out it is a question of "Save ourselves." Mr. Robinson says "You are all guilty," and they say, "We are not guilty; only you." But they sat with him for two long years.

The Minister for Works: We did not do so.

Mr. TROY: They would have sat with him to-day had he been here and the facts not been made public, and the Government had not come down and asked for the money.

The Minister for Works: He was out of Cabinet five months afterwards.

Hon. P. Collier: He was one of your party and one of your colleagues.

Mr. TROY: The member for Bunbury says we must not judge Mr. Robinson, and quoted from some authority in support of his statement. Mr. Robinson in to-day's paper has not offered one word of explanation regarding the vital question of the extraction of minutes from the file, that he stole them, that he was a common thief. He has never

explained that matter. He merely says, "Of course it was common knowledge that the minutes should be read as part of the agreement." He has said nothing about the accusation that he extracted the minutes and gave them to the company. He has cleverly passed over that vital fact and has not explained why he took them. I prefer to judge him on the statement he made in this morning's paper. The matter has been thrashed out thoroughly. I do not blame members opposite in a personal way for the direction in which they intend to vote. It means personal salvation to them. If they vote against the Government and a general election came on to-morrow they know that they could not face this transaction, and they dare not act otherwise. It is a peculiar frailty in human nature that people are not prepared to face immediate results. They need not think this will be forgotten. No one can deny that this is the worst transaction that has ever occurred in the country. Whether it is now or later, the people will be told about it, and informed as to who are the guilty parties in this matter.

The Minister for Works: They will not take you at your valuation anyhow.

Mr. TROY: Members on the cross-benches have said they would not put the Government out, that the Country Party is not responsible. They relieve themselves of all responsibility on every occasion. They are real cowards when it comes to a question of responsibility. They pretend they are not interested in the matter.

Mr. Harrison: Nonsense!

Mr. TROY: The Government who transacted this business consisted of their own selected representatives. The Country Party, in conjunction with all the other parties sitting opposite, met upstairs and made Sir Henry Lefroy their leader.

Hon. P. Collier: And they had two honorary Ministers.

Mr. TROY: They made Mr. Robinson their Attorney General. They had two members in the Ministry. The Ministry could not have survived for one day but for them, and yet they say they are not concerned in the matter. I can understand their cowardice, because they are not game to put out the Ministry. In the person of the leader of that party the Government have a humble camp follower. He spoke as one might have expected he would speak. In the old days a number of people, the rag tag and bobtail, followed the army to battle but never did any fighting, though they did all the plundering and all the dirty work. I am afraid there is a party in this House which is composed of people who are the camp followers of the present Government. I am not surprised that this has happened. I have noticed in the House during the last three or four years that there has been considerable activity amongst members opposite, particularly the professional element, for the interests of their clients when those interests are being discussed here. Their interests

have not been for their electors. I remember a Bill being brought down that provided for the limitation of pastoral leases. I remember, too, the activity of the then Attorney General, Mr. Robinson. He did not represent the pastoralists, but he represented the people of Canning on that occasion. He told this House that a certain clause meant a certain thing. He said, "My interpretation is that under that clause the areas can be limited." I pointed out that this was not so. He misled the House, and six months later the House knew that it had been misled. When lawyers enter Parliament in the National interest their activities are apt to be on the side of their clients and not on the side of the State. It is not remarkable that to-day we have this corruption. Nationalism in Australia is synonymous with robbery and corruption. Nationalism was created out of a bogus patriotism. The Nationalists were men who waved flags and sang the National Anthem. They came in on the tidal wave of Nationalism, and they were thrown up on the shore as the flotsam and jetsam of the community. There are men in Parliament to-day who, on their personal record, should never have been placed there. The same thing has occurred in the Eastern States. The people of Australia are merely getting the results of that wave of nationalism. They are reaping the harvest of the years that have gone. I have a certain amount of sympathy for members opposite. They are placed in an invidious position through men of that character. But my sympathy does not justify me in keeping them in office. The Government is made up of members like Mr. Colebatch, who has signally failed towards this country. The Cabinet has a man like the Premier, whom I respect as a man, and like the Minister for Works, concerning whom I have no objection, although he has said hard things about me to-night. Members on the cross benches are not justified in keeping them in office, because they have kept secret for two years a transaction which will cost the country £70,000 for a railway and £270,000 in railway freights. During the whole time they have been in office they have sheltered a man whom in the interests of the country, they should have denounced.

Mr. MULLANY (Menzies) [10.15]: I am opposing the motion of the Leader of the Opposition.

Mr. O'Loughlen: We expect that.

Mr. MULLANY: Of course, I am not concerned with what has been said by the member for Mt. Magnet (Mr. Troy), who is going outside, which is the best place for him.

Mr. Troy: I am not afraid of meeting the hon. member, either inside or outside.

Mr. MULLANY: I want to say, and I have a perfect right to say it, that I shall possibly be brought to book for the opinions I am about to express. When the interjector says that he expects I will oppose the motion,

I say that that is his own business, and that if he goes outside, it is the best place for him. He has a habit of coming here and making attacks, and then going outside. He has done that again to-night. I have finished with him now.

Mr. Willcock: The hon. member is quite wrong.

Mr. MULLANY: The interjection coming from that hon. member—

Mr. Willcock: From which hon. member did it come?

The DEPUTY SPEAKER: Order!

Mr. MULLANY: I want to go on with the subject of the motion.

Mr. Willcock: Let us understand the position, Mr. Deputy Speaker. The hon. member does not know what he is talking about.

Mr. MULLANY: I usually do.

Mr. Willcock: Who made that interjection?

Mr. MULLANY: The motion may be described as double-barrelled, inasmuch as it says—

That in the opinion of this House the Ministers in the present Government who participated in the formation and completion of the contract to build and purchase the Waroona-Lake Clifton railway without the authority of Parliament, and in defiance of a resolution passed by the Assembly as to the order of building railway lines in the State, are deserving of the utmost censure; and that the Government who have known all the facts in connection with the said contract and withheld them from the knowledge of the House and the people have forfeited the confidence of the Assembly.

I take the second portion of that motion to be the more important. I hold that the present Premier has done all that he could have reasonably been expected to do in connection with the whole transaction. Though hon. members say here that he should have made the matter public immediately, they knew perfectly well that the Premier could not have taken any other attitude than that which he did adopt. The whole matter has been thrashed out on both sides of the House from the basis of the files, and I think it superfluous to traverse that ground again. I do hold, however, that the Premier would not have been acting rightly if he had made this contract public earlier than he did. The Leader of the Opposition, in launching his indictment against the Government, said at the very outset that as regards the contract entered into by the Government some years ago to purchase the Lake Clifton railway under certain conditions, Ministers had acted quite within their legal rights. In moving his want of confidence motion last night, the Leader of the Opposition made that very definite statement. I believe every member of this Chamber fully recognises that such is the case.

Mr. Willcock: But not that the contract was within the moral rights of the Government.

Mr. MULLANY: I shall discuss moral rights presently. However, no member of the

Opposition is prepared to argue against the proposition that the contract entered into by the Lefroy Government was quite within their legal rights.

Hon. P. Collier: That has never been called in question.

Mr. MULLANY: And yet the motion declares that because Ministers acted within their legal rights, they are open to censure. I shall deal with the moral aspect presently. At present I am quoting what was said by the Leader of the Opposition himself, in moving the motion; and he will not deny his words, I know. I am not satisfied, however, that all the members of the Government as then constituted acted as they ought to have acted in the interests of the State of Western Australia. The point as to the legal rights of the Government is most important. The whole discussion now must hinge upon that point. What does the statement of the Leader of the Opposition amount to, considered in the light of this motion? That we are to censure Ministers for doing something which they had no moral right to do. But let me make the point right here that if the Government acted within their legal rights at the time, as I believe they did, then Parliament is to blame for having passed the Lake Clifton measure in a form which gave any Government the power to make a legal contract such as this. Undoubtedly the Government had a legal right to do what they did. The much discussed paragraph 13 clearly shows that. It says—

Provided that at any time during the currency of this lease it shall be lawful for Us, our Heirs and Successors, to purchase the said railway at a sum equal to the cost of construction less depreciation as determined by the condition of the line. For the purpose of this provision the cost of construction and such depreciation shall be fixed by the Engineer-in-Chief or such other officer as for the time being shall be in charge of the construction of Government railways.

Parliament, with its eyes open, made that contract. There is nothing in that contract to say that the Government shall consult Parliament as to whether they should purchase the railway on construction cost or not. If wrong has been done, Parliament, and not only the Government, must bear a share of the blame for having enacted the measure referring to the Lake Clifton railway. Let me point out also that since then Parliament has passed, in the year 1920, an Act giving the right to certain people to construct a railway from Meekatharra to Horseshoe beyond Peak Hill. In that Act exactly the same provisions are included as in the Lake Clifton measure. I will read those provisions—

The lease is granted subject to the condition that it shall be lawful for the Governor—

That is very explicit; "Governor" is not Parliament—

at any time during the term thereof to purchase the railway at a sum to be determined by the Engineer-in-Chief or such officer as for the time being shall be in charge of the construction of Government railways, such sum not to exceed the cost of construction less depreciation.

Thus Parliament, even after the Lake Clifton measure had been passed, gave the Governor, which means the Executive Council, power at any time to purchase the Meekatharra-Horseshoe railway.

Hon. T. Walker: Subject to the laws. "Governor" means "Government," and "Government" means all the agency of the State.

Mr. MULLANY: "The Governor" means the Executive Council, as no one knows better than the member for Kanowna.

Mr. Lambert: We want to know whether the Government will exercise the power to purchase.

Mr. MULLANY: I am speaking seriously, just now, and I say that no member of this Chamber knows better than does the member for Kanowna that the word "Governor" means the Executive Council without any appeal to Parliament at all.

Hon. T. Walker: But with the authority of Parliament, and with proper responsibility to Parliament.

Mr. MULLANY: Certainly with responsibility to Parliament, when they come to Parliament to ask for an appropriation of funds. But that is all. No member of this Chamber knows better than the member for Kanowna that the wording of the lease in connection with the Lake Clifton railway means that the Government of the day have power to purchase the railway without reference to Parliament.

Hon. T. Walker: Have you ever known a case where a Government have bought a railway without parliamentary authority?

Mr. MULLANY: I repeat that the Lake Clifton measure gives absolute power to the Executive Council of the day to purchase the Lake Clifton railway if they so desire.

Hon. T. Walker: The Executive Council, using the legislative power.

Mr. MULLANY: The member for Kanowna cannot dispute that proposition. He knows perfectly well that that power is given there. He will not definitely say "No" to the proposition.

Hon. T. WALKER: I do say "No" to it in the way you put it.

Mr. MULLANY: Let the hon. member put it in his own way. I ask him whether the wording of that section in the Meekatharra-Horseshoe measure does not give to the Executive Council, the Government of the day, the right to purchase the Meekatharra-Horseshoe railway on construction if they so desire? There is no provision that Parliament must be consulted.

Hon. T. Walker: That is implied.

Mr. MULLANY: We can imply if we like. The Leader of the Opposition said definitely in his opening remarks—

Hon. P. Collier: You have told us that twenty times.

Mr. MULLANY: I am going on to the moral aspect presently.

Mr. Willcock: Meantime you are hanging on the legal rights.

Hon. T. Walker: There has been illegality in this transaction.

Mr. MULLANY: On the legal rights I have questioned the member for Kanowna, as a leading legal light of this State. I have asked him to say yes or no, whether I am right or wrong; but he has failed to do so. So much for the legal rights. As I have previously stated, I am opposing the motion, and I am not going to traverse the files. But I think it is quite permissible to traverse the speeches made on both sides of the House during the debate. I was indeed surprised to hear certain remarks of the member for North-East Fremantle (Hon. W. C. Angwin), who I regret is not in his seat just now. When he rose to speak on the motion, he set out definitely as an advocate for the company, criticising the argument put up by the member for Pilbara (Mr. Underwood), which argument threw some doubt upon whether the Portland Cement Company had fulfilled the terms of the agreement under which Cabinet decided to purchase the railway. The member for Pilbara (Mr. Underwood) said he had been informed—and we know it is common property about the city—that the Portland Cement Company were not drawing their lime supplies from Lake Clifton, but were securing lime from Gingin to Dongarra, and conveying it to their works at Burswood for the manufacture of cement. The member for Pilbara raised the point as to whether the company could legally claim this amount from the Government under the terms of the agreement signed by the then acting Premier, Mr. Colebatch. This is explicit in the agreement—

It is agreed that when the said company's works at Lake Clifton and its cement works at Burswood Island, including all necessary plant and machinery, have been erected, and the said works established to the satisfaction of the Government as a going concern, thus securing traffic for the railway constructed under the said lease, and the said works have been in operation for six months, the Government will purchase the railway on the terms set forth in the said lease. . . .

Is it not a matter for the House to seriously consider, seeing that it is admitted that the company are bringing lime from the Midland centres to Burswood Island, whether or not they have broken their agreement?

Hon. T. Walker: No. They were never bound down not to supply lime from elsewhere.

Mr. MULLANY: It was on the assumption that these people were to work the Lake Clifton deposits and bring the lime to the

cement works at Burswood that the agreement was entered into.

Hon. W. C. Angwin: But the member for Pilbara said there was salt in the lime.

Mr. MULLANY: That does not matter. The company was to provide traffic for the railway.

Hon. W. C. Angwin: The company have done what—

Mr. MULLANY: I know the hon. member is an advocate for the company.

Hon. W. C. Angwin: I am advocating fair play.

Mr. MULLANY: Are they fulfilling their agreement in bringing lime from the Midland country to Burswood?

Hon. T. Walker: There is nothing in the agreement to prevent them doing that.

Mr. MULLANY: There is this, that the company had to construct the works and operate them to the satisfaction of the Government and provide traffic for the railway under discussion.

Hon. T. Walker: They have provided traffic and they have constructed the works.

Mr. MULLANY: Are they fulfilling their contract in bringing lime from Dongarra instead of from Lake Clifton?

Hon. P. Collier: Yes.

Hon. T. Walker: Of course they are.

Mr. MULLANY: We find more advocates for the company the longer we discuss the motion.

Hon. T. Walker: I am an advocate for the facts and not for misrepresentation.

Mr. MULLANY: I want to put it again to the member for Kanowna (Hon. T. Walker), as a leading legal light in this State: When the company bring lime from Dongarra or Gingin along the Midland line, are they providing traffic for the line under discussion?

Hon. T. Walker: They are doing what they have the right to do under the agreement.

Hon. P. Collier: At any rate, the company are providing material for piffle just now.

Mr. MULLANY: The member for North-East Fremantle (Hon. W. C. Angwin) said the Government should stand by an honest agreement. If this is an honest agreement, why all this fuss, and why the motion before the House?

Mr. Willcock: Because someone misled Cabinet.

Mr. MULLANY: Will the member for North-East Fremantle, who said that the Government must stand to an honest agreement, say that this is an honest agreement?

Hon. W. C. Angwin: Yes.

Mr. MULLANY: Why all the fuss then?

Hon. W. C. Angwin: Because of the manner in which it was done.

Mr. MULLANY: Then who was wrong?

Hon. W. C. Angwin: The Government were wrong.

Mr. MULLANY: Then both parties were wrong!

Hon. W. C. Angwin: Both can be honest and yet be wrong.

Mr. MULLANY: Would the member for North-East Fremantle say that the Government must stand to this agreement?

Hon. W. C. Angwin: They have to stand to it legally.

Mr. MULLANY: When the member for North-East Fremantle speaks about something being wrong in connection with the agreement, who inspired the wrong doing? In whose interest was it done? Was it in the interests of the company or in the interests of someone else? We must look for a motive. I again appeal to the member for Kanowna as a leading legal light in this State.

Hon. T. Walker: I will charge you 6s. 8d. if you go on insulting me like this.

Mr. MULLANY: Who inspired this wrong? We cannot find out in whose interest it was done and yet we find the member for North-East Fremantle says it is an honest agreement.

Hon. T. Walker: Do you say it is an honest agreement?

Hon. W. C. Angwin: The company have provided the works.

Mr. MULLANY: There is sufficient in the agreement seeing that the company are bringing lime from Gingin and not from Lake Clifton, to enable the Government to fight the company and find out whether the agreement is an honest one or not.

Hon. T. Walker: Do you say it is an honest one?

Mr. MULLANY: I want to find out if it is an honest agreement or not. There is one way of doing that, and that is for the Government to refuse to meet the demands of the company and allow them to bring an action against the Government before a judge of the Supreme Court. The whole of the evidence will be before the judge and then he can say whether it is an honest agreement or not.

Mr. Johnston: The judge would only look at the Minister's signature.

Hon. W. C. Angwin: You will never get me to vote for breaking an agreement.

Mr. MULLANY: I am putting this up seriously.

Hon. W. C. Angwin: Well, it is very rotten seriousness.

Mr. MULLANY: The member for North-East Fremantle is an advocate of the claim against the Government. It may cost the State £1,000 or £2,000 to fight the case against the company, but I believe that the fact that the company are not using the line for the carriage of lime supplies for manufacture into cement at Burswood, constitutes a breach of the contract, thus making it worth while to put up a fight against the agreement.

Mr. Johnston: It would do the State's credit a lot of harm.

Mr. MULLANY: If it is an honest agreement, it will do no harm.

Hon. W. C. Angwin: I do not think the Premier would agree with you.

Mr. MULLANY: I do not care whether he does or not. If I consider it is my duty to express certain views on the floor of the House, I will do so, and I fear neither the Premier, the Opposition, nor anyone else. In this instance, I believe it would be right to fight this case. If we did so, we would get at the real facts.

Mr. Teesdale: And a nice advertisement it would be for the State.

Mr. MULLANY: Then we would find whether the late Attorney General was responsible or not.

Hon. W. C. Angwin: The court would not deal with that question.

Mr. MULLANY: They would have to deal with it. I do not agree with the member for North-East Fremantle who is a bit dogmatic.

Hon. W. C. Angwin: I admit that.

Mr. Johnston: I think such a thing was done in South America some time ago.

Mr. Simons: And they would have shot them up for this.

Mr. MULLANY: They may shoot the ex-Attorney General so far as I am concerned. This is a matter which Parliament cannot deal with, even though, as has been stated, a Minister of the Crown acted in a dual capacity, on the one hand as solicitor for the company, and on the other as Attorney General. That is something which the Supreme Court could bring out, and I think it would be well to have it brought out. Parliament cannot do it; we have no power to bring the ex-Attorney General here.

Hon. W. C. Angwin: That is not the point raised.

Mr. MULLANY: You want only those points raised which will suit yourself. The hon. member has said that the Government must stand by an honest agreement. Why should he put himself up to judge whether or not it was an honest agreement? The hon. member has said that other members have not seen the file, and consequently did not know much about it. Is the hon. member such a legal authority that he can say the agreement is quite all right and beyond dispute?

Hon. W. C. Angwin: The agreement is plain.

Mr. MULLANY: Quite so. You have had a good look at it, and are quite satisfied. Still, I do not think the company would pay £70,000 on the dictum of the hon. member that it is all right, and I do not see why the State should pay it on his dictum. As legal adviser the hon. member is a sort of off-sider.

Hon. W. C. Angwin: I would never put up such an argument as you are putting up.

Mr. MULLANY: No, because you have not the ability. For 25 or 30 minutes the member for South Fremantle (Mr. McCallum) gave the House an ebullition of what might be termed poison gas. He did not get very near to the agreement, but he was

most emphatic in saying that a meeting had been called, the agreement discussed, and instructions issued. He seemed to know all about it. He had something to say about the practises of various political parties. I have had infinitely more experience of the practises of Parliamentary political parties than has the hon. member. I do not wish to traverse what he said, but I must declare that every member of the party at that meeting yesterday is free to vote as he likes on this matter to-night, without being expelled from the party; and he can go and discuss some other subject at a meeting of that party next week. I ask the member for South Fremantle would that apply to his own party?

Mr. O'Loughlen: Are members expelled from this party?

Mr. MULLANY: I am not commenting on that, although I have knowledge of both parties. I repeat that every member who was at that party meeting yesterday can vote as he likes upon this, and still not be expelled from the party.

Mr. O'Loughlen: Nobody was ever expelled from this party in similar circumstances.

Mr. MULLANY: I believe an error of judgment was made, or some carelessness shown by members of the Ministry at that time. I believe the Premier could have done no more than he did in connection with this matter. Out of this discussion I believe some good will come if and when Parliament again gives to a private individual a concession to build a railway; for I believe that Parliament will not again leave it to the Government or to Executive Council, but will state definitely that if, later, the State should desire to purchase the line, it can do so "subject to the approval of Parliament." Had those words been in the Act, this unfortunate position could not have arisen. As it is, Parliament must stand to what Ministers have done.

Mr. PICKERING (Sussex) [10.48]: 'Til the Loan Estimates were brought down, very few members knew anything of this railway. Neither did we know that such an interpretation had been placed on the Act as is disclosed by the file. The object of Clause 13 of the agreement was primarily to provide lime for the use of the farmers, and the only obligation on the company to carry lime over the line was in that respect, inasmuch as 50 tons was the minimum parcel to be carried. There is nothing in the Act which obliges the company to carry lime to Burswood. From my perusal of the file, I do not envy the members of the Ministry who accepted the agreement. The file indicates that Ministers knew there was to be a departure from the terms of Clause 13 of the agreement. Notwithstanding that the Leader of the Opposition, in a very temperate and just criticism of this matter, admits that Ministers were within their legal right, it must be remembered that the Premier himself says he does not think it was the right course to pursue. Most of the Ministers who have spoken or written have sought to excuse themselves in

this connection, but on reference to the file we find that the subject of this separate agreement was in evidence in 1918 and before ever the agreement was approved. If we read the letters of Mr. Oakden, we find that there is a stipulation all through that an agreement must be made which makes it unnecessary to submit the proposal to Parliament. That is so evident that I cannot understand how it is possible to construe it any other way.

Hon. P. Collier: It is running right through the files for months.

Mr. PICKERING: It runs through the file for the whole period. I have had an opportunity of casually perusing the file, and the thing that struck me as being most outstanding was that Mr. Oakden was insistent on this one point. In fact he said that unless that were agreed to, his company were not prepared to go on.

Hon. P. Collier: And there were minutes to that effect. How can Ministers have failed to see it?

Mr. Simons: They ought to consult an opinion.

Mr. PICKERING: Another outstanding feature is this, that Ministers insisted upon the inclusion of a certain clause which made it obligatory that this agreement should be submitted to Parliament. This being so, why did not Ministers immediately proceed with the submission of the agreement to Parliament as soon as Parliament assembled?

Mr. Mann: Parliament changed.

Hon. W. C. Angwin: No, it did not.

Hon. P. Collier: That was 18 months before the change.

Mr. PICKERING: Parliament did not change for a long time. There was plenty of time for the agreement to be submitted to Parliament and to be endorsed or condemned by Parliament. Of course it was almost certain that the submission of the agreement to Parliament would have meant that the railway would never have been built, for I and other members in this House were interested in the building of railways already promised, and a motion had been passed by this House that no other railways were to be built by the Government prior to those already approved. I cannot understand how Ministers could have been so readily misled. Another outstanding feature all through the file is the astuteness of the company and, I may say, the innocence and simplicity of the Government. There is not one point for which the company stood out which they did not gain.

Hon. P. Collier: They won every time.

Mr. PICKERING: Yes, every time and all the way through until they had got everything they wanted. When we take into consideration that the legal advisers of the company were the firm of Robinson, Cox & Co. and that we had as Attorney General at the time a member of that firm, it is not surprising that they had all the necessary legal advice to enable them to attain their object. I do not want to cast any severe aspersions upon the ex-Attorney General. I believe that when the Solicitor General said that the agree-

ment was in conformity with Cabinet's intention, he honestly believed it to be so, and when Mr. Robinson said "I concur," I believe he thought he was concurring in the accepted opinion of Cabinet. From my personal knowledge of Ministers in Parliament, I cannot believe that they were so simple as not to see these points. The very point I am trying to illustrate was made clear by the Leader of the Opposition during the course of his indictment.

Mr. Troy: How did Robinson extract those minutes?

Mr. PICKERING: I do not know, but it has been clearly stated by the Minister for Works that if any civil servant had done such a thing, he would have been immediately dismissed, and justly so. How anyone can justify the action of a Minister who would adopt such tactics, I am at a loss to understand. As the member for Mount Magnet (Mr. Troy) said, this was not a solitary instance of this Minister having misled Parliament. I would mention a further instance which has not been referred to during this debate and that was his attitude during the passage of the Forests Bill. I am quite satisfied that I was personally deceived by the Minister when that Bill was passing through the House, and when we know that his firm were acting for the firm of Millars at that time, it makes one all the more suspicious. Another point that strikes me is the cost of this railway. It was stated that the line was to cost £30,000; yet at the completion of it this country is faced with an obligation to pay £70,000. The Minister for Works based his estimate on the sum of £40,000. There is a very wide discrepancy between the Minister's estimate of £40,000 and the £70,000 which the State is now called upon to pay. When we take into consideration that much of the material used consisted of second-hand rails of 42lbs. and 45lbs., it is astonishing that the Minister for Works should have so underestimated the cost. Dealing with the question of rails, there is on the file another minute which has not been quoted and that is the minute of the Minister for Railways, in which he drew attention to the fact that there were 60lb. rails available in New South Wales. It has been stated that Elder, Shenton & Co. also directed attention to this fact. The important point is that the Minister, who was responsible for the construction of the line, used 42-lb. and 45-lb. rails when it was known definitely that 60-lb. rails, subject to certain tests, could have been purchased. When we remember that the question of the route was dependent on the weight of the rails, the position is even more astonishing, and I am surprised at the direction the line ultimately took. It is true that the route determined upon was adopted because it would involve settlers in that part of the South-West in less mileage, but when we peruse the file we find that the company were prepared to give a definite undertaking that any difference in the cost of freight on the line would be made good. If we

are to take any notice of the recommendation of the Commissioner of Railways regarding the route of the line—and I maintain that the Commissioner should have some voice in this matter—it is hard to understand why the route was changed from one which he demonstrated was the most suitable, especially as the railway might have been extended to Bunbury and opened up a lot of country which at present is badly served. It is difficult to understand the insistence on the route adopted and on the use of the light rails.

Mr. Mann: Do you suggest that the Commissioner should decide the route a railway should take? Is it not his duty to administer the railways after Parliament has decided the route?

Mr. PICKERING: If the Commissioner of Railways had been represented on the advisory board, a lot of the lines which to-day are unprofitable would probably never have been constructed. The Minister for Works pointed out that this line, at a cost of £40,000, would involve the State in a loss of £3,000 per annum. That was based on the minimum quantity of freight which would pass over the line, and so it appears that we shall be faced with a permanent loss on that line. This brings me to the question of freights, which was very fully dealt with by the member for South Fremantle (Mr. McCallum). It surpasses my understanding, and I must lodge my emphatic protest against the Government entering into any contract lasting for so long a term as 42 years without the endorsement of Parliament.

Hon. P. Collier: It is unheard of in railway working.

Mr. PICKERING: I am at a loss for words to describe it. It is simply appalling to think that any Government can, outside the endorsement of Parliament, enter into an agreement for such a small freight as three farthings per ton per mile for the purpose only of assisting this company in connection with its cement works, not for the purpose of assisting the farmers.

Hon. P. Collier: Not to give lime to the farmers.

Mr. PICKERING: No. The farmers that I represent want lime badly, but they have to pay over 100 per cent. higher for it than they ought to pay.

Mr. Angelo: Is there not a special rate for manure?

Mr. PICKERING: The special rate is the "M" rate.

Hon. P. Collier: That was for cement.

The Minister for Mines: Manure is carried for a farthing per ton per mile.

Mr. Angelo: As against three farthings.

Mr. PICKERING: It does not affect the position that the company has been given a freight which it never should have had. I was under the impression that this freight would apply to lime used for manure. On other things we have to pay freight, which has gone up twice within 12 months, but

these people have not been asked to pay any more. It should have been provided in the agreement that in the event of an increase in the rate the company's rates should go up in proportion.

Mr. Johnston: I wish the Government had promised that there should be no increase in settlers' freights for the next 42 years.

Mr. PICKERING: I must enter my emphatic protest against this interference with the decision of Parliament that certain railways should take precedence in the matter of construction. There is the Busselton-Margaret River railway which has been promised in my electorate since 1913, and which is urgently required.

Mr. MacCallum Smith: This is a tram-line.

Mr. PICKERING: It is a railway. It cost nearly £4,000 per mile to build. It is ridiculous to call it a tramway. It is supposed to be constructed so that it will carry the heaviest locomotives on the railway system.

Mr. MacCallum Smith: I maintain it is a tramway.

Mr. PICKERING: The contrary can very easily be demonstrated. A good deal has been said about the quality of the lime. It has been said it is not the intention of the company to convey this lime over the line, for the reason that it is unsuitable for the making of cement. When I visited the cement works some time ago I was very much impressed by the cement that I saw, manufactured from the lime that came from Lake Clifton. I am prepared to say from my experience of that cement that the lime out of which it was made is quite suitable for the purpose. The cement from these works led to the establishment of the Hume pipe works. If it has been demonstrated to be suitable for the manufacture of pipes and builders are satisfied with it, I do not see that it can reasonably be stated that the lime is unsuitable for the manufacture of cement. I have spoken to members of this company with regard to the lime. They assured me that the only difficulty was the water in the lime, that they were spending a considerable amount of money in erecting roasting works with which to overcome the difficulty, and that they would not only be able to overcome it, and make suitable cement, but that they would be able to supply to the farmers lime containing not more than 20 per cent. of water. At present there is from 50 to 60 per cent. of water in the lime. If, therefore, the farmers bought it, they would be buying more water than lime.

Hon. W. C. Angwin: You would not refuse to pay for the railway for the transport of the lime if it were suitable, after the company had put up its works?

Mr. PICKERING: I do not think we can refuse to pay. The country apparently is committed to it. I cannot condone the making of this contract. The member for Men-

zies (Mr. Mullany), when dealing with this particular paragraph in the lease agreement, which I understand is common to all Acts of this nature, put forward the view that legally the Government were under no obligation to submit the agreement for the approval of Parliament. Be that as it may, there is no doubt the Government are morally obliged to do so. It is advisable that at any early date a Bill should be introduced making it compulsory for the Government to come to Parliament before proceeding with the construction or the purchase of any railway. It is absurd for Parliament to be placed in this position, and for such a large sum of money to be spent without Parliament having a say in the matter. I trust the Government will introduce a measure of that kind.

Hon. P. Collier: They propose to introduce a measure to go in the opposite direction, giving them power to sell the trading concerns without parliamentary authority.

Mr. Mann: You are on tender ground now.

Mr. PICKERING: It should not be possible for a line of this kind to be built by the Government in opposition to the decision of Parliament that no railway shall be built prior to those which are already authorised. For that reason I must enter my protest. The second portion of the motion deals with the question of the Premier making the House cognisant of the conditions of the contract. I have discussed this matter fully with those who should know, and have been informed that it would have been difficult for the Premier to bring this matter up in any other way than by the means he actually employed.

[The Speaker resumed the Chair.]

Hon. W. C. Angwin: It could have been done last year on the Loan Estimates.

Mr. PICKERING: The Premier has committed a grave tactical error in not taking the House into his confidence as soon as he became cognisant of the position. He would then have afforded those Ministers who are not now members of this Chamber an opportunity for refuting the charges laid against them.

Mr. Johnston: They might have been pleased.

The Premier interjected.

Mr. PICKERING: I do not say the Premier has been told to do this, but I do think the Premier has committed a tactical error.

Mr. Troy: Why did he not expose it when he knew about it first?

The Premier: Why should I?

Mr. PICKERING: I desire to enter my emphatic protest against this railway being built before that which has already been authorised for my electorate, and I shall take every precaution I can to prevent a recurrence of that whilst I am a member of this House.

Mr. SIMONS (East Perth) [11.9]: Many members have complained of the drastic wording of the motion moved by the Leader of the Opposition. Those who have examined

the position must recognise that under our system of government this is the only means we have of making our emphatic protest against an action such as that under review. We believe, according to the best traditions of parliamentary procedure, that it is a wicked and vicious state of things for any Minister of the Crown to act in two capacities: one in relation to his private firm and the other in relation to his public office. The member for Sussex (Mr. Pickering) has commented upon the remarkable astuteness shown on the part of the firm of solicitors concerned, and the amazing innocence exhibited by the Ministry. The ironical part of it all is that the astuteness on the one side and the innocence on the other were supplied from the same source. One would have preferred to see some of the astuteness placed at the service of the Government, and some of the innocence placed at the disposal of the company rather than have the position reversed, as it was in connection with this business. We have a precedent of a more ennobling, of a more inspiring character in connection with another Chamber of our Parliament. The head of one of the big firms in this city, on occupying his seat in the Legislative Council, discovered that his firm was connected with the State Savings Bank in an indirect way, which made it questionable whether he could properly act in two capacities. That member was not a Minister of the Crown, but only a private member of the Upper House. However, because of his just fear of a conflict of interests between his position as a member of Parliament and his position as head of a large business firm, he resigned from his public office. That is a refreshing incident in connection with the Parliamentary history of this country, and stands in bright contrast to the remarkable affair which we are now discussing.

Mr. Teesdale: But, you know, that member got the tip.

Mr. SIMONS: I would like to have seen an agreement of this kind put up by the members of this party when they were occupying the Government benches. We would have heard that deep, basso-profundo voice of the member for Rochbourne (Mr. Teesdale) declaiming his protests so that the walls of this Chamber would have echoed and re-echoed with them, protests against the wickedness of the Labour Party. The Leader of the Country Party, in speaking of the advantages of the Lake Clifton measure when it was before Parliament, said that it would bring cheap lime to the farmers. We have heard of birds being caught with birdlime, but here is a case of the whole Country Party being captured with a promise of agricultural lime. The net result of it all is that the farmers have not received, as the result of the building of this railway, sufficient lime to keep slugs off a single cabbage. Yet under the promise of agricultural lime we have practically the entire Country Party not only standing to the agreement in its earlier stages, but standing to it to-night, in spite of the exposure which has been made. The member

for Menzies (Mr. Mullany) attempts to draw a comparison between the Meekatharra-Horseshoe railway and the Lake Clifton railway. But there is no comparison whatever. In the case of the former railway, the Act provides that the Government may take the line over. There is no question, in that case, of the Government taking the railway over despite the interests of the country. What a foolish comparison that was to make! Then we have it from the Government benches that some loophole may be discovered enabling the country to get out of the agreement entered into by the Government. The suggestion affords a curious insight into the minds of some hon. members. I think we should be very slow to admit that the lime produced from Lake Clifton is unsuitable, and thus make a pronouncement detrimental to the interests of a big industrial proposition. Let us find some other way out of this thing besides condemning a valuable commercial asset. I do not think any Government would take up the position, after the railway has been constructed and the machinery has been placed in site, that some loophole should be discovered for sneaking out of the agreement which the company, on their part, have honourably observed.

The Minister for Mines: The lime is all right.

Mr. SIMONS: The member for Williams-Narrogin (Mr. Johnston) made rather a significant comparison between the members of the Ministry and the people who were destroyed in the Cities of the Plain. I suppose there are some members of the Ministry who also perceive a similarity, and are devoutly wishing that the same fate could be threatened to those who look back on this business as befell Mrs. Lot, so that none of us would dare look back on pain of being turned into pillars of salt.

Mr. SPEAKER: The hon. member had better keep to the motion and avoid Biblical references.

Mr. SIMONS: Very well, Mr. Speaker. I do not think many hon. members understand Biblical references. The member for Bunbury (Mr. Money) spoke in different languages: first in legal language, and then in the language of laymen. But after listening carefully to everything the hon. member had to say on the various points brought forward, all we could find was a string of words, words of the kind that might befoul a little local justice of the peace, but could not befoul the members of an intelligent Parliament. We heard a possible embryo Attorney General put up such a defence as would not have got a common drunk off in one of our country courts.

The Minister for Mines: The speech was not intended to get anyone off.

Mr. SIMONS: I was surprised to hear a man of legal training put up such a weak, lame, helpless case as we listened to from the member for Bunbury. Then we had the Leader of the Country Party speak of the Labour Party, when they were in power, hav-

ing brought about agreements that would not bear the light of day. There was a special reference to the Nevanas contract. Why dig up the Nevanas contract? Why not be fair and recognise that there is no similarity between the case before us and the Nevanas contract? After all, the Nevanas case, in spite of a hostile Press, was pronounced by a Royal Commission, after a searching examination, to contain nothing discreditable to the Ministers responsible for the contract. If the Leader of the Country Party genuinely and honestly believes that there was something corrupt in the Nevanas agreement, what is he doing now sitting behind the man who was Premier at the time the contract was made? Then the Leader of the Country Party made reference to people living in glass houses. If the present Ministry were living in a glass house when they made the Lake Clifton agreement, they kept all the blinds drawn. The thing was hatched in darkness. Next we have references, also from the Country Party, to various other contracts which it was supposed would not bear examination, contracts brought about by the party to-day in opposition. This thing we are discussing to-night is a product of the age in which the politics of this country have become unclean. It originated when Nationalism found its birth, that thing Nationalism, fathered by corruption, born in iniquity, and to-day living in sin. The birth of that system of politics began when a Senator was bribed, and when a man went to bed an ordinary citizen and woke up next morning to find himself a Senator. This is of a piece with that arbitrary act of the Federal Parliament. This belongs to the same element that provides £25,000 as a present from an unknown source to the Prime Minister of this Commonwealth, a gift which was made free from taxation by an order issued to the Federal Taxation Department.

Mr. Troy: Take the wheat scandals in New South Wales.

Mr. SIMONS: It is of a piece with the wheat scandals which were reported in South Australia, and in New South Wales as well. We are only realising now what Nationalism has visited this country with. When we used to go on the hustings and warn the people against this kind of thing, we had interjectors, under police protection, hurling epithets at us and preventing us from speaking, whenever we raised our voices. We encountered organised mobs who counted us out whenever we warned the people against this brand of politics.

The Minister for Mines: I was counted out once or twice.

Mr. O'Loughlen: We had to balance it off a bit.

Mr. SIMONS: One of the most lamentable phrases ever written by a Minister of the Crown was that in which the late Attorney General, in making reference to a certain alteration which would involve the securing of Parliamentary authority, said

that such a course would be "highly objectionable." Here is the legal voice of a Minister of the Crown, a voice which had sworn to speak only in terms of loyalty and devotion to the Constitution, saying it would be highly objectionable to allow Parliament to have a voice in deciding such a matter. It is very rarely that we find in history such a subversion of Parliamentary practice wherein a representative of the Crown has referred to the approaching of Parliament regarding a matter involving £70,000 as "highly objectionable." I know of no tribunal in the British Empire in which such a statement as that could be justified on behalf of any Minister of the Crown. We have always prided ourselves as a people, working under the British Constitution, that our Parliaments are free from any taint or any unbusinesslike dealings suggesting dishonesty. I know that no member of this Chamber would ever impugn the Premier. On the contrary, I believe every member of the House would accept his word just as definitely and with less hesitation than they would accept the signature of some Ministers I have known. Despite that, however, on no account could we allow a transaction of this kind to go by without registering a definite and unmistakable protest. Right throughout the history of Parliamentary life in Australia, we have maintained a sense of honour which has always expected Ministers of the Crown to stand as the guardians of the purity of our political life. It has been written in the records of Australia that when one Minister of the Crown made reference in a communication to "mint sauce," it was interpreted as suggesting some Ministerial act embodying financial considerations. For 25 years subsequently, that particular Minister vainly attempted to get back to the public life of Australia, but was turned down time after time. The Parliamentary life in our history has been, for the most part, something to be admired and revered, and since Responsible Government was first extended to Australia in 1855, we have always been able to point out that men who have served long in office under the Crown have died poor men, demonstrating clearly that they have given their all to the country. That is the spirit which it should be our duty to preserve.

Mr. Teesdale: We are doing that.

Mr. SIMONS: When we find a Minister who, when in power, was prepared to give away the people's rights behind the back of Parliament for a period of over 40 years, we must register an emphatic protest. I do not believe any Prime Minister or any Minister of the Crown has ever signed away our heritage such as in this case, until 1903.

Mr. Troy: There is the instance of the pastoral leases. The same men were concerned in that matter.

Mr. SIMONS: That is so. In the instance under discussion, an agreement has been made for the carriage of the com-

pany's products over our railways at 4s. 2d. per ton. How much freight will 4s. 2d. buy 40 years hence? What cost is per ton to carry over our railways 20 years ago, costs 2s. to-day, and perhaps 40 years hence will cost 10s. a ton. We are confronted with the position that children unborn to-day will have to contribute for the next 42 years to the loss which will be experienced, aggregating, as has been suggested, a sum of over £800,000.

Mr. Latham: It is really subsidising a secondary industry.

Mr. SIMONS: Behind the back of Parliament!

Mr. McCallum: This is assistance to a private company. It is not the question of a secondary industry.

Mr. SIMONS: We can admit, for the purposes of debate, that it represents assistance to a secondary industry, but it has been done by way of a sneaking trick and that is just what we protest against. I do not believe that there is any member on the Government side of the House who was returned as a guardian of the finances of the country, who can conscientiously decline to support a motion such as that before the Chamber. Such a course must be adopted for more than one reason. It has to be adopted in the interests of sane finance and as a corrective to warn Ministers at the present time, and future Ministers too, that we are jealous of the honour and integrity of Parliament, that we are so mindful of the purity of our political life, that we shall not allow such an incident to pass without protest against any deviation from the path of rectitude.

Mr. WILLCOCK (Geraldton) [11.28]: I had hoped that there would have been some deference from the Government side before I spoke to the motion.

Mr. Teesdale: Go ahead, we are all blown out!

Mr. McCallum: Have you skied the towel already?

Mr. Teesdale: Not I!

Mr. WILLCOCK: Judging by the way the member for Roebourne was writing so feverishly during the course of the debate, I thought he would have added to the eloquence by something which would have amounted to a revelation.

Mr. Teesdale: I never wrote a note.

Mr. WILLCOCK: I realise that most of what can be said from our point of view regarding the motion, has already been traversed by the Leader of the Opposition and other hon. members sitting on the opposition side of the House. I desire to emphasise one or two points regarding the agreement particularly from the railway standpoint. We have heard of the effect of railway revenue on the finances; yet in the face of such circumstances, we find the present Government composed of all the business element of the country and representative of the savacious element of the State, as embodied in the National Party, making an agreement which

will mean a serious loss to the country. The member for South Fremantle (Mr. McCallum) this afternoon gave figures, which may or may not be correct.

Mr. McCallum: They were the Government's own figures, taken from the Loan Estimates.

Mr. WILLCOCK: And, as I say, they may or may not be correct. Freight may come down, but all the evidence of the past 10 or 15 years suggests that they will continue to go up, while the value of money will continue to come down. In regard to the freight, it is the most ludicrous agreement I have ever heard of.

Mr. Teesdale: Coal is carried at about the same rate.

Mr. WILLCOCK: But nobody would make an agreement to carry coal at a fixed rate for 40 years! Under the agreement, the freight paid by the company is not subject to fluctuation. Railway freights show a marked tendency to increase, and I am convinced that they will not come down during the next 10 or 15 years, unless indeed the Government amend their policy of subsidising the agricultural industry through the Railway Department to the tune of something like a quarter of a million per annum. If a freight agreement had to be made with the company, the proper thing to have done was to declare that the special freight should be a certain percentage of the ordinary freight charged on the railways; then, if the ordinary freight was subsequently increased, the special freight conceded to the company would increase in due proportion. However, this most unbusinesslike agreement was made against the advice, not only of responsible departmental officers, but of the Minister for Railways also. If Cabinet had merely declined to accept the advice of the departmental officers it would be bad enough, but for Cabinet to ignore the advice of the Minister for Railways was to suggest that the Ministry was a Ministry of wealings.

Mr. Mann: You have heard that it was not discussed in Cabinet.

Mr. WILLCOCK: Which is further evidence in support of the view that the Government were incompetent. The Attorney General, in his communication to Mr. Oakden, said it was a Cabinet decision. The Minister for Works has since said that what the Attorney General stated was untrue.

The Minister for Works: The Premier's secretary tells me there was no Cabinet minute.

Mr. WILLCOCK: Which means that the Attorney General was a deliberate liar.

The Minister for Works: I can only tell you what the Premier's secretary sent up to me this afternoon.

Mr. WILLCOCK: Regarding the freight agreement, three conditions were insisted upon by the Commissioner of Railways. Heavy rails were to be used, or alternatively the line was to go to Pinjarra and, in addition, 70,000 tons of lime per annum was to be carried. None of those conditions was

observed in the making of the agreement. Having looked through the file and heard what has been said, I am forced to the conclusion that practically all the Ministers knew of this agreement. The Minister for Works has denied it. However, on the facts placed before us, my view is that all the Ministers knew about it; this thing was so insistently referred to by almost everybody concerned. As to the minute in which Mr. Robinson concurred with the advice of the Solicitor General, it appears to me the Solicitor General and Mr. Robinson must have had a conversation, that Mr. Sayer did not want to approve of the agreement, but that in the end he said he would do so if Mr. Robinson concurred; and so the whole thing was fixed up in the one day. I do not think it is usual that in one day a minute should go from an officer to his Minister, and be concurred in by the Minister, and the whole thing put through. Another point: whatever doubts Ministers may have had, the company knew it had authority to build the line, and that eventually the Government would pay for it. Virtually the Government were giving the company a blank cheque with which to build the line at whatever cost they liked.

The Minister for Works: No.

Mr. WILLCOCK: But if the agreement was that the Government should take over the line at construction cost, there was no means of checking what was done. I understand that three or four sidings have been constructed between Lake Clifton and Warona, for what reason nobody seems to know. The only wonder is that, in the circumstances, the line did not cost a million, for no matter what the cost the obligation was on the Government to meet it.

Mr. Latham: Subject to arbitration.

Mr. WILLCOCK: Nothing of the kind. The most important part of the motion is the latter part declaring that the Government have forfeited the confidence of the Assembly. The Premier has good reason for claiming exoneration in connection with the first portion of the motion because his Government were not in power. With regard to the neglect to inform Parliament of the existence of the agreement, the present Premier having then been in control, must plead guilty. It was the Premier's duty to inform Parliament. I think more than half his supporters will back me in the view that as soon as he knew of the existence of the agreement, he should have informed the House. The reason why the House was not informed was that a general election was pending. The Premier, therefore, deliberately withheld this information from the House for his own personal political advantage and that of his party. He had no right to do it. It was scandalous that he did not show more sense of responsibility to this House than consideration for his own personal political advantage. The Premier must have known that, had the matter been ventilated last session, it would have made a considerable difference to the prospects of his party when

they were before the country. If, following on this debate, the general elections were to be held in March next, this matter would form one of the most vital questions on which the election would be fought. Had this agreement been brought forward a year ago the Government would not have come out of the business very well, and particularly so the Premier because of his desire to hide for so long something which the public were entitled to know. I ask the House would the country endorse a Government who, in spite of their talk about their business acumen and their ability to right the finances, would make a silly agreement like this? Would the country endorse the return of Ministers who admitted that they permitted themselves to be hoodwinked, not to use a stronger term? Would the country support a Government numbering members who would sign an important agreement without taking the trouble to read it? Would the country return a party containing men who deceived their colleagues? The Premier was considerably perturbed about this matter and tried to keep it quiet. It was only because it was a money matter that we heard anything about it. But for the necessity for securing Parliamentary authority for the payment of the money, the agreement would have been kept as silent as some of the secrets of the past. I cannot for the life of me believe that the Minister for Education did not know of the existence of this agreement more than six months ago. Immediately the Premier learned of the agreement, he would consult the man who had acted as Premier in his absence and who had signed the agreement. We must give the Premier credit for possessing brains, and I am satisfied that the first thing he would do on learning of the existence of the agreement would be to go immediately to the man who had signed it, the man who had acted for him in his absence. In the circumstances I cannot believe the published statement of Mr. Colebatch that he knew nothing of the agreement until six months ago. I am sorry that the Premier is not in the Chamber at the moment, because I would like him to give me an assurance on this point. Although I would not believe the word of the Minister for Education, I would be quite prepared to accept the word of the Premier. Anyone placing himself in the position of the Premier at that time can come to no other conclusion than that the first man the Premier would consult after discovering the agreement would be the senior member of the Ministry who had signed the agreement.

Mr. Teesdale: When it was too late.

Mr. WILLCOCK: We are at present concerned with the question as to whether a member of the Ministry has told an absolute falsehood. If a man will tell an absolute falsehood with regard to a matter of this kind, he is not to be trusted in connection with other matters. I am not prepared to trust the Minister for Education in other matters, because I believe he has told an

absolute falsehood. His statement is so palpably absurd. One cannot conceive of the Premier becoming possessed of such information, which everyone realises he regarded most seriously, and of his withholding that information for a period of 18 long months from his principal colleague, the Minister who had actually signed the agreement.

Hon. P. Collier: Especially as all the other Ministers knew of it.

Mr. WILLCOCK: And during which time application had been made by the company for the payment of the money. I believe that all members of the Cabinet knew about it at the time. Since the Premier has returned to his seat in the Chamber, I would like his assurance whether the Minister for Education was correct in the statement made in the Press that he was not consulted regarding this matter until six months ago.

The Premier: But this happened two years ago.

Mr. WILLCOCK: The Premier informed Cabinet at the time, which gives the lie to the statement of the Minister for Education.

Hon. P. Collier: The Attorney General drew up a minute two years ago, and yet the Minister for Education wants us to believe he knew nothing about it until June of this year.

The Premier: I do not think he said that.

Mr. WILLCOCK: I am satisfied that the Minister for Education, with other Ministers, knew of the agreement. I regard the agreement as it stands as a corrupt agreement. Legally it might be in order, but morally it is the most corrupt agreement I have ever heard of. Anyone who had any idea of constitutional government or respect for the conduct of Parliamentary business would never have entered into such an agreement. If the agreement had been submitted to this House, not one-tenth of the Government supporters—apart from members of the Ministry—would have supported it. The whole country would have seethed with discontent if the Government had proposed to build this line for a private company in preference to building railways which have been authorised for years and for which the settlers in the country have been crying in vain. The agreement in regard to freight was foolish and unbusinesslike, and opposed to the advice of the responsible officers and to the advice of the Minister himself. A Minister who would sit in Cabinet after having his recommendation turned down like this can only be termed a weakling. He has gone the way of the rest, and will not trouble us any more. What I am concerned about is the manner in which the Premier surreptitiously withheld from this House the knowledge of the position.

The Premier: I did not do so.

Mr. WILLCOCK: The Premier withheld the information because the general elections were pending.

The Premier: Nothing of the sort.

Mr. WILLCOCK: If the facts which have been made public to-day had been made known before the last general elections, it would have resulted badly for the Government.

The Premier: I had nothing to do with the thing.

Mr. WILLCOCK: If the knowledge the Premier obtained had been passed on to the House and to the people, the Government would never have been returned with the majority they now have. It was to the Premier's personal political interest that this knowledge should be withheld.

The Premier: No!

Mr. WILLCOCK: That is my idea of it. No one stands up for this agreement. Everyone condemns it. No one says it was the right thing to do. Even the Government say it should not have been done, but that as the obligation has been entered into they must go on with it.

The Premier: I do not defend it.

Mr. WILLCOCK: Why was not the information given to the public when it first became available?

The Premier: I had nothing to do with it.

Mr. WILLCOCK: The former member for Canning would have had no chance of being returned if the facts had been made known.

Hon. W. C. Angwin: He had not much chance anyway.

Mr. WILLCOCK: That is so, but the position would have reacted upon Government candidates generally. This knowledge was surreptitiously withheld from the House with the object of giving a political advantage to the Premier and his party.

The Premier: No.

Mr. SPEAKER: The hon. member is repeating himself.

Mr. Teesdale: It would have affected Ministers, but not outside members.

Mr. WILLCOCK: It would have affected them all. It would have affected all the duds who otherwise supported people of that description. No one would go upon a public platform and befriend this sort of thing.

Hon. P. Collier: Political duds.

Mr. WILLCOCK: They would have been dubbed political duds by the country if they had supported questionable and corrupt action of this kind.

The Premier: I had nothing to do with it.

Mr. WILLCOCK: I absolve the Premier from all blame in regard to that, but with respect to the latter portion of the motion, whether he intended it or not, his action certainly reacted favourably upon the political prospects of his party at the last election. I will not say this knowledge was surreptitiously withheld if the Premier does not like it, but that is my opinion of the position.

The Minister for Works: You might as well say it.

Hon. P. Collier: Out of regard for your feelings he will only think it, and will not say it.

Mr. WILLCOCK: I will say it then.

Mr. Johnston: We would have had a majority.

Mr. WILLCOCK: If there is one member on the other side of the House who would have come in out of the wet it would have been the member for Williams-Narrogin. He would not have hesitated to talk about the manner in which this agreement was entered into. I support the motion and specially support the latter portion of it which indicates that the Premier did not give the information to this House when he might have done.

Mr. LAMBERT (Coolgardie) [11.55]: Very little remains to be said relative to this motion.

The Minister for Works: Hear, hear!

Mr. Corboy: There is even less to be said from your side.

Mr. LAMBERT: I do not know that anything has been said to impugn the personal integrity or political honour of the Premier. A case has been made out to show that in this agreement there has been a serious departure from the intentions of Parliament, as laid down in the Act, and to render it necessary for some explanation to be afforded to the House. No explanation has yet been given. The Premier has apparently rested in the belief that no explanation from him is necessary. He knew nothing about the agreement, was not Premier at the time, and some of his Ministers were not in the Cabinet. I hope some means will be found of clearing up the matter. It has been suggested that Mr. Robinson should be called to the Bar of the House, and asked to explain the negotiations which led up to the making of this agreement. I take it that is a matter the Government will decide. As has been hinted at previously, the Government may rest assured that the blind majority sitting behind them—

Mr. Teesdale: You are not referring to me, I hope.

Mr. LAMBERT: The hon. member is politically blind, and is also blind in other respects.

The Minister for Mines: You can see well enough, but you will not.

Mr. Troy: None of us can see as well as you can.

Mr. LAMBERT: Whether this business has been the means of promoting an industry in Western Australia or not, remains to be seen. I hope people outside will not get the idea from anything which has been said that the lime from these deposits is not of the purest quality. In any motion of censure that the Opposition have felt it their duty to launch against the apparently unbusinesslike methods of the Government, it is hoped that the value of these lime deposits will not be depreciated. I suppose they are unique in Australia. There is no other deposit of lime in the Commonwealth that will compare with this one, either in the matter of extent or of purity. So far as I know, the lime is eminently suitable for the manufacture of cement. One only requires

ordinary limestone for making Portland cement. I hope members will not take the view that this deposit is of no value. It is indeed very valuable, possibly one of the most valuable in Australia. It is practically the only deposit of that extent which is capable of being applied not only to the manufacture of Portland cement, but to use in a dozen different chemical and other directions. I hope members on the other side of the House will not, like the member for Roebourne, merely follow the Government blindly, but will use their own good judgment and, in the interests of the country, vote for the motion.

Hon. P. COLLIER (Boulder—in reply) [12.1 a.m.]: In exercising my right of reply I shall not occupy much of the time of the House. The case as put forward from this side of the Chamber has, I contend, gone entirely without answer. I cannot recall, for many years past, a subject which has been debated here so one-sidedly. No serious effort has been made, by either the Premier or the Minister for Works or other hon. members opposite who have addressed themselves to the motion, to reply in any way to the serious indictment levelled at the Government. The Premier, while disclaiming, rightly, any responsibility for the Lake Clifton contract, has stated—I suppose in defence of the Cabinet of the day and of those of his colleagues who were members of that Cabinet—that the Cabinet minute was quite clear as to the agreement requiring the approval of Parliament. I shall not argue the construction which might be placed upon that Cabinet minute, except to say that I disagree entirely with the Premier's contention. I agree with the construction placed upon the minute by the member for Bunbury (Mr. Money). To my mind, the minute is quite clear that the agreement did not require the approval of Parliament. What position is created by the Premier's statement, supported as that statement is by the Minister for Works and by the Minister for Education? If the minute provided for ratification by Parliament, and the Attorney General of the day was responsible for the agreement, though the document was drafted by the Crown Solicitor, what is the position of the Attorney General of that day? The agreement, I say, was drafted by the Crown Solicitor, but it was approved by that Attorney General, who stated to his colleagues—including the acting Premier, by whom the agreement was signed—that the document was within the terms of the Cabinet decision. The attitude now taken by the present Premier and his colleagues amounts to the making of a direct charge against the late Attorney General, Mr. Robinson, of being a traitor to his colleagues, and of having deliberately betrayed them—not of having misled them, but of having deliberately betrayed

them. And more: the attitude of Cabinet now amounts to a charge that Mr. Robinson refused to carry into effect a decision of the Cabinet of which he was a member, and thus involved the State, without either the authority or the knowledge of Parliament, in an expenditure of £70,000. I want to know, is the matter going to be allowed to rest there? Are we going to dispose of the matter merely by a vote in this Chamber, letting it go forth to the country that the Attorney General of the day was a dishonest man, and not only a dishonest man, but also a scoundrel? No man capable of doing that which the Premier and his colleagues allege against Mr. Robinson could be other than a scoundrel. There can be no question about that. That is the only interpretation which can be placed upon the matter. The allegation amounts to this, that Mr. Robinson deliberately betrayed his colleagues and put up an agreement on them which the Cabinet minute did not entitle him to do, and which his colleagues of that day did not intend he should do. If that be the truth, Mr. Robinson is branded as a scoundrel. I ask again, is the thing going to rest there? I ask, what is going to be done in order to place the responsibility upon the proper shoulders? However, those statements against Mr. Robinson are not my statements. For my part, I am not prepared to believe that all the blame and all the responsibility rest upon Mr. Robinson. What I had to say last evening with regard to Mr. Robinson had to do with other actions of his in connection with the contract. It had to do with his acting in a dual capacity, with his conduct in taking copies of minutes on the files. But, knowing nothing of what had taken place in Cabinet, I offered no opinion whatever as to the Cabinet decision and the agreement. But I want to say now that, like other members who have spoken from this side of the House, I am not prepared to accept in their entirety the explanations which have been given by the Ministers who were concerned. I am inclined to think that there are some men intimately connected with this contract who have no desire to obtain for themselves a reputation of the kind which serves to hand down to posterity the name of George Washington, namely the reputation of being unable to tell a lie. I am afraid there have been untruths uttered in connection with this matter. In the Press to-day Mr. Robinson makes the definite statement that not only he, but also his colleagues, knew perfectly well that it was not intended to submit the agreement to Parliament for approval. Further than that, Mr. Robinson states that Mr. Oakden, the Sydney representative of the company, waited upon Sir Henry Lefroy, the Premier of the day—I think Mr. Robinson says just before the Cabinet meeting—and that Mr. Oakden then explained to Sir Henry

Lefroy that he was not prepared to go on with the contract if it had to go to Parliament for endorsement. On this phase of the subject someone is telling a deliberate lie: either Mr. Robinson is telling untruths, or other Ministers are doing so. If it be true, as stated by Mr. Robinson, that Mr. Oakden waited upon the Premier of the day personally and explained the position to Sir Henry Lefroy, it is inconceivable that Sir Henry would not have related to his fellow Ministers in Cabinet the statement made to him by Mr. Oakden.

Mr. Troy: Does the late Attorney General say that Mr. Oakden personally waited upon Sir Henry Lefroy?

Hon. P. COLLIER: Yes. The more one turns over the files, and finds papers, minutes, and letters round about that date, for a month or two months before the date on which the agreement was signed, and also finds later references to the agreement in a number of minutes, the more one is driven to the conclusion that the desire not only of Mr. Robinson but of other Ministers of the period was that the agreement should not be made subject to ratification by Parliament.

The Minister for Works: Why should the other Ministers not desire it?

Hon. P. COLLIER: I do not know.

The Minister for Works: Neither do I.

Hon. P. COLLIER: I do not know except to this extent, that Ministers wanted the agreement to go through, that they wanted the company to go on with the line, that they had decided to purchase the line and did not want to submit the matter to Parliament because they felt quite sure that Parliament would not approve of the purchase of the railway by the State. That is the only reason why.

Mr. McCallum: And the company asked for it as well.

Mr. Money: There would be a lot of delay, of course.

Hon. P. COLLIER: Not only that, but the general impression was that Parliament would not agree to the purchase and, certainly, that the State would not construct the line, because there were several railways already awaiting construction.

Mr. Johnston: It never would have been constructed by the State.

Hon. P. COLLIER: Has any member of this Chamber a doubt as to what would have been the attitude of the House, if a proposal to construct this line had been advanced by the Government when there were 205 miles of railways already authorised, but not constructed? Of course, Parliament would have thrown any such proposal out, and that would have been the motive actuating us.

Mr. O'Loghlen: In spite of that, the member for Williams-Narrogin, who is always squealing about railways, condones everything. He is a slobbersome supporter of the Government.

Hon. P. COLLIER: The Minister for Works has deliberately withheld information from this House. I assert definitely that he gave incorrect, not to say false, information to this House.

The Minister for Works: Not at all.

Hon. P. COLLIER: I will show the Minister that he has done so. I believe that the Minister knew of this all along, knew that they were committed to the purchase of the line, and knew that there was no intention of Parliament being approached regarding the matter. I am sorry that the Minister for Works has not been so candid as the Premier and the Minister for Education. The Premier states that he knew of the facts in December, 1919. The Minister for Education tells us that he only knew of this in June of this year. The Minister for Works has not taken us into his confidence and in the course of his speech last night he did not tell us when he first became aware that Cabinet's decision was not embodied in the agreement. I questioned him by way of interjection but he did not give us the information.

The Minister for Works: I told you that I was in the Premier's office sometime towards the end of 1919 and that I first knew of it then. That is as far as my memory serves me, and I cannot tell you more.

Hon. P. COLLIER: Surely when, as Minister for Works, the hon. member knew that a certain course of action had been agreed to in Cabinet, and when he discovered that he had been betrayed by a colleague, that should have been sufficient, seeing that it would be such an exceptional event, to impress it on his memory. On the contrary, the Minister for Works has not given us any information on that point.

The Minister for Works: As far as my memory serves me, the first I knew of it was when the then Attorney General, Mr. Draper, dealt with the matter towards the end of 1919.

Hon. P. COLLIER: This is the first time the Minister has given us that information and I accept it. It would appear, therefore, that he became aware of the matter at about the same time as the Premier. But there is this aspect which has to be taken into consideration. On the 12th August, 1919, the member for North-East Fremantle (Hon. W. C. Angwin) asked the Minister for Works a series of eight questions regarding this particular work. Of those eight questions the sixth was as follows:—

If the Public Works Department is constructing a railway line from Waroona to Lake Clifton for a private company, under what terms and conditions is the line being constructed?

That is a perfectly fair question and should have received a fair answer without any equivocation whatsoever. On the contrary, however, we find that this was the answer of the Minister for Works:—

Answered by No. 1.

To see what that means, hon. members will find, by referring to "Hansard," that question No. 1 was as follows:—

Is the Public Works Department constructing a railway line from Waroona to Lake Clifton?

To that question the Minister's answer was, "No." Hon. members will see that the answer constitutes an absolute evasion of the question. That evasion was deliberate and it showed a considered desire and intention to withhold information. That was the time when the Minister might have taken the House into his

confidence. It was equivocation, because it was not necessary. This sort of answer was only intended to deceive and not to give the hon. member the information he was seeking. Had the Minister been frank in answering that question, he would have stated that the Public Works Department was constructing the line for the company and he would have given the terms and conditions.

The Minister for Works: There was no reason why that information should not have been given.

Hon. P. COLLIER: That is one of the remarkable features all through this case. There is no reason why Ministers should not have done the right thing, but they have always done the wrong thing. There must have been some reason for this. On the law of averages, Ministers should have been right now and again but they have not evidenced that very much.

The Minister for Works: Was it not a remarkable thing that those questions were asked?

Hon. P. COLLIER: There is a silly question by the Minister! There is his evasion again! This knowledge came to the member for North-East Fremantle and he required information as to the railway that was being constructed.

Hon. W. C. Angwin: And it did not come from a Government officer either.

Hon. P. COLLIER: The House knew nothing about it and, as it was an important question, the hon. member had every right to ask for the information in the House. The Minister for Works tried to get out of the position by giving misleading answers. The member for North-East Fremantle was only exercising his duty in asking those questions, and the Minister did not think it right to give fair and straightforward answers. It is such things that make me think that all the responsibility did not rest upon one Minister, but that they all knew.

The Minister for Works: Had I been as cunning as you try to make me out, I would not have given that answer.

Hon. P. COLLIER: Simplicity again! There is the appeal for mercy. Every time a point is made against Ministers, we have the plea, "Please, Sir, I was innocent and did not understand." The Minister for Works pleads innocence and asks for mercy!

The Minister for Works: If I wanted mercy, I should not come to you or your crowd either.

Hon. P. COLLIER: As a matter of fact, there has been nothing but mercy since we have been in opposition. There has been more mercy and consideration extended to Ministers than they extended to us when we were on the Treasury benches.

The Minister for Works: Probably we deserve more.

Hon. P. COLLIER: The Minister for Works talks about mercy! We remember when he used to storm and rage up and down along this front Opposition bench, when his colleagues had to leave their chairs that he might have room to stamp up and down, roaring like a lion and waving his arms about, frothing at the mouth—and now he talks about mercy! There has been too much mercy extended by the Opposition to those on the Government benches.

Mr. O'Loughlin: Hear, hear! That is quite correct.

Hon. P. COLLIER: There has been too much political affection and love taps since we have been in opposition. Perhaps, had we been more keen in our criticism, Ministers would not have been placed in such a regrettable position as is disclosed by this agreement. The member for Pilbara (Mr. Underwood), the Independent who leads the National Labour Party, who has abandoned for the time being his splendid isolation in order to come down to lead the National Labour Party out of the wilderness of this situation, says in regard to the two Ministers that he neither condones nor excuses them. Just the same, he cannot vote for any portion of the motion, cannot even vote to censure the Ministers who were members of the Lefroy Cabinet, although he considers it of sufficient importance to say that, had he known of this, it would have been sufficient to warrant his own resignation. The hon. member considers Ministers so far departed from the course of action which Ministers of the Crown ought to pursue, that had he known of it he could not longer have remained a colleague of theirs; yet he is not now going to censure them. He does not condone it nor excuse it, yet inferentially he admits that they were guilty of reprehensible conduct.

Mr. Underwood: We will let it go at that.

Hon. P. COLLIER: He says the Premier did his work as it should be done. In support of this the hon. member puts up an argument that would not deceive a school child. A more rubbishy argument I have never heard—and I have been listening to the hon. member for many years. He says the Premier was negotiating with the company, and that of course one cannot disclose the facts concerning any deal of this kind while the Premier is still negotiating. Where was the Premier negotiating? It is true there was some correspondence during the last six months between the Premier and the company in regard to the claim made by the company; but they were not negotiating a contract. Certainly, when Ministers are negotiating a deal, they cannot disclose the whole of the facts at the time. But no negotiations were going on in this matter which could have the slightest effect on the agreement; because in the final analysis the method of determining the amount to be paid for the railway is laid down in the Act. To say the Premier did the right thing because he was still negotiating, is all nonsense. The hon. member knows well that the Government did wrong in withholding for two years the information from Parliament and the country. We need only refer to the minute written by Mr. Justice Draper to realise how serious the Government of the day considered the thing. And having discovered this serious thing, why did not they come to the House, why was it withheld for two years? We are told that the State has not suffered, that no wrong has been done by the withholding of the information. I say a grievous wrong has been done, in that the electors of the State have been allowed to go to the poll and cast their votes for men intimately and actively associated with this contract, allowed to cast their votes without any knowledge of the part the candidates had played in the contract. The electors of Canning were allowed to vote in the dark in March last without any information as to the part played by their member in this agreement.

Was not that a wrong? Was it not a right due to the electors of Canning and of Murray-Wellington that they should know all about the agreement? I am not saying that the verdict of the electors would have been altered in either case, but I declare that the electors had a right to know all about it. I am inclined to take the view of the member for Geraldton (Mr. Willcock) that the information was withheld from the public because, had it been known, it would have made a difference in the election results.

The Minister for Works: It would have made no difference in my electorate.

Hon. P. COLLIER: Now we have the Premier and his colleagues charging Mr. Robinson with being a traitor. Yet they sat silent and endorsed his candidature at the last election. They said in effect, "This is our candidate, vote for him and return him." And all the machinery of their organisation was behind Mr. Robinson during the election. By their silence they assisted in an endeavour to return a man who, to-day, they say is a traitor and guilty of treacherous conduct towards them.

The Premier: I do not think I used those words at all.

Hon. P. COLLIER: It does not matter what were the words used. The Premier stated his opinion of the Cabinet minute, and the Attorney General drew up a contract contrary to the Cabinet minute; therefore he was guilty of treachery to his colleagues. Yes he was allowed to go forward as the candidate of the party, and the electors of Canning were allowed to vote for him without any knowledge of what he had done. There, I say, an injury has been done and the electors have suffered. Had this matter been thrashed out in the House prior to the last election, every member of the House would have been responsible at the election for whatever attitude he took up when this was disclosed. Of course, it may be said that all members will be responsible at the next election. But that will be 2½ years hence, which is entirely different from being responsible at elections held only a couple of months or so after the debate. I say the Premier, in that respect too, has done a grievous injustice to the people by withholding these facts for so long. I come now to the remarks of the Leader of the Country Party. I am glad to say that on the whole this debate has been conducted free from acrimony or offensive remarks. It was left to the Leader of the Country Party to attempt to wash soiled political linen in regard to this. The Leader of the Country Party, I am informed, spent four hours on Sunday afternoon wading through the files. Yet, apparently, he was unable to extract therefrom sufficient material to allow him to make a speech of even 10 minutes without descending to unworthy personalities. He occupied the first seven or eight minutes of his remarks with a rehash regarding the introduction of the Bill, facts with which every member was familiar and which required no mental effort on his part. When he had exhausted himself on that—he did not know sufficient about the contents of the file to speak on the merits of the case—he must resort to talk about other contracts. He referred to me and to other members on this side of the House by saying that people who live in glass houses should not throw stones. The

hon. member was not able to get anything out of the file, but was content to take information willy-nilly from the newspapers, accepting the passing criticism of the day and asserting that I had been associated with some secret contract which would not bear the light of day.

Mr. SPEAKER: I made the hon. member withdraw that statement.

Hon. P. COLLIER: Quite so, but I cannot allow it to pass without making some comment upon it. It was a contemptible and unworthy remark for the leader of any party to make. When I asked the hon. member what secret contract he referred to, he mentioned the Nevanas contract. For that contract I am prepared to accept any measure of responsibility due to me as a member of the Government who carried it out. However, the hon. member himself showed that that contract had been the subject of investigation by a Royal Commission.

The Minister for Mines: It had the light of day thrown on it all right.

Hon. P. COLLIER: Yes, and the light of night and the light of months and years. The member for Avon had no better case to put up than to say that that contract would not bear the light of day. He inferred that there was something dishonest and corrupt about it. It was a contemptible attitude for him to adopt. If the hon. member thinks there was something about that contract which would not bear the light of day, I wish to remind him that the present Minister for Railways who was our Premier, is to-day a member of the Country Party and represents in the present Cabinet the party of which the member for Avon is the leader. Yet the hon. member so far forgot himself as to insinuate that this particular contract entered into by the Scaddan Government—we all accepted responsibility for it—would not bear the light of day. Apparently the hon. member did not have enough intelligence to understand that he was reflecting—if any reflection could be cast—not only upon me and those associated with me, but upon one of his present colleagues, and one of the members of the Ministry he is supporting. The member for Williams-Narrogin (Mr. Johnston) said that had the Government who made the contract been in office to-day, we—meaning the Country Party—would have shown our attitude in no unmistakeable way. I interpret this to mean that the Country Party would have voted the Government out of office, and I take it the hon. member was speaking for the Country Party. While the hon. member would vote the whole of the Government out of office, is he not concerned with the fact that there are two members of the present Cabinet who were members of that particular Government? The hon. member would vote the whole of the Government out of office, but he would not even censure two Ministers who were members of that Cabinet! Does not the hon. member see how inconsistent he is?

Mr. Johnston: I said that was a matter for later consideration.

Hon. P. COLLIER: The debate has resolved itself into a miserable, wretched apology. A majority of members on the Government side have remained discreetly silent, but those who have

spoken have contented themselves with making apologies. They are excusing and they are not excusing; they do not blame and yet they do blame; they accept no responsibility, and so it goes on. Apparently we are to have some of the Ministers, who were members of the Lefroy Government and who made the contract, continuing to administer the affairs of this State. The Minister for Education who was acting Premier at the time has told the country through the Press that he knew nothing about this agreement for 18 months. Although the Premier knew of it, although the Minister for Works knew of it, and although the ex-Attorney General (Mr. Draper) knew of it 18 months ago, the Minister for Education did not learn of it until June of the present year. For 18 months it had been known to his colleagues; not until six months ago did he hear of it. With the member for Geraldton (Mr. Willcock) I say I do not believe him. I believe he is telling an untruth. That is one of the untruths told in connection with this contract. I am under no delusion at all as to how the vote will go; I am not concerned about that. Members will vote according to their beliefs and their consciences, and members on the other side of the House will take the responsibility for their vote. No matter what the final outcome is, no matter whether the responsibility for what has been done is properly apportioned between the members of the Cabinet who made the contract or not, I am satisfied that the Opposition have only done their duty to the House and to the country by affording an opportunity to have the question ventilated, discussed and voted upon in this Chamber.

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

Ayes	...	...	...	17
Noes	...	...	...	30

Majority against ... 13

AYES.

Mr. Angwin	Mr. McCallum
Mr. Chesson	Mr. Munster
Mr. Clydesdale	Mr. Simons
Mr. Collier	Mr. Troy
Mr. Corboy	Mr. Walker
Mr. Heron	Mr. Willcock
Mr. Lambert	Mr. Wilson
Mr. Lutey	Mr. O'Loughlin
Mr. Marshall	(Teller.)

NOES.

Mr. Angelo	Mr. H. K. Maley
Mr. Boyland	Mr. Mann
Mr. Broun	Sir James Mitchell
Mr. Carter	Mr. Money
Mrs. Cowan	Mr. Pickering
Mr. Davies	Mr. Plesse
Mr. Denton	Mr. Richardson
Mr. Durack	Mr. Sampson
Mr. George	Mr. Scaddan
Mr. Gibson	Mr. J. M. Smith
Mr. Harrison	Mr. Stubbs
Mr. Hickmott	Mr. Teesdale
Mr. Johnston	Mr. J. Thomson
Mr. Latham	Mr. Underwood
Mr. C. C. Maley	Mr. Mullany

(Teller.)

Question thus negatived.

STANDING ORDERS SUSPENSION.

Close of Session.

The PREMIER (Hon. Sir James Mitchell—Northam) [12.40]: There are two Bills that I wish to get upon the Notice Paper for to-morrow. One is to provide for the continuation of the nine to nine clause in the Licensing Act, and the other is in connection with the rate of interest to be paid on loans as from the end of December. It will be remembered that we fix the rate of interest for each year. I find I will have to ask the House to suspend the Standing Orders to permit of these two Bills being placed on the Notice Paper for to-morrow.

Mr. SPEAKER: The time for giving notice has passed. It is necessary to suspend so much of the Standing Orders as to enable these Bills to be placed on the Notice Paper for to-morrow.

The PREMIER: I move—

That so much of the Standing Orders be suspended as to allow of the introduction of Bills or motions without notice.

Question put and passed.

BILLS (2)—FIRST READING.

1, General Loan and Inscribed Stock Act Amendment.

2, Sale of Liquor Regulation Act Continuance. Introduced by the Premier.

BILLS (2)—THIRD READING.

1, Closer Settlement.

2, Industrial Arbitration Act Amendment. Transmitted to the Council.

House adjourned at 12.48 a.m. (Thursday.)

Legislative Council.

Thursday, 22nd December, 1921.

	Page
Assent to Bills	2581
Ministerial Statement, Grain Bill	2581
Standing Orders, Suspension	2582
Standing Order (No. 274), Suspension	2583
Select Committee: Land and Income Tax Assessment Amendment Bill, Change of Member	2583
Question: Lime, Lake Clifton and Dongara	2585
Leave of Absence	2586
Joint Select Committee: Federation and the State, Interim report adopted	2586
Bills: Workers Homes Act Amendment, Com.	2590
Permanent Reserves (No. 2), 2R.	2591
Architects, report	2592
Industrial Arbitration Act Amendment, 1R.	2592
Industries Assistance Act Continuance, 1R., 2A.	2592
Closer Settlement, 1R.	2592
Sale of Liquor Regulation Act Continuance, all stages	2592
Stamp, Assembly's further Message	2592
Constitution Act Amendment, Assembly's Message	2592
General Loan and Inscribed Stock Act Amendment, all stages	2592
Supply (No. 4), £1,030,000, all stages	2593
Adjournment, Christmas Holidays	2593

The PRESIDENT took the Chair at 3.0 p.m., and read prayers.

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the undermentioned Bills:—

1, Courts of Session.

2, Perth Hebrew Congregation Lands.

MINISTERIAL STATEMENT—GRAIN BILL.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.3]: With the permission of the House, I desire to make a brief statement to clear up what I am sure was purely a misunderstanding, but something which, without explanation, might appear to be other than it was. During the debate on the Grain Bill I read to the House what purported to be a copy of a memorandum written by Mr. Lovekin, and handed by him to Mr. Basil Murray. This copy had been handed to me by Mr. Murray. Mr. Lovekin pointed out that the copy was inaccurate in that it contained a reference to Clause 19 of the Bill, whereas no such reference was included in his memorandum. At the time I was entirely at a loss to understand how the error could have arisen. I have since received an explanation from Mr. Murray in which he points out that I was, quite inadvertently, in some way responsible for the error. Mr. Murray called at my office with Mr. Lovekin's memorandum. He was only in my office for a moment. He read the memorandum through, and he reminded me that when he read it I suggested to him that probably Mr. Lovekin meant the schedule with Clause 19 by which the House