1922
WESTERN AUSTRALIA

REPORT

of the
ROYAL COMMISSION INTO THE RETIREMENT OF ALFRED COLENSO KESSELS FROM THE PUBLIC SERVICE AND OTHER MATTERS,

Together with

APPENDICES AND REPORT OF EVIDENCE.
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ROYAL COMMISSION

In the Name of Our Lord Jesus Christ Amen

GEORGE THE FIFTH by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

To Our Trusty and Well-beloved William Ardagh Gardner Walter, Esq.,

Greeting:

KNOW YE that We do by these Our Letters Patent issued in Our Name by Our Lieutenant-Governor and Administrator in and over the State of Western Australia in the Commonwealth of Australia, acting with the advice of the Executive Council, appoint you to be a Commissioner to inquire into and report upon all the circumstances connected with the retirement of Alfred Coleman Kessell from the Public Service of the State, and his subsequent treatment by the Government, and the allegations of expenditure at the London Agency of State money for private purposes in a Statutory Declaration of the said Alfred Coleman Kessell read in the Legislative Assembly on the 31st August, 1922, on a motion for the appointment of a Select Committee to inquire into the matters aforesaid: And We require you to report as soon as possible to Our Lieutenant-Governor and Administrator in and over the State of Western Australia the result of your inquiries into the matters entrusted to you by these Our Letters Patent, which We declare to be a Royal Commission to which "The Royal Commissioners' Powers Act, 1902" applies.

WITNESS Our Right Trusty and Well-beloved Sir Robert Purse McMillan, Lieutenant-Governor and Administrator in and over the State of Western (L.S.) Australia and its Dependencies in the Commonwealth of Australia, this 29th day of September, in the year of Our Lord One thousand nine hundred and twenty-two.

R. F. McMILLAN

Lieutenant-Governor and Administrator.
REPORT.

To His Excellency Sir Robert Purse McMillan, Lieutenant-Governor and Administrator in and over the State of Western Australia and its Dependencies in the Commonwealth of Australia.

May it please Your Excellency:--

In conformity with the Commission issued by Your Excellency on the 25th September, 1922, I have the honor to report upon --

(1) The circumstances connected with the retirement of Alfred Colenso Kessell from the Public Service of the State;

(2) His subsequent treatment by the Government;

(3) The allegations of expenditure at the London Agency of State money for private purposes in a Statutory Declaration of the said Alfred Colenso Kessell, read in the Legislative Assembly on 31st August, 1922, on a motion for the appointment of a Select Committee to inquire into the matters aforesaid.

PROCEEDINGS OF THE COMMISSION.

The proceedings were open to the Press and the public, and commenced on Monday 2nd October, 1922. Evidence was taken at nine sittings, twenty-two witnesses being examined. All departmental files and reports bearing on the subjects under investigation were made available. A list of these will be found annexed.

On behalf of Sir Newton Moore, Mr. S. Howard-Bath, supported by Sir Walter James K.C. and Mr. Norbert Keenan K.C., watched the proceedings. An application transmitted through your Commissioner from Mr. Kessell for the provision of Counsel was refused by the Government.

The cross-examination of witnesses by Counsel was not permitted.

Every facility was afforded Mr. Kessell to place his case before the Commission, and he was given the opportunity of obtaining from witnesses full information on points of evidence.

(1) CIRCUMSTANCES OF RETIREMENT.

The circumstances connected with the retirement of Mr. Kessell are set out in the subjoined copy of correspondence,
Minute from Public Service Commissioner to Hon. Premier dated 30th April, 1917.

The summary of contracts let by the indenting staff attached to the Agent General's office indicates that the volume of the transactions is now only a small portion of the business of that office under normal conditions. It seems to me, therefore, that for the purpose of economy the services of Mr. Salter could be made available to fill the secretarial duties attached to the agent general's office. Mr. Salter is eminently suited for duties of this nature and it seems to me that if we take action as indicated above the services of the present Secretary can be dispensed with or made available should there be an opening in any other branch of the Service.

In suggesting the present Secretary's name for retirement, instead of Mr. Salter, I would point out that Mr. Salter can carry out the duties attached to either the indenting or the Agent General's office, whereas Mr. Kessell's capabilities would probably be restricted to the latter only. Mr. Salter is also senior officer both as regards classification and length of service.

Unless the Agent General sees any objection to this course being adopted, I recommend that action be taken accordingly, the effect of which would be to make Mr. Kessell an excess officer under section 9 (7) of the Public Service Act.

(signed) G.W. Simpson.

The foregoing recommendation was approved by the Cabinet on 7th May 1917, and on the 9th ibid His Excellency the Governor in Council approved of six months long service leave on full pay, together with any annual leave accrued since 13th March, 1914, being granted to A.C. Kessell, Secretary, London Agency, dating from 30th June, 1917, and of his retirement as from the expiration of such leave under section 9 (7) of the public Service Act; and to appoint E.H. Salter, Inspecting Engineer to be also Acting Secretary, London Agency, as from 1st July, 1917, without additional remuneration.

On the 11th ibid the following cablegram was despatched to the Agent General by the Hon. the Premier:

On recommendation Public Service Commissioner who is reorganising Civil Service, Government of Western Australia has approved retirement Mr. A.C. Kessell from the 30th June this year. Leave approved will be paid for and leave period counted as service. Owing decrease in indenting business Salter appointed acting Secretary from 1st July this year without additional remuneration. Please advise officers and arrange accordingly.

The Agent General notified Mr. Kessell to this effect the following day, and almost immediately released him from duty and granted him leave of absence up to the 30th June, on which date his retirement became effective.
Mr. Kessell contends that his retirement was brought about by reason of representations contained in certain private letters addressed by Sir Newton Moore to the then Premier (Hon. Frank Wilson). Copies of these letters have been produced to the Commission but they contain no recommendation of or reference to retirement. The letter dated 16th November, 1916, to which particular reference was made in evidence, states:

"I am writing this privately as I only want to see him transferred from here if there is any chance of his taking up some position there... If he cannot be transferred we shall have to 'stick him.'"

The Public Service Commissioner (Mr. Simpson) testified that his recommendation was made solely for the reasons set out in his minute, that he was not communicated with or influenced in any way by the Agent General or the Premier, but made the recommendation, to use his own words, "off his own bat", and in pursuance of a request from the Government upon his appointment in April, 1917, that he should consider the question of reorganising the various Departments with a view to effecting economy.

The Public Service Commissioner explained that in his former capacity of Controller of Stores he received the progress reports of the Agent General showing the volume of business passing through the indent branch of the Agency, and from a comparison with earlier years was convinced that the office was overstaffed. There was at that time no position available to which Mr. Kessell could have been transferred, and there was, therefore, no alternative but to retire him as an excess officer.

It may be mentioned that by letter dated 30th January, 1917, the Hon. the Premier notified Mr. Kessell, in response to an application by him for increase of salary or retransfer to the State, that there was no vacancy or any likelihood of a vacancy to which he could be transferred, and that if he wished to obtain employment elsewhere no obstacle would be placed in his way by the Government.
Your Commissioner having carefully considered the evidence and correspondence is of opinion that the Government did not act improperly in declaring Mr. Kessell an excess officer and calling upon him to retire.

(2) TREATMENT AFTER RETIREMENT.

Upon receiving notice of his retirement Mr. Kessell communicated with the Agent General on the 18th May, 1917, submitting the following claims:

(a) Long service leave of 6 months 14 days;
(b) Accumulated annual leave of 11 weeks;
(c) Annual leave for 1917;
(d) Special leave of 12 months;
(e) Transport, and subsistence allowance;
(f) Payment of salary until arrival at Fremantle;
(g) Furniture allowance of £40;
(h) Compensation for loss on sale of furniture (Reg. 85)
(i) Compensation for breaking-up of home (Reg. 86)
(j) Noncontribution for special services;
(k) Addition to service of 10 years for pension purposes;
(l) Shipment of furniture to State by Government steamer
(m) Recommendation for distinction of I.S.O.

In relation to these claims the Public Service Commissioner, in Nov. 1917, made the following recommendations:

Statement No. 1: Allowances, etc., paid by the Agent General to Mr. A.C. Kessell prior to the latter leaving London:

<table>
<thead>
<tr>
<th>Statement No.</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Six months long service leave</td>
<td>£264 0-0</td>
</tr>
<tr>
<td>2</td>
<td>Two weeks annual leave (1917)</td>
<td>20 5-0</td>
</tr>
<tr>
<td>3</td>
<td>Fares Mr. Kessell and family, Liverpool to Fremantle 2nd class, 4½ at £52-15-10</td>
<td>238 4-9</td>
</tr>
<tr>
<td>4</td>
<td>Railway fares, London to Liverpool and allowance for sleepers and meals on train across America</td>
<td>40 17-11</td>
</tr>
<tr>
<td>5</td>
<td>Removal allowance (furniture)</td>
<td>70 0-0</td>
</tr>
<tr>
<td>6</td>
<td>Allowance 15% on £52-15-10, one fare only in accordance with Reg. 64.</td>
<td>7 19-0</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>£616 6-8</strong></td>
</tr>
</tbody>
</table>

Statement No. 2: Claims made by Mr. A.C. Kessell in connection with his retirement:

<table>
<thead>
<tr>
<th>Claim</th>
<th>Action recommended</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Two weeks long service leave in addition to 6 months already granted.</td>
<td>Mr. Kessell has already been granted leave for 6 months which is the maximum period which can be granted under the Public Service Act to an Officer of Mr. Kessell's length of service. I recommend that it be refused.</td>
</tr>
</tbody>
</table>
Claim

(2) Accumulated annual leave -- 11 weeks.

(3) 12 months leave on full pay in lieu of notice, and as sick leave.

(4) Compensation for loss consequent on raising certain effects, vide reg.85.

(5) Compensation owing to heavy loss sustained on occasion of transfer to London and further loss on breaking up home a second time.

(6) Payment of salary until arrival at Fremantle, viz. from 1st July to 10th November, 1917, 4 months and 10 days.

Action recommended

This has been definitely settled by previous Governments and although reconsideration was given to the matter at Mr. Kessell's request, the original decision was confirmed and Mr. Kessell advised. I recommend therefore that no further action be taken.

So far as I am aware leave in lieu of notice has never been granted to any officer called upon to retire. There is no obligation on the Government to give special leave of this kind, and when it is remembered that an officer's long service or annual leave does not commence until he has left the Service the unreasonable nature of this request becomes apparent. I recommend it be refused.

Claims under this regulation are only entertained as an alternative to the removal allowance (furniture) and as Mr. Kessell has already received consideration in this direction this claim cannot be entertained.

If any claim existed in connection with Mr. Kessell's transfer from Perth to London, it should have been put forward at that time. As regards the loss on breaking up his home a second time (in London) allowances have already been made as indicated in these papers. The Agent General advised Mr. Kessell in regard to this particular claim that he would be prepared to recommend it; as however he could not be acquainted with the whole of the facts he was not in a position to express an opinion upon it. I recommend that no consideration be given to this request, with the exception of his claim No. 11 hereunder.

The questions of the Government's liability for Mr. Kessell's removal expenses in returning to Western Australia and also the payment of his salary whilst en route were submitted to the Crown Law Department who advised that he could not claim to be returned to the State unless it was an expressed condition in his appointment (which it was not) and that his services ended on the 30th June. Although the Crown Law Department advised that no legal liability existed in this direction, Cabinet agreed to allow 2nd class fares by the most economical route if Mr. Kessell and family were returning to the State. This has been done as shown in the statement of amounts paid by the Agent General. In view of the Crown Law Department's ruling and the matter having already been dealt with by Cabinet on the 12th June last I make no recommendation.
(8) Addition of 10 years to the service qualifying for a pension.

(9) Shipment of furniture to Fremantle by the "Kangaroo."

(10) The granting of a 1st class passage for himself from London to Fremantle.

A lump sum sufficient to pay 2nd class fares for Mr. Kessell and family was granted when he was transferred to London. I might also point out that officers in the Indian Service occupying high position, when returning to London are only allowed 2nd class fares. I recommend therefore that this claim be refused.

(11) Payment of 3 months rent and taxes (£23/11/6) on his private residence, being the balance of rent to the 30th September, 1917, whilst the house was unoccupied.

I concur in the Agent General's recommendation that Mr. Kessell be recouped any loss actually incurred by him up to the amount claimed.

When drawing the Agent General's attention to the probable expenses in this direction, Mr. Kessell suggested an amount of £8/19/6. Reference to the claim discloses the fact that approximately half the amount claimed is for tips to stewards, etc. It is not customary for the Government to recoup charges of this nature, and I recommend therefore that Mr. Kessell be allowed £10 in settlement of the whole of this claim.

(12) Cab hire, portage of luggage, etc. (£22/18/7), as per account attached.

Mr. Kessell claims at the rate of £4/10/- per diem for himself, wife and 3 children, or an equivalent of £31/10/0 per week. The claim covers Liverpool, 14 days; Canada 10 days; Vancouver, 4 days; New Zealand, 11 days; Australia 14 days. In my opinion the amount is excessive, but the fact must not be lost sight of that although Mr. Kessell's actual fare was paid, no allowance was made for any detentions of this nature. I recommend that Mr. Kessell be recouped for the actual expenditure incurred by him in this direction on proof of the amount expended - the aggregate, however, not to exceed £100.

(13) Claim for unavoidable detention en route owing to war conditions and Australian strike, and consequent postponement of sailings (£239/10/6) as per account attached.

This is not recommended by the Agent General and I recommend it be refused.
14. That the distinction of 1,800 be conferred.

I presume this will be dealt with by the Government, if it is desired to take any action.

Should the Government concur in my proposals as indicated above, it must be clearly understood that the above settlements would be in full satisfaction of all Mr. Kessell's claims in connection with his retirement, apart from the question of retiring allowance or pension.

As regards retiring allowance - I recommend Mr. Kessell be allowed one month's salary for each year of continuous service --15 years-- the amount involved being £660. If Mr. Kessell considers that he is entitled to a pension in lieu of this retiring allowance, he will be at liberty to lodge a claim in connection therewith, when it will receive due consideration.

On 21st December, 1917, the Cabinet decided as follows:

Cabinet has given consideration to this case and decides as follows:

Requests 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 13, refused; No. 6, salary not to be paid beyond 30th June, 1917, plus six months long service leave to 31/12/17; No. 12, payment of £10 approved in full satisfaction of this claim; Pension, approximately £132 per annum is approved, addition of 16 years declined; No. 11, approved as recommended; the above to be in full satisfaction of all claims.

On the same day His Excellency the Governor in Council approved of the following minutes:

(1) "To grant under Section 6 of the Superannuation Act, 1871, a special annual allowance amounting to £132 per annum, on the basis of 15 years service, to A.C. Kessell, Secretary, London Agency, dating from 1st January, 1918.

This recommendation is to be read in conjunction with the decision regarding Mr. Kessell's claims in connection with his retirement, and is to be in full satisfaction of all claims."

(2) "To approve of the Public Service Commissioner's recommendations Nos. 1 to 5 and 7 to 14, dated 27th November, 1917, in connection with the claims made by
Mr. A.C. Kessell on his retirement, with the exception, in accordance with the decision of Cabinet hereunder, of claim No. 13, which it is recommended be refused, and the claim for payment of salary from 1st July to 10th November, 1917, both of which it is recommended be refused.

This recommendation is to be read in conjunction with the recommendation regarding special annual allowance, and is to be in full satisfaction of all claims.

On the 27th day, the following letter was addressed by the Public Service Commissioner to Mr. Kessell:

"In connection with your retirement from the Public Service under Section 9 (7) of the Public Service Act, I beg to advise you that the further claims you have submitted in addition to the following which were paid to you in London by the Agent General, namely,

(1) 6 months long service leave £264. 0. 0
(2) 2 weeks annual leave - 1917 20. 5. 0
(3) Fares for yourself and family Liverpool to Fremantle ..... 238. 4. 9
(4) Cost of sleepers and meals on train across America & railway fares, London to Liverpool ... 40.17.11
(5) Removal allowance, furniture 70. 0. 0
(6) Allowance of 15% on Mr. Kessell's fare, £52.18.10 (in accordance with P.S. Reg.64.) ............ 7.19. 0

£641. 6. 3

have been carefully considered by the Government, and His Excellency the Governor in Council (while denying any legal liability) has approved of the following payments conditionally on your agreeing to their being in full satisfaction of all claims (if any) you may have:

(1) Payment of any loss actually incurred up to £2111/6 for rent and taxes on your private residence at home, being the balance of rent etc., to September, 30, 1917, whilst the house was unoccupied.

(2) Allowance of £10 for cab hire, porterage, etc.

(3) A special annual allowance amounting to £12 per annum from the expiration of your long service leave, namely, from the 1st January, 1918, under Section 6 of the Superannuation Act.

I shall be glad to have your concurrence in the above proposals so that I may take further necessary action."
And on 13th May, 1918, Mr. Kessell wrote to the Public Service Commissioner:

With reference to your letter of the 27th December last, I have to inform you that I have decided to accept the offer therein made by the Government.

As I am urgently in need of funds, I shall be glad if you will arrange for early payment to be made to me.

From the foregoing it would appear that a final settlement of all outstanding matters had been arrived at.

It will be seen, however, that amongst other claims submitted by Mr. Kessell was one for free transport of furniture, effects from London to Fremantle by the "H.M.S. Kangaroo." This had been agreed to by the Agent General conditionally upon no removal allowance being made. Mr. Kessell drew a removal allowance, and consequently the undertaking lapsed; moreover, the "Kangaroo" having been diverted from her proposed voyage, it would have been impracticable to carry out the promise given.

Correspondence in the possession of the Commission clearly indicates that Mr. Kessell regarded the freight liability as a personal one, and on the 6th March, 1918, Mr. Kessell through the Premier's Office, cabled the Agent General, "Ship by transport. I will settle freight here. Insure for £500 sterling. A.C. Kessell." On the strength of that cable the goods were sent out by a Commonwealth vessel, and landed at Fremantle in July 1918. In the meantime, Mr. Kessell had been in communication with the Commonwealth Government, with the view of getting them to waive freight, but this was refused. The goods were shipped, according to Bill-of-lading, by the Agent General to the Controller of Stores, the cases being marked "A.C.K. Fremantle," and the freight amounted to about £450. It is explained that the object of such shipping was to ensure payment by Mr. Kessell of certain charges which had accrued in London and been advanced by the Agent General's office on his behalf.
As the goods had been consigned by the Agent General, and Mr. Kessell had after delivery refused to pay the freight account, the Commonwealth Government demanded payment from the State Government. On the advice of the Solicitor General the demand was met, instructions being issued at the same time that the amount was to be set off against the pension due to Mr. Kessell.

From the evidence and correspondence placed before the Commission I am satisfied that Mr. Kessell was liable for the cost of transport, and that the account for £450 was a legitimate charge against him. I am of opinion, however, that on retirement he was morally entitled to three months' notice (this being the period required from a Public Servant under P.S. Regulation 35), whereas he received only about six weeks. I am also of opinion that salary should have been paid to him during the return passage from England to Australia, with a stipulation that such be made within a reasonable time—say six weeks. The value of notice and salary would be about £132 in all, and I consider that if the balance still due on account of furniture (about £160) were remitted, purely as an act of grace, in lieu thereof, Mr. Kessell would be fairly and liberally treated.

(3) EXPENDITURE OF STATE MONEY FOR PRIVATE PURPOSES.

Major Car Charges: This matter is referred to in the Statutory Declaration, paragraph 22, Clauses "a" to "g".

Mr. Kessell asserts the car attached to the London Agency was used for private purposes by Sir Newton Moore. The evidence shows that the car was used largely for the Commonwealth during the war, and the chauffeur and petrol were found by them. There is no evidence of the use of the car for private purposes, except statements alleged to have been made by the chauffeur to Mr. Kessell, and comments attributed to members of the office staff. Sir Newton Moore submitted for the approval of the Government an allocation of percentages of
cost to various Departments. This allocation has been described by Mr. Kessell as dishonest, but it is plain that it was intended to be, and can only be, purely an estimate.

This was recognised by the Under Treasurer as shown by his evidence, and the Auditor General goes so far as to say that any attempt to allocate the percentages is absurd. The Under Treasurer further says that the Agent General was at liberty to use the car at his own discretion. This is the view also taken by Hon. J. Scaddan, who was Premier at the time the car was provided. I consider this charge not sustained.

As to the use of the car by the Hon. J.R. Dodd, evidence shows that he was not debited with the cost, his name being merely inserted in the allocation as an indication of the use to which the car was put.

Decoration of Agent General's private house: This is referred to in paragraph 22, Clause "h", of the Statutory Declaration.

An item of £27 was charged up to the Government because the Agent General considered it should be included in the term "fittings," which the Government agreed to pay for. This view, though contrary to that held by responsible officials (the Under Treasurer and Auditor General) was supported by Mr. Scaddan, the responsible Minister, and consequently the payment was not insisted on.

Private Luncheons: This matter is referred to in paragraph 22, clause "i", of the Statutory Declaration. Mr. Kessell complains that a luncheon in London to Sir Harry Barron and others, which had been intended to be private, was charged to the Government as official because the acceptances were more numerous than anticipated; also, that a portion of the cost of another private luncheon was so charged as a result of its being desirable to invite the then Attorney General, Hon. T. Walker. The amounts of these vouchers were questioned by the Auditor General in view of the fact that the entertainment allowance previously granted to the Agent General had been discontinued in 1915.
The amounts, however, were allowed by the Government, who apparently considered the expenditure warranted.

This, I consider, justified Sir Newton Moore's action.

Cheque for £250 alleged to have been improperly drawn: This matter is referred to in Clause 25 of the Statutory Declaration. The evidence on this point is somewhat extraordinary. Mr. Kessell asserts that he was instructed by Mr. Moss, then Acting Agent General, to draw this cheque, which was to pay the usual commission to two persons (one of whom was Sir Newton Moore) for guaranteeing the costs of the Admiralty Arbitration in the matter of the "H.M.S. West Australian." Mr. Clyde, the Manager of the State Steamship Service, having given evidence that the only disbursement of this nature and amount, which he could find, is in connection with the "H.M.S. Kangaroo-Liddesdale" collision, where a bail bond for £25,000 was entered into by Sir Newton Moore, and commission at the rate of 1½ (£250) paid. Mr. Kessell corrected his evidence accordingly. Still later, Mr. Bath produced to the Commission a cable message from the Agent General to the effect that the amount had been recovered in the taxed costs in the collision case; Mr. Kessell then said that "there may be another £250."

I cannot agree with this view, and am convinced that the £250 for which he drew a cheque has been paid back to the Government.

Remarks.

Several other matters were referred to in the declaration submitted to Parliament, as well as in Mr. Kessell's evidence, but as these do not strictly come within the scope of this Commission I have naturally not reported on them.

Concerning the matters on which I have reported I consider it would have been more satisfactory if I could have taken evidence from Sir Newton Moore and others in England, but in the opinion of the Government this course was impracticable.
During the sittings of the Commission it was evident that Mr. Kessell was labouring under a strong sense of injury, and in a very excited state. Also, he informed me that his statements had been carefully prepared beforehand, and intimated that any dislocation of their sequence would prejudice his case. I therefore allowed much from him which was only hearsay, and much that was purely an expression of his own opinions.

In the course of his remarks, he made many charges against Sir Newton Moore and others, and referred to himself as being the victim of "double dealers", "snakes in the grass," and similar expressions. None of these allegations came within the scope of my Commission, except in so far as they may have been connected with his retirement and subsequent treatment in that connection I can see no proof that Mr. Kessell was the victim of any underhand dealings whatever.

CONCLUSION.

I have to acknowledge, with thanks, the very able assistance of Mr. Dibdin, Secretary to the Commission, and the "Hansard" Staff engaged upon the reporting of the evidence.

I also forward herewith, as appendices to this report, the various documents referred to in the course of the hearing.

I have the honor to be,

Your Excellency's obedient servant,

(St) W. A. G. Wade,

COMMISSIONER

Parliament House,

Perth, 12th December, 1922.
RETIRED OF MR. A. COLENOS KESSELL
From the CIVIL SERVICE of WESTERN AUSTRALIA

STATUTORY DECLARATION

The Honourable G. B. Beare, Member for the Waikiki Division, and the Attorney-General, acting jointly as the Members for the Waikiki Division and the Attorney-General, respectively, of the Legislative Assembly, hereby make, by virtue of their respective offices, the following Statutory Declaration:

I, Arthur Colenso Kessel, a resident of the City of Perth, and a citizen of the Commonwealth of Australia, do solemnly and sincerely declare that I do hereby resign from the Civil Service of Western Australia, and that I do hereby renounce all right, title, and interest in and to any office, place, or employment in the said Civil Service, and that I do hereby resign from the said Civil Service of Western Australia, and that I do hereby renounce all right, title, and interest in and to any office, place, or employment in the said Civil Service, and that I do hereby resign from the said Civil Service of Western Australia, and that I do hereby renounce all right, title, and interest in and to any office, place, or employment in the said Civil Service.

This Statutory Declaration is made upon oath of the said Arthur Colenso Kessel, and is witnessed by the said G. B. Beare, Member for the Waikiki Division, and the said Attorney-General, respectively.

By the said G. B. Beare, Member for the Waikiki Division, and the said Attorney-General, respectively.

Date: 30th September, 1943.

[Signature]

[Signature]

AGREEMENT

I, Arthur Colenso Kessel, do hereby agree to the terms and conditions of the said Statutory Declaration.

[Signature]

Date: 30th September, 1943.

[Signature]
LIST OF DOCUMENTS MADE AVAILABLE TO THE COMMISSION

Treasury File 2244-16: Painting of Agent General's House.
Treasury File 518-17: Rent of rooms, Savoy House.
Treasury File 712-17: Cables sent on behalf of A.C.Kessell.
Treasury File 2267-21: Liquidation of freight account from Pension.
P.D. File 200-16: Outward cables.


C.S.C. File 76-16: Disposal of S.S. "WEST AUSTRALIAN."
P.S.C. File 140-14: Appointment of A.C.Kessell as Secretary of the London Agency.
P.S.C. File 345-17: Retirement of A.C.Kessell.

Copy of correspondence between A.C.Kessell and Commonwealth Government regarding shipment of furniture.

Mr. W.L.Hoss's bill of costs in case Admiralty v. Western Australian Government re S.S. "WEST AUSTRALIAN."

Public Service Act and Regulations.

Public Service Commissioner's 12th Annual Report.

Acts and Government Gazettes relevant to the inquiry.

Auditor General's 26th Annual Report.