

## Legislative Assembly.

Wednesday, 17 October, 1917.

Printed Questions and Answers—Papers—Extra Sitting Days—Questions without Notice—Ministerial Statement (Public Works exceeding £20,000) — Defamation (Amendment) Bill—Murrumbidgee Irrigation Scheme — Apiaries (Amendment) Bill — Privilege (Charges made by Mr. R. A. Price)—Bega and Wilberforce Labour Settlements Bill—Water and Sewerage Rating Bill.

Mr. SPEAKER took the chair.

### PRINTED QUESTIONS AND ANSWERS.

#### PUBLIC WORKS EXCEEDING £20,000.

Mr. ZUILL asked the SECRETARY FOR PUBLIC WORKS,—(1) What public works, estimated to cost £20,000 and over, were put in hand by the Government in power prior to the formation of the National Government without reference to the Parliamentary Standing Committee on Public Works? (2) What are the nature of such works, if any, and where are they situated? (3) What was the estimated cost of each particular work? (4) What amount had been spent on each work at the 30th June, 1917?

*Answer*,—I will presently lay the information on the table of the House in the form of a return.

#### EMPLOYMENT OF GERMAN, SOUTH COAST COAL-MINE.

Mr. DAVIES asked the ACTING PREMIER,—(1) Seeing that the coal-mines of the State are now under the control of the Government, is it a fact that one of the Government managers on the South Coast is of German parentage, and that he is chasing men who have taken an active interest in trade-unionism, and who seek re-employment, off the colliery premises? (2) Is it the intention of the Government to still keep this man in their employ?

*Answer*,—I am not aware that any colliery manager on the South Coast is of German parentage. If there is any real justification for the above question the hon. member should furnish particulars, so that inquiry can be made.

#### RE-EMPLOYMENT OF STRIKERS.

Mr. BUCKLEY asked the ACTING PREMIER,—(1) Is it a fact that ex-employees A. Clarke, late Ultimo tramway depôt, acting driver; E. Mooney, late driver, Dowling-street tramway depôt; E. Davidson, late driver, Ocean-street tramway depôt, of the railway service, who have many years' service, are being finally dismissed by the Railway Commissioners for no apparent reason? (2) Is it a fact that they have taken no active part during the recent strike, and hold good records as railway employees? (3) Is it a fact that junior ex-employees are being given employment over the heads of the men referred to above? (4) If so, will he direct the re-employment of such, or any similar cases, similarly situated?

*Answer*,—I am informed:

(1) They have been informed that they are not suitable men to re-employ. (2) No. (3) In considering what men shall be re-employed, seniority is not the only governing factor. (4) See replies to Nos. (1), (2), and (3).

#### REFUND OF SUPERANNUATION MONEY.

Mr. BUCKLEY asked the ACTING PREMIER,—Is it a fact that Horace Wm. Alanson, in the employ of the Railway Commissioners (fifteen years' service), and E. Knight, have been informed by the superannuation board that no refund of any portion of deductions can be made to them, they having been dismissed the service; if so, will he make representations to the railway superannuation board that deductions should be allowed these men?

*Answer*,—I am informed:

The cases of these men will be reconsidered by the superannuation board, in view of the Government's decision to allow refunds under certain circumstances.

#### DISMISSAL OF W. B. McKAY.

Mr. BUCKLEY asked the ACTING MINISTER FOR PUBLIC HEALTH,—(1) Is it a fact that one William Bowman McKay, late of the Sydney Industrial Blind Institution, has been dismissed by the manager (Mr. Hedger) for having allegedly attended his duty under the influence of drink? (2) Is it a fact that

McKay has been refused a right of appeal to the management committee by the manager? (3) Is it a fact that the manager has written to Mrs. McKay stating that the committee has endorsed his decision, without putting the full facts before the committee? (4) Is it a fact that McKay is recognised by the employees at the institution as a good workman? (5) Is it a fact that his work is piece-work, and that a large margin of profit has been made out of his labour?

*Answer*.—The following information has been furnished by the manager of the Sydney Industrial Blind Institution:—

(1) McKay was reported to the committee by one of the officials of the institution for coming on the premises at 2.30 p.m. on Monday, 20th August, intoxicated. As he had previously been reported for a similar offence, he was dismissed by the committee. The manager has no power to dismiss workers. (2) No. McKay came into the institution on the following day intoxicated, and was told by the manager that he could see the house committee at any time. (3) No. The full facts of the case were placed before the committee by the manager. (4) McKay, when sober, is a fair worker. (5) McKay, when at the institution, was employed at piece-work rates and paid a bonus of 25 per cent. No profit was made out of his work, but, on the contrary, a loss was sustained.

#### WATERSIDE WORKERS.

Mr. T. J. SMITH asked the MINISTER FOR LABOUR AND INDUSTRY,—(1) Is it a fact that the waterside workers decided unanimously to return to work under pre-strike conditions? (2) Is it a fact that employers on the wharfs refuse employment to members of the union unless they sign an agreement to disassociate themselves from their organisation? (3) Is it a fact that the Department of Labour and Industry is engaging men for employers to do the work now refused to union members? (4) Is it the policy of the department to assist employers in this way to break an industrial organisation registered under the law of this State? (5) If this is a fact, will he see that his department discontinues this attitude, and that pressure be brought to bear on the employers to induce them to end this lock-out, and preserve industrial peace?

*Answer*.—(1) Yes; but the Government must protect the loyalists who helped to quell the rebellion. (2) Employers in the industry are endeavouring to organise a section of the labour required upon what is called a constant-work basis, their purpose being to employ as many men as possible by the week at a wage in excess of that prescribed by the courts for unskilled workers doing heavy labour. (3) No; since the employers are doing more than is necessary to save the interests of loyalist workers, and since their intention is to substitute new industrial conditions for those which have hitherto obtained, without reference to the industrial tribunals, they are in accordance with settled principles not to receive the assistance of the labour exchanges of the department. (4 and 5.) No; the Government will support legitimate and independent unionism. This union, however, may be neither legitimate nor independent; and it has certainly for some time past not been registered.

#### NEW TRAMWAY UNION.

Mr. J. W. DOYLE asked the ACTING PREMIER,—Is it a fact that two persons by the names of Piper and Slattery have been issued free tramway passes for the purpose of organising the new Tramway Union?

*Answer*.—I am informed:

Tramway-drivers Piper and Slattery, who were engaged on special duty, were supplied with passes during the month of September.

#### PAPERS.

Ministers laid upon the table the undermentioned papers, which were referred to the Printing Committee:—

Returns showing public works estimated to cost £10,000 or over in course of construction; also those that have been stopped.

Return showing public works estimated to cost £20,000 or over which have not been referred to the Parliamentary Standing Committee on Public Works.

By-laws under the Meat Industry Act, 1915.

Abstract of Crown lands reserved from sale for the preservation of water supply or other public purposes, under the Crown Lands Consolidation Act, 1913.

Alterations of designs of cities, towns, and villages, under the Crown Lands Consolidation Act, 1913.

## EXTRA SITTING DAYS.

*Resolved* (on motion by Mr. FULLER, with concurrence):

That, unless otherwise ordered, this House shall meet for the despatch of business at four o'clock p.m. on Friday of this week and on Monday and Friday of next week, and that Government business only shall be dealt with.

## QUESTIONS WITHOUT NOTICE.

## MINERS' WORKING TOOLS.

Mr. EDDEN: I desire to know from the Acting Premier whether it is a fact that when the Government commandeered the coal-mines of New South Wales it also commandeered the working tools of the miners who had previously been employed? Is it also a fact that miners who cannot obtain re-employment at the mines in which they were previously working cannot procure their tools, and are thereby precluded from getting employment elsewhere? Is it the intention of the Government to compensate the miners for the loss of their working tools, which have been retained for the use of loyal workers?

Mr. FULLER: The hon. member has accurately stated the position in the first part of his question. Some time ago it was announced that where the working tools of miners had been lost or damaged during the time they were in use by loyalists employed in the coal-mines, full compensation would be paid to the miners to whom the tools belonged.

## RAILWAY AND TRAMWAYS VICTIMISATION TRIBUNAL.

Mr. DOOLEY: I desire to ask the Acting Premier whether it is a fact that he promised that a tribunal should be appointed to investigate cases of alleged victimisation in the railway and tramway service? Is it a fact that a tribunal has been appointed, consisting entirely of officials in the department, and that men who have been dismissed are asked to appear before the tribunal without any charge having been made against them, and in ignorance of what they will be called upon to answer? Will the Minister take steps to ensure that a fair and impartial tribunal shall be constituted?

Mr. FULLER: The court of inquiry I promised was in connection with men who thought they had been improperly treated in regard to their application for re-employment in coal-mines. I made no promise in regard to the railway and tramway ex-employees, because I understood that there was already a court of appeal available to them.

## PARLIAMENTARY LIQUOR BAR.

Mr. LEY: I desire to know whether you, sir, have yet communicated to the Legislative Council the resolution recently passed by this House relating to the closing of the liquor bar in the parliamentary refreshment-room?

Mr. SPEAKER: Some days ago I announced to the House that immediately after the passing of the resolution referred to, I communicated it to the President of the Legislative Council, and stated that I should take no action without his concurrence, because the department was one under our joint control. I have received a letter from the President of the Council, in which, so far as my memory serves me, he says he proposes to take no action unless a similar resolution is passed by the Legislative Council.

## SUPPLY OF GAS.

Mr. BAVIN: I desire to ask the Minister for Labour and Industry will he obtain from the gas companies a statement showing the quantity of gas produced by them during the strike period, and also a statement showing the quantity of gas charged for by the gas companies during the same period?

Mr. GARDINER: I desire to ask the Minister will he include the Newcastle Gas Company in that statement?

Mr. BEEBY: I shall ask the responsible officers to try to get that information, and if I can get it I shall lay it on the table of the House, probably to-morrow night.

## AUDITOR-GENERAL'S REPORT.

Mr. J. STOREY: I desire to ask the Acting Premier whether his attention has been drawn to some comments that have been made by the Auditor-General

in his report? On page 214 the following appears under the heading of "Deferred Matters"—

Mr. SPEAKER: The hon. member cannot read a quotation in asking a question. It was clearly laid down by me at the beginning of the session that an hon. member cannot read an extract in asking a question.

Mr. J. STOREY: I desire to ask the Acting Premier whether his attention has been drawn to a statement made by the Auditor-General that motor-cars have been used with such persistence and regularity that he is of opinion that drastic regulation is required in respect of them; and further, that owing to sums of money and presents in kind having been given to public officers and others he had deferred making any comment or placing the matter before Parliament until the return of the Premier? In view of the seriousness of the statement made by the Auditor-General on page 214, does the Acting Premier consider that it is a proper thing that Ministers of the Crown should approach an independent officer whose duty it is to correct the work of public departments and to report to Parliament, not with the concurrence of Ministers, but in defiance of them, and say to him, "Defer your criticism with regard to what has been done until the return of the Premier, Mr. W. A. Holman"? I might say that had I known that I could not read the quotation I would have moved a motion and dealt with the matter in another way.

Mr. BAVIN: I desire to ask the Acting Premier whether he proposes to introduce legislation this session to give to the Auditor-General the powers which the Auditor-General says, in the same portion of the report as has been referred to by the leader of the Opposition, he needs in order to enable him to examine persons with a view to ascertaining the true position of the public accounts?

Mr. FULLER: As regards the matter referred to by the leader of the Opposition, I have just hurriedly asked Ministers who are present, and I find that none of them approached the Auditor-General in this way. I certainly have not myself. That is all I can say about it.

Mr. SPEAKER: The leader of the Opposition expressed surprise at being informed that it was irregular to make a quotation in asking a question, and seemed to think that a new rule had been laid down. The fact is that on the 8th August I laid down for the guidance of hon. members what I considered to be the proper course in regard to asking questions, and I gave the following quotation from "May":—

Quotations are not permitted in questions, or epithets, or controversial or ironical expressions.

I am quite certain that the leader of the Opposition would be one of the last hon. members to take exception to any ruling that has been given.

Mr. J. STOREY: I might be permitted to say that for years I have heard hon. members put questions to Ministers in this way: "Has the Minister's attention been drawn to a paragraph in today's newspapers?" and then hon. members have proceeded to read the particular paragraph. In view of that fact I proposed to adopt a similar course in connection with my question.

Mr. SPEAKER: It is irregular to read an extract in asking a question.

Later,

Mr. BAVIN: I desire to ask the Acting Premier if he is in a position to answer my question regarding the suggestion in the Auditor-General's report that legislation was necessary to enable him to obtain information from persons with regard to the public accounts?

Mr. FULLER: The Government will consider the matter.

#### TRIBUNALS FOR COAL-MINERS.

Mr. DAVIES: I desire to ask the Acting Premier is he aware that at present over 100 men have been refused employment in mines on the South Coast? When will the tribunals which have been promised to deal with victimised men be established, in order that these men may go before those tribunals?

Mr. FULLER: I understand that the Minister for Labour and Industry has made arrangements for the immediate establishment of these tribunals when they are asked for.

## UNEMPLOYMENT.

Mr. STUART-ROBERTSON: I desire to ask the Acting Premier is it a fact that a large number of able-bodied men are to-day seeking employment in the metropolitan area? With the view of providing employment for these men, many of whom have large families, will the Acting Premier start relief works in connection with some of the public works that have been sanctioned, so as to afford employment for two or three days a week to enable these men to pay their rents?

Mr. FULLER: I am not aware of the position put forward by the hon. member, but I shall certainly not think of starting relief works until the strike is settled.

## SCHEME TO RAISE STATE LOANS.

Mr. OSBORNE: I desire to ask the Acting Treasurer whether his attention has been drawn to a good deal of publicity that has been given recently to a scheme brought before the public by a lady with the object of assisting to raise money for the Commonwealth Government in connection with the war loan? Has his attention been drawn to the suggestion that it might be possible to raise a considerable sum of money throughout New South Wales by engaging in some form of "Tattersall's" consultation by selling a number of shares at so much each, the fortunate winner to take so much and the State to have a portion? Will the hon. member, in his earnest endeavour to secure loan money to carry out public works, consider the advisability of adopting a scheme of that kind?

Mr. J. C. L. FITZPATRICK: My attention has been called to that proposition, which bears upon the face of it prospects that must appeal to the Treasurer of the day, but, mainly because of the anti-gambling proclivities of my hon. colleagues, and the supporters of the Government generally, and also of hon. members on the other side of the House, I do not propose to enter upon a proposition such as that which has been given so much publicity. At the same time I may tell the hon. member that, although I have not been able to go into all the details of the scheme, I shall occupy a good portion of the prospective recess by inquiring into matters

of this kind, and possibly if the hon. member repeats his question in the early period of the succeeding session, I shall be able to afford him some information on the subject.

## ASSAULT ON LOYAL WORKERS AT KURRI KURRI.

Dr. ARTHUR: I desire to ask the Acting Premier whether his attention has been called to a premeditated and brutal assault upon certain volunteer workers at Cessnock or Kurri Kurri? Will he instruct the Inspector-General of Police to take every possible step to discover who the perpetrators of these outrages are, and see that they are severely punished?

Mr. FULLER: Every precaution is being taken in connection with the protection of loyalists who are working the mines; and with regard to this particular matter the Inspector-General of Police is leaving for Kurri Kurri to-night.

## FLOATING A LOAN IN AMERICA.

Mr. COCHRAN: I desire to ask the Acting Premier whether he has received any advice from the Premier in America to the effect that he has succeeded in floating a loan of £3,000,000? If so, what are the terms and conditions upon which the loan has been floated, and does the Acting Premier think that this amount will go very far to meet the liabilities of the State?

Mr. FULLER: I have received no information from the Premier from America in connection with the matter referred to by the hon. member. The Premier will be back here in the course of a few days, and the hon. member may be able to get from him all the information when he arrives.

## APPEALS BY DISMISSED RAILWAY EMPLOYEES.

Mr. O'BRIEN: I desire to ask the Acting Premier whether I have correctly interpreted his reply to the hon. member for Hartley, wherein he said that the Public Service Appeals Board was dealing with the cases of the men who were dismissed as the result of the strike on the railways? I should like to know whether the board is actually dealing with those cases?

Mr. D. R. HALL: No.

# RE-EMPLOYMENT OF STRIKERS.

Mr. DAVIES: In view of the statement made by the Acting Premier to the miners' representatives that, when the men returned to work, they would return on pre-strike conditions, is he aware that on the South Coast at the present time there are a number of collieries where the cavilling rules are being openly violated by the mine managers? Is the Acting Premier prepared to issue instructions in order that these rules may be observed?

Mr. FULLER: If the hon. member will give particulars in regard to what is going on on the South Coast I shall have full inquiry made. As far as my knowledge goes I know nothing of these matters.

# PUBLIC SERVICE COMMISSION.

Mr. OSBORNE: I desire to ask the Attorney-General whether his attention has been drawn to a statement made recently, during the progress of the inquiry being conducted by the royal commissioner into the public service, to the effect that the Public Service Board was not allotted counsel because the board was not on its trial during the inquiry? Will the hon. member inform the House what is the object of the royal commission of inquiry, what the commissioner is inquiring into, and what result the Government expects to obtain from an inquiry of this description if all the ramifications of the administration of the Public Service Board are not going to be subjected to full investigation?

Mr. D. R. HALL: If the hon. member desires to know what the commissioner is inquiring into I suggest he should read the terms of the commission, which were published a little while ago. That will give him all the information he seeks in that direction. If the hon. member wants to know what I expect to come out of the inquiry I may say that I expect the commissioner will hear evidence and give answers to the various questions submitted to him.

# INSURANCE ON PREMIER'S LIFE.

Mr. DOOLEY: I desire to ask the Acting Premier whether it is a fact that the Premier's life was insured for a very large amount covering all risks during

his present trip? If so, what was the amount, what was the total cost of the premium, and was it paid by the State or by the Premier?

Mr. FULLER: I am not aware, nor do I wish to know, what the Premier's private business is in regard to insuring his life. It is purely a matter which concerns himself, and of which I have no knowledge. Certainly the State has done nothing in that regard.

# PERSONS OF ALIEN ORIGIN.

Mr. F. M. BURKE: I desire to ask the Acting Premier, in view of his statement that no persons of alien origin are being allowed to work on ships, is he aware that one Carls Blutcher and other full-blooded Germans are at the present time working on transports in this State?

Mr. FULLER: I am not aware of that position. I regret to hear of it, and I do not think it will occur again in the future. If the hon. member will give notice I will have full inquiries made in connection with the matter.

# MINISTERIAL STATEMENT:

## PUBLIC WORKS EXCEEDING £20,000.

Mr. BALL: In laying on the table a return—in accordance with a promise given to the hon. member for Clarence—relating to works put in hand which are estimated to cost £20,000 or over, and which have not been referred to the Parliamentary Standing Committee on Public Works, I desire to say that in the case of some of those now in progress under the Metropolitan Board of Water Supply and Sewerage, they are regarded by the board purely as extensions to existing works. With regard to the several items of plant, particulars of which are given in another return, which I am to-day tabling, it has been held, I understand, by the Crown law authorities, on an advising obtained in an earlier case, that these do not come within the category of works contemplated in the Act. On the general question, I wish to make perfectly clear to members my attitude. In all cases where it is intended to proceed with a work estimated to cost £20,000 or over, and of a character coming within the provisions of the Public

Works Act, the proper legal course will be followed, and the proposal will, in the first instance, be submitted to the House for reference to the Parliamentary Standing Committee on Public Works; or, if the case be exceptional, Parliament will be given full opportunity of endorsing the proposal or otherwise by direct submission. I make this latter reservation, as in the past, on at least more than one occasion, the course has been followed of specifically suspending in this regard the provisions of the Public Works Act, and it might be deemed wise to again pursue that line of action.

Mr. J. STOREY: I would like to direct attention to the references made by the Auditor-General in his last report to certain public works, and to the strong comments he has passed in regard to them. If the Minister is going to attempt to do some of the things which have been objected to by the Auditor-General, and which he has himself objected to in the past, I do not think he will be justified.

Mr. BALL: That is what I am making clear in the statement!

Mr. J. STOREY: Making it clear will not justify it. If the Minister is going to commit an error, a mere explanation on his part will not justify his action any more than certain acts in the past can be justified. I would suggest to the hon. gentleman that before he takes any action in the direction indicated he should read the Auditor-General's report on the general question of works, the cost of which exceed £20,000, being dealt with without reference to the properly-constituted tribunal, the Public Works Committee.

Mr. BALL: The hon. member had better read my statement!

Mr. J. STOREY: The hon. member adopted the unusual course of reading his statement, and I was not closely following him, because I thought he was reading a statement from one of his departmental officers.

#### DEFAMATION (AMENDMENT) BILL.

Bill presented and (on motion by Mr. D. R. Hall) read a first time.

#### MURRUMBIDGEE MAIN CANAL ENLARGEMENT SCHEME.

*Resolved* (on motion by Mr. GRAHAME):

That it is expedient the enlarging of the main canal, Murrumbidgee irrigation scheme, to increase the capacity at its off-take from 1,000 to 2,000 cubic feet per second, as recommended by the Parliamentary Standing Committee on Public Works, be carried out.

#### APIARIES (AMENDMENT) BILL.

Bill returned from the Legislative Council with amendments.

#### PRIVILEGE.

CHARGES MADE BY MR. R. A. PRICE.

Motion (by Mr. FULLER) agreed to:

That this House do now proceed to consider the report of the royal commissioner appointed to inquire into the charges made by Mr. Richard Atkinson Price, M.L.A., in the Legislative Assembly, against the Hon. William George Ashford, M.L.A., Minister for Lands and Forests, as set forth in *Hansard* report on 5th September, 1917; and also to inquire into the charges made by the said Mr. Price against the Hon. William George Ashford relating to a certain deviation on the Dubbo-Werris Creek railway, as reported in *Hansard* of 13th December, 1916,—and that the report be read by the Clerk.

Report read by the Clerk as follows:—

*Royal Commission on the charges made by Mr. Price against the Minister for Lands.*

Report.

To His Excellency Sir WILLIAM PORTUS CULLEN, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

May it please your Excellency,—

I have the honor to present my report respecting the matters into which I was appointed by royal commission under the Great Seal, on the 21st September last, to inquire.

By the terms of the commission, I was directed to inquire into the charges made by Mr. Price, M.L.A., against the Honorable Mr. Ashford, Minister for Lands and Forestry, as set forth in the *Hansard* reports of the proceedings of the Legislative Assembly of the 13th December, 1916, and the 5th September, 1917.

Mr. Price appeared in person, and Mr. Ashford was represented by Mr. Blacket, K.C., instructed by Messrs. Coghlan and Company.

The charges made on the first occasion were in respect of two alleged deviations of the Dubbo to Werris Creek railway line as passed by the Public Works Committee, and are—I quote Mr. Price's own words—as to No. 1:—

“Now I come to the Dubbo to Werris Creek line, the construction of which was recommended by the Public Works Committee after an exhaustive inquiry, the railway to be taken along a specified route. At the request of the Minister for Lands and two German constituents of his—one a member of the local Labour League and the other the president of the Progress Association—the line was diverted  $3\frac{1}{2}$  miles to Mundooran against the report of the officers, and in this way £6,000 of public money was wasted.”

And as to No. 2:—

“After that the line passed on to Merrygoen, and when it reached that, Norton Griffiths & Co., who had some plant at Piambra a little further on, said that they would like the line to go on to that point. Mr. Cann, the Minister in charge, wrote a minute in which he said that the report of his officer was to the effect that the expense of that deviation was not warranted, and that the deviation would entail an extension of the line  $16\frac{1}{2}$  miles, and the construction of a bridge over a river, instead of the line going straight across country, and that this would necessitate the traffic being hauled over  $16\frac{1}{2}$  additional miles unnecessarily for all time. When the Commissioners were asked what they suggested all they could suggest was the carrying out of a triangulation scheme to avoid the ‘back shunt.’ They said, ‘We want the most direct line we can get,’ and then Mr. Cann made the following minute: ‘There is no justification for this deviation, because it entails  $16\frac{1}{2}$  miles more haulage and the crossing of a bridge over Weetalibah Creek. There is no justification whatever for it, and therefore it cannot be granted.’ But the following morning, on the 6th July, a telegram comes to the Minister for Lands, Mr. Ashford, from this gentleman, and another telegram comes from his brother. One is the secretary to the Labour league, and the other is president of the progress association. This little coterie get together, and a marvellous thing occurs. Although Mr. Fraser condemned the proposal, and although there are no papers in the department to justify it, yet this country is put to the expense of £80,000 for a deviation which is contrary to the law. A detour of  $16\frac{1}{2}$  miles is made, and an increase of £80,000 put on the estimates. That is done at the suggestion of these German gentlemen. It is a public scandal, and I am not going to be party to allowing £80,000 to be spent unne-

sarily. These are constituents of the Minister; one is Oscar Carl and the other is Carl Oscar. The papers disclose that Mr. Cann one day said, ‘This cannot be granted because it is wrong,’ Mr. Fraser said the same thing, but the next day, after these telegrams have gone through, the plans are amended and the request granted. When I went down to the department, Mr. Cann gave me a chance to see the papers. I made a note of their official numbers, and it took me four solid hours to go through them and make copies of the plans, until I got the hang of the whole thing.”

The charges made on the second occasion were—(1) in respect of the alleged omission from the estimates of certain items with reference to the purchase of certain sawmills, and the payment of certain salaries; and (2) in respect of the purchase of land for soldiers, and were as follows. Again I quote Mr. Price's own words:—

As to 1:—

“The position is very clear. Contrary to the provisions of the Public Works Act, and contrary to the operations of the ordinary system of Government, the expenditure of a sum of over £20,000 is involved, and it is not shown on these estimates. . . . a banking account has been transferred from the City Bank at Gloucester and opened on behalf of the Government with the Commercial Bank in the same town. . . . The Minister for Lands, in answer to a question put by me, deliberately said that the transaction had not been completed, yet it was a matter of open knowledge, and the Minister must either have been misinformed, he must have been misleading this House, or he must have made an untruthful statement. . . . this expenditure was incurred contrary to the law, and is not shown on these estimates. I want to know what schedule this expense has been smothered under. . . . an account was transferred from the City Bank at Gloucester, and the Government opened an account in the Commercial Bank in the same town, cheques being drawn and paid by a private individual. . . . and to get behind the law as laid down by statute the Government entered into a transaction involving the expenditure of a sum of £20,000, which, according to the Public Works Act, must be submitted to this House. The fact is, that the law has been broken by the Government. . . . I want to point out that we are getting into a very dangerous system, when items are jockeyed from one department to another. In answer to a specific question asked by me, the Minister distinctly stated that this transaction had not been completed. Now we are told that it has been completed. I complain of the way in which



the accounts are bolstered up and falsified. . . . These accounts are supposed to be so clear that the man in the street can understand them, but far from being clear the House and the country is being deceived by a deliberate system of jockeying. These estimates, I submit, are false and not in accordance with the books of the department. (Mr. Edden: That is a serious charge.) Yes, and a true one. I repeat that the account was transferred from the City Bank at Gloucester to a private account, and authority was given to a private citizen to operate upon it. (Mr. Edden: Is the hon. member prepared to prove it?) Absolutely, and the sooner the facts are disclosed to the public, in order that they may thoroughly understand what the position is, the better it will be. . . . These estimates ought not to be hurriedly gone through, seeing that they do not disclose the whole of the facts and the true position of affairs. When the facts are disclosed there will not be one decent man on either side of the House who will not cry 'shame.' . . . The whole transaction was carried out behind the back of Parliament, and a fraud has been committed inasmuch as an excess price was paid for the property."

As to 2:—

" . . . Further, the Minister for Lands advised me that no property had been resumed at £8 5s. per acre, the original purchase cost of which was £4 per acre. That is absolutely misleading. . . . What I do say is that it is a case of maladministration. . . . The administration of this department is of such a character that men who want to get on the land, and those who want land, those who want additional conditional purchases, and additional holdings are starving . . . the putrid and dishonest administration that has been adopted . . . I have made no charges with regard to the Minister that I cannot substantiate. The charges made by me are deliberately made."

*Alleged Deviations on the Dubbo-Werris Creek Railway.*

As to No. 1, I find that the Public Works Committee, in reporting on the proposed line from Dubbo to Werris Creek, described the route recommended as passing 5 miles east of Mundooran. This did not satisfy the wishes of the inhabitants of that town, and Mr. Makinson, a bank manager there, and secretary of the local progress association, from October, 1913, onwards, sent through Mr. Ashford, as member for the district, several letters and a petition signed by over 100 residents, to Mr. Griffith, then

Minister for Public Works, urging that the line should be brought nearer to Mundooran, and, later on, Mr. O'Brien, secretary of the local Labour league, wrote twice to the same effect.

An exploration survey of the suggested deviation was then ordered to be made, and Mr. Surveyor Jamieson went over the ground with Mr. Makinson and others, and reported on two alternate deviations which would bring the line within 2 miles of Mundooran, and suggested that trial surveys should be made.

Mr. Kennedy, Engineer for Surveys, however, on the 4th February, 1914, recommended that the line, as passed by the Public Works Committee, should be adhered to, and this was approved by Mr. Griffith on the 12th February.

On the 20th February a deputation waited on Mr. Ashford, who was then at Mundooran; and made a strong protest against the decision of the Minister. Mr. Ashford forwarded a précis of the notes of what had taken place at the deputation to Mr. Griffith, and drew attention to Mr. Jamieson's suggestion of a trial survey, and said he trusted that this would be taken into consideration, and, if possible, carried out.

Mr. Griffith then ordered a trial survey to be made.

On several subsequent occasions further letters were sent to the Minister for Public Works, through Mr. Ashford, asking what was being done in the matter.

Finally, Mr. Surveyor Stewart reported on his trial surveys of two alternative routes, and recommended one of them, and, on the 10th October, Mr. Griffith approved of the deviation, at an estimated cost of £5,000, and of a station to cost not more than £1,000.

These being the facts, it is clear that a deviation was made from the route set out by the Public Works Committee, but I cannot see that Mr. Ashford was in any way responsible for this, or, in any case, that there was anything improper in his actions throughout; he merely transmitted to the Minister letters and a petition from residents of the district for which he is member, and, when the Minister had turned the proposal down, he informed him of the views expressed at a deputation which protested against the decision of the Minister. At no time did he do more than urge that the trial survey, suggested by Mr. Jamieson, should be made, and everything he did was obviously open and aboveboard, and is fully disclosed in the official papers.

No German constituent of Mr. Ashford had anything to do with the matter, and so far from the line being diverted against the report of the officers—though Mr. Kennedy at one time was against it—Mr. Jamieson and Mr. Stewart favoured it, and there can be no doubt that it was

in consequence of the report of the latter that Mr. Griffith agreed to the deviation being carried out.

The length of the deviation is  $1\frac{1}{2}$ , not  $3\frac{1}{2}$  miles. Mr. Price stated to me that by  $3\frac{1}{2}$  miles he meant the double journey. If he had meant that at the time it seems to me he would have expressed himself differently.

It certainly did not appear that the extra expenditure was wasted.

As to No. 2, I find the facts to be that the map attached to the report of the Public Works Committee apparently showed a take-off from the Dunedoo-Coonabarabran line in the neighbourhood of Piambra, but the report itself stated that:—

“Between Mundooran and Binnaway a length of about 10 miles of the proposed line will form part of the authorised line from Dunedoo to Coonabarabran, and another 10 miles is so close to the latter that the official evidence indicates it would be an easy matter to adopt it as part of the line to Werris Creek, thus saving about 20 miles of construction by either the route from Wellington or from Dubbo *via* Mundooran to Werris Creek.”

There being a station at Binnaway on the Dunedoo-Coonabarabran line, at which the Commissioners had asked that certain work should be carried out on the supposition that it might be the junction of that line and the Dubbo to Werris Creek line, the constructing authority decided to make use of the Dunedoo-Coonabarabran line beyond Piambra and up to Binnaway, and to make the take-off at that place, and a route was permanently staked out from Binnaway to join the line, as shown by the Public Works Committee's map further east.

Then the secretary of the Chief Railway Commissioner, on the 22nd June, 1915, pointed out to the Director-General of Public Works that it was said that the proposed line would reverse in direction at Binnaway, that is, curve southerly instead of continuing from a point north of Binnaway, and proceeding in a direct line towards Werris Creek, and stated that it was of the utmost importance that the trains should run from Dubbo to Werris Creek without any reversing at Binnaway, and that the Deputy Chief Commissioner would be glad if the Director-General would give a direction that would produce this result, either by constructing the line curving northerly from the northern side of Binnaway, or, if this should be too costly, by making the junction in the correct direction at a point south of Binnaway.

Thereupon, Mr. Hutchinson, Chief Engineer for Railway and Tramway Construction, minuted that the proper connection would be not at Binnaway, but at

Piambra, and suggested that a fresh survey be made from a point just north of Piambra. This survey was then carried out by Mr. Edwardes, who reported that the route he had selected would save 2 miles 59 chains in construction, and in haulage one way 7 miles 25 chains.

Next in order of date it appears that Mr. Ashford forwarded on the 12th July, 1915, to the Minister three telegrams—one from Mr. S. G. Scheumack and Mr. C. J. Hamilton, president and secretary of the progress association; one from Mr. W. Scheumack and Mr. R. Scheumack, president and secretary of the local Labour league; and one from Mr. Calcroft, manager of the Bank of Commerce, on behalf of the townspeople; and a letter from another gentleman, Mr. Leitheld, protesting against the proposed removal of the junction from Binnaway. These were apparently considered by Mr. Cann, who was then Minister for Public Works, and on the 14th July his secretary, Mr. Cooper, made a memorandum that the Minister “directed that a reply be sent to Mr. Ashford that he is unable to alter the proposed arrangement for the junction at Piambra.” Mr. Cann stated in evidence, and his statement is borne out by a further memo. of Mr. Cooper's of the same date, namely, the 14th July, that he had not intended the decision to be final as he was waiting a reply from the Railway Department as to their wishes in the matter. Mr. Cooper's memo. reads, “No further action as above at present.” Mr. Ashford, apparently, then had an interview with the Minister and also with the Director-General of Public Works.

In the meantime, Mr. Hutchinson, as he stated in his evidence, had had two interviews with the Chief Commissioner, at the first of which he recommended that Piambra be selected as the take-off, being then under the impression that very little of the proposed work at Binnaway had been carried out. Before the second conference he had found out that he was in error as to this, and he then recommended the Chief Commissioner to adhere to Binnaway, pointing out that though the cost of constructing the line from there would be more than that of a line from Piambra, the difference would be more than covered by the cost of erecting at the latter place the works that had already been carried out at Binnaway, and he arranged that a triangle should be put in at Binnaway to obviate the back shunt. The Chief Commissioner was satisfied with this, and the secretary to the Chief Commissioner so informed the Director-General of Public Works on the 9th August, and finally, on the 25th August, Mr. Cann approved of Binnaway as the junction.

Mr. Hutchinson was most emphatic that the decision to adhere to Binnaway was that of the Chief Commissioner, and

that neither he nor the Chief Commissioner knew anything of Mr. Ashford in the matter at all. If Mr. Price went through the papers with any care he must have seen that whatever action Mr. Ashford took (and I cannot see anything at all improper in what he did, which was no more than would have been done by the member for the district, whoever he might be) it was obviously not to *obtain* an alteration, but to *prevent* an alteration from the plan originally proposed. He had nothing to do with the original departure from the take-off shown in the map attached to the report of the Public Works Committee, and his actions had no effect on the ultimate decision, which was due to Mr. Hutchinson's recommendation being adopted by the Chief Commissioner and approved by Mr. Cann.

It is difficult to imagine a statement more full of inaccuracies and even distortions of fact than this part of Mr. Price's speech.

No minute either of Mr. Cann's or of Mr. Fraser's, such as Mr. Price mentioned in his speech, was among the papers. As to the former, though Mr. Price asserted he had seen it, it is highly probable that the memo. by Mr. Cooper to which reference has been made was all that ever existed, and that was not in the terms which Mr. Price purported to quote in his speech. It is to be noted, too, that the précis which Mr. Campbell typed from Mr. Price's notes contains no reference to any such minute.

As to the supposed minute of Mr. Fraser, I can find nothing to account in any way for Mr. Price's statement with regard to it.

Again, Mr. Price's dates and names are all wrong. I have mentioned the names of the persons who sent the telegrams, and it appears that none of them bear the names of Oscar Carl or Carl Oscar. Mr. Price said that he had been informed these were the names they are commonly known by. He gave no proof of this, and it is difficult to understand why, having the real names before him, he did not give them.

Again, as to his statements that "the country was put to an expense of £80,000 for a deviation contrary to law" and "a detour of 16½ miles and an increase of £80,000 put on the estimates," and that it was "a public scandal, and he was not going to be a party to allowing £80,000 to be spent unnecessarily," Mr. Price asserted that he had not meant that the deviation, as he called it, had cost £80,000, but that that sum would be the ultimate loss entailed by its having been made. It seems to me that Mr. Price—having seen in the Loan Act, 1916, under the heading "Railway Construction, Dubbo to Werris Creek," a further sum of £90,000—wanted to make it appear in his speech that that sum represented the

expenditure involved by these "deviations," namely, £6,500 at Mundooran and £80,000 at Binnaway, but as the actual cost of the two was not more than £16,000 at the outside, he then attempted to explain away the position in which he found himself by saying that he had meant "ultimate loss" and not "cost," a construction which I am sure no one who heard or reads his speech could possibly put upon his words.

Mr. Price urged that no departure could lawfully be made from the line of route set out in the report and map of the Public Works Committee, and that the mere fact that such a departure had been made in itself raised a strong suspicion of improper conduct on the part of those concerned in it. I cannot agree with Mr. Price in regard to this. The Act authorising the construction of the line empowers the constructing authority to make such deviations and modifications as he may consider desirable, and in any event, as I have pointed out, Mr. Ashford had nothing to do with the selection of Binnaway, even if it could be said that this was a departure from the route selected by the Public Works Committee, which I do not consider it to have been.

Some comment might have been made on the methods of the construction branch of the Public Works Department as to the original selection of Binnaway as the junction, and as to the expenditure of so much money there when it is now admitted that the junction should have been at Piambra; also as to important steps taken without authority, and as to the want of co-ordination between the officers of the branch, but even that was unnecessary, as Mr. Cann had put his finger on the weak spot, and had made a minute to secure the more efficient working of the branch. This minute of Mr. Cann's was put forward by Mr. Price as if it were evidence against Mr. Ashford, but, in fact, it had no reference whatever to Mr. Ashford, and nothing contained in it or connected with the procedure of the department in the slightest degree justified charges being made against Mr. Ashford.

#### *Purchase of Sawmills, &c.*

All imputations against the Minister with regard to this matter were withdrawn by Mr. Price when the inquiry into them was about to be proceeded with, and Mr. Price stated that he had no evidence to support his charges.

Mr. Price admitted that his statement that the Government account had been *transferred* from one bank in Gloucester to another and put in the name of a private person was not in accordance with the fact, which was simply that an account had been opened in the name of a private person. This person was, I understand, the person appointed by the Gov-

ernment as manager of the mill, and the admission showed that the action was not taken, as the speech implied, for the purpose of concealing the purchase of the mill, but was taken to provide for the ordinary mill accounts, and thus it disposed at once of one of the most serious of Mr. Price's allegations in regard to this matter.

Mr. Price stated that he had never intended to make any imputation against Mr. Ashford personally, or as a Minister. In view of the language that he used throughout his speech on this matter, and especially in view of his statement that the charges made by him were deliberately made, and that he had made no charges with regard to the Minister that he could not substantiate, it is impossible for me to accept his disclaimer. However, Mr. Blacket, on behalf of Mr. Ashford, having accepted Mr. Price's withdrawal, it seemed to me that no good purpose would be served by going further into the matter.

#### *Purchase of Land for Soldiers.*

As to this, Mr. Price asserted he had not attacked Mr. Ashford, but the Government as a whole, and though his language in his speech certainly contained aspersions on Mr. Ashford, as, for instance, in the passages hereinbefore set out, it is correct that most of what he said was directed at the Government. Mr. Blacket, for Mr. Ashford, accepted Mr. Price's disclaimer of any imputations against Mr. Ashford in connection with this matter, and I therefore did not think it necessary to inquire into it.

#### *Conclusion.*

I find that the official papers and the evidence relating to the "deviations" of the Dubbo to Werris Creek line, and the terms of Mr. Price's withdrawal of the charges in respect of the sawmills matter, clearly establish that the charges made by Mr. Price against Mr. Ashford were made wantonly and recklessly, and without any foundation whatsoever.

I desire to express my appreciation of the valuable services rendered to me by Mr. Page, who acted as my secretary.

I have the honor to be,  
Your Excellency's most obedient servant,  
H. MONTGOMERIE HAMILTON, D.C.J.,  
Royal Commissioner.

12th October, 1917.

MR. SPEAKER: As the whole of the report has been read I presume the hon. member does not require anything further read.

MR. PRICE: No!

MR. SPEAKER: Now is the time for the hon. member to make his statement.

MR. PRICE (Gloucester) [5.27]: I regret exceedingly that the interpretation should have been placed upon my speeches in this House that they were a personal reflection on the Minister. I had no desire, nor was it in my mind, to convey a reflection on the Minister as far as his personality was concerned, and if that interpretation has been placed upon my remarks I can only express regret that that is so. I do so quite unreservedly. I was dealing with matters on broad public grounds. The question of the Dubbo-Werris Creek deviation came first. The information furnished to me on that matter I honestly believed was accurate in every particular. I endeavoured to make myself acquainted with it, and on a previous occasion in April of last year when I moved the adjournment of the House I had the papers with me, and in making my speech I gave dates and numbers. I have not got the precis; I have not got the papers. In dealing with the question of the Dubbo-Werris Creek deviation I was guided by the report of the Public Works Committee submitted to this House. I hold in my hand a copy of the official report which was laid on the table of the House and printed on the 11th September, 1913. Accompanying the report is a plan. That plan shows a direct line from Dubbo to Werris Creek—the straightest possible route. I would point out to hon. members that the language which I used was used in the public interest. I was dealing with the matter on big broad national lines. In the report of the Public Works Committee various other lines, such as the Gilandra line, were dealt with by the committee, of which the leader of the Opposition was the chairman. It is pointed out in this report by the Railway Commissioners and the committee that not only was it an ordinary railway, but that it was a line of great national importance for this reason: The line from Melbourne is linked up with the southern railway system of the State, and the line from Dubbo to Werris Creek will link up the north-western system with the main northern system by the shortest route. It was pointed out that the line would not be a payable one, but owing to its being a line of national importance it was

adopted by Parliament on the recommendation of the Public Works Committee. The report of the Public Works Committee points out that the line would be of considerable military and strategic value by assisting in the transport of troops to and from various parts of New South Wales and the other States. Then again, in Lord Kitchener's report and also the report of Colonel Home bearing on this question, it is pointed out that in the event of the country being at war and the Hawkesbury bridge being destroyed this line would save a distance of 100 miles in the transport of troops from Brisbane to Melbourne. It has been further pointed out that the line would be largely used for the transport of starving stock, and the recommendation of the Public Works Committee was that the line should be constructed between the two points by the shortest and easiest route possible. What is the result? At Mundooran a slight deviation was made of 1 mile and some chains. I am informed by the railway authorities that in calculating the trainage and haulage they always take the double journey. In the evidence given by Mr. Surveyor Edwardes and Mr. Hutchinson they point out that the deviation at Mundooran would cost £6,000, and there would be an increase in the length of the line of 1 mile odd, or, roughly speaking,  $3\frac{1}{2}$  miles. Now we come to the second deviation at Binnaway. Mr. Edwardes in his evidence says:

*Nature of Country.*—The land traversed is all alienated and mostly freehold. Soil is light, sandy, and light red loam. Timber: Box, gum, all killed and valueless. Except for wells there is no water along the route. As compared with the line surveyed from Binnaway to Ulinda, this line from Piambra as proposed will traverse easier country through which to construct a line, and save one important crossing at Weetalibah Creek.

*Saving in Construction and Haulage.*—The saving in construction will be 2 miles 59 chains. The saving in haulage one way will be 7 miles 25 chains.

Hon. members will therefore see that if they add 7 miles 25 chains to the 1 mile 48 chains, the double length journey is  $16\frac{1}{2}$  miles. Taking the computation of about £4,500 per mile, and the £3,000 or £4,000 for two bridges over Weetalibah Creek, the amount will be about £20,000. That means that the ultimate loss to this

[Mr. Price.

country will run into about £80,000. Why? Hon. members know that the line will have to be shortened and brought back to the Piambra route. The whole thing was a mistake. I was speaking on broad national lines. Here was a line for the carriage of starving stock. Here was a line which would shorten the distance between two capitals; here was a line which would be connected with the Northern line. The proposal indeed has been made that it should connect with the main Northern line somewhere between the Manning River and Walcha-road. The result would be that there would be a line connecting the North-west with the main Northern line, as well as connecting with the Southern system. The Public Works Committee, in submitting its report on the Dubbo-Werris Creek line, made this statement:

Summarised, the reasons actuating the committee in recommending the adoption of the proposed line from Dubbo to Werris Creek are:—

- (1) It will form an important cross-country connection between the northern and north-western districts.
- (2) It will link up two important commercial, pastoral, and agricultural centres.
- (3) It will develop a large amount of passenger, pastoral, and agricultural traffic.
- (4) It will tap valuable ironbark forests.
- (5) It will establish a connection between an extensive area of the western district and the feed country of New England.
- (6) It will considerably shorten the journey between Brisbane and Melbourne.
- (7) It will preserve intact the continuity of the railway system, in the event of a recurrence of floods in the Hunter River blocking the north-western and northern railway lines, and also in the event of the Hawkesbury bridge being rendered uncrossable; and
- (8) It will establish a line of considerable military and strategic value by assisting in the transport of troops to and from various parts of New South Wales and the other States.

When Parliament has approved of a certain route there should be no important deviation from it. A detour of a few chains would not matter, but the main route must be adhered to. The Piambra

line would have been cheaper. Mr. Hutchinson points out that if he were starting the line *de novo* he would certainly take off at Piambra. The Railway Commissioners point out that in view of their being unable to get a more straightforward route between Dubbo and Werris Creek they were compelled to adopt the other deviation. I say that on broad general principles, because a national military line had been endorsed by this House, the proposed deviation was a mistake. The information furnished me conclusively showed me that I was performing a public duty by directing attention to that fact. My desire was, before it was too late, to have the Binnaway deviation and extension abolished with a view to going back to the Piambra route. That would have meant a saving of 7 miles of haulage; it would have saved the cost of two bridges and 2 miles 59 chains of construction. For the double journey there would have been a saving of more than 16½ miles. Surely an hon. member is justified on public grounds in having a line shortened as far as possible. The Commissioners said that the line was not only an ordinary country line, but a line for national purposes—a national line from a military point of view, a national line in connection with the carriage of starving stock, and a national line which would connect the North Coast with the North-Western system, and ultimately with the whole railway system throughout the State. That was my sole reason for doing what I did. I had no intention to reflect on the Minister. Mr. Cann made a minute, which appears in the evidence. It is in these words:

With reference to the attached letter of the Hon. W. G. Ashford, the Minister directs that a reply be sent intimating that he is unable to alter the proposed arrangement for the junctioning of the Dubbo-Werris Creek line at Piambra. While quite sympathising with the desire of the Binnaway people to have the junction there, the Minister wishes it pointed out that it is not as though Binnaway had no railway service for itself. This junction is not to afford facilities to Binnaway, but to best regulate the cross-country traffic, and after the fullest investigation it has been determined that the most suitable take-off is that now determined upon, namely, Piambra.

Ultimately an agreement was arrived at by which the deviation was made. I considered that, in the public interest, and as a matter of public policy, a grave error was made—an error which will have to be rectified in the future by increasing that length of line, and that will mean 16½ miles for the double journey. Whoever is responsible for it, and however it came about, the line will have to be altered in the future from a military point of view. What I wished was that, while the line was not yet completed, the intention of Parliament should be carried out. What was recommended by the Public Works Committee, and agreed to by Parliament, is shown in the report and in the plan. I have here a copy of the plan showing the take-off at Piambra.

We had to rectify a similar mistake made in connection with the Illawarra line. What was the reason why the Public Works Committee was brought into existence? It was to prevent Ministers or any constructing authority or anyone else from causing a deviation in a line. It will be remembered that when the Illawarra line was passed by the House, Sir Alexander Stuart was Premier. He and Mr. Grey had a deviation made in the line. I believe they had some reasons for doing so. The result of the deviation is that to-day it is found that the line is in the wrong place. Great expense has been incurred in connection with the line. In the future a deviation will have to be made so as to shorten the route as much as possible. That was my reason for strongly protesting against the deviation on the Northern line. There does not appear to have been any reason for that deviation. I had a consultation with Mr. Wade, and when I moved the adjournment of the House in April last, he agreed with other hon. members that a gross mistake had been made. An attempt was made to stop the deviation before it went too far. My desire was to protect the public interest. I was actuated by a desire to shorten the line as much as possible because of the national importance of the other line which had been submitted to this House and agreed to. Hon. members in dealing with the matter should refresh their memories by referring to the plans submitted, and the evidence taken before the

committee. Instead of the line being constructed as laid out, it makes a detour to Mundooran Park, goes from Piambra to Binnaway and comes back across two creeks, the estimated cost being over £20,000. To my mind the loss would be over £80,000. At the time I spoke I had not my notes available. I find, on looking at the report, that it was in April of last year that I moved the adjournment of the House. I quoted from numbers of papers which I had with me. An assertion has been made that I referred to the matter during the Minister's absence. Hon. members know that the only time when we can deal with these matters is when the estimates are before the House. The Minister happened to be away in the country when his estimates came on. The House had been sitting day after day and night after night. The estimates were being passed. The only time I had an opportunity of dealing with the matter was when the estimates were before the House. When the Minister was present I moved the adjournment of the House, and I had the papers with me. Unfortunately the Minister was in the country when the estimates came before the House. The estimates were being taken one after the other. The House sat day after day. There was no opportunity for hon. members to know when a particular estimate was coming on. The Minister should have been here when his estimates were on. That is the reason reference was made to the matter in his absence. When the estimates came on the Minister was not here; they were in charge of one of his colleagues.

I now come to the question with regard to the purchase of the sawmill. I was actuated purely by public policy and in the best interests of the country. When the commissioner ruled that no evidence could be put in except in connection with a charge against Mr. Ashford, I said, as I say now, that the hon. gentleman must have been misinformed. It was on broad national grounds that I took action. The commissioner ruled the evidence could only go in in connection with a charge of personal corruption. I was dealing with the matter on broader issues. I will endeavour to show

[*Mr. Price.*

hon. members the reasons which were in my mind with regard to the purchase of these sawmills. In the Forestry Act it is distinctly laid down that the State may establish sawmills, but cannot take timbers from private lands. The information furnished to me, the evidence that would have been submitted, was that timbers were being brought from private lands at both Craven and Gloucester. A large number of logs were brought from Bundoon and other parts, not from the forests purchased by the Government, but from private property. That is entirely contrary to the law; and if it is contrary to the law, where is the offence if an hon. member brings a breach of the law before the House? The price of this property is £25,000; £14,000 was paid for 70,000 acres, which according to the papers had been purchased for £11,000. Subsequent purchases brought the total up to £25,000. The Public Works Act distinctly points out that no work costing more than £20,000 can be effected without going through the routine of that Act. I refer hon. members to Part V, section 42 and succeeding sections. I also refer to a previous section, Part III, section 34, which says:

No public work of any kind whatsoever, except such works as the Chief Commissioner is authorised to carry out pursuant to the Government Railways Act, 1912, or any Act amending or consolidating the same, the estimated cost of completing which exceeds £20,000, and whether such work is a continuation, completion, repair, reconstruction, extension, or a new work, shall be commenced unless sanctioned as hereinafter provided—

And so on. That section distinctly lays down that no work costing more than £20,000 shall be authorised by Parliament without first of all going through the fullest inquiry and being reported upon by the Public Works Committee. Unfortunately that was not done in this instance. The only thing that I could find, from information, which was done was this: On the 16th July timber was offered, and it was inspected on the 25th July by Mr. Dimelow, and approved on the 18th August; and amongst the papers are some dated 31st July, 1916, and 4th September, 1916, marked "Confidential. Dimelow's report. Verbal instructions. These documents are confidential and

should be kept under lock and key." Then I find that a sum of £4,000 and a sum of £3,000 odd were paid, and a sum of money was paid into the City Bank with a guarantee by Mr. Aubrey Halloran, a solicitor, that the money would not be handled until the transaction was completed. The whole matter, in my opinion, regarding it from a public point of view, should have been inquired into by the Public Works Committee before being submitted to Parliament. The fullest possible inquiry should have been made. If in a matter of public interest and public policy a certain course should be adopted, and it is not, surely there is nothing wrong in making an attempt to have the matter inquired into. On the 13th December the hon. member for Darlington asked the following questions:—

(1) Is it a fact that the Government is negotiating for the purchase of sawmills at Craven and Gloucester?

(2) Is the Government purchasing timber lands at the same place?

(3) What areas of lands is it proposed to purchase?

(4) If sawmills are being purchased, what is their capacity, and what price is it proposed to pay for them?

(5) Is it a fact that each of the sawmills proposed to be purchased had prior to their erection at Craven and Gloucester been used for other purposes in other districts?

(6) Where are the sawmills located?

(7) Before the country is committed to State sawmills, will he allow the proposal to be discussed in this House?

(8) On whose advice is the Government acting in the matter?

I subsequently gave notice of a question, which was answered on the 14th August.

Mr. Price asked the Acting Premier,—

(1) Has he yet arrived at a decision as to replying to the questions asked by the hon. member for Darlington, Mr. D. Levy, M.L.A., before the conclusion of the last session of last Parliament on the subject of the purchase of sawmills at Craven and Gloucester? (2) Will he be good enough to furnish the House with the desired information as early as possible; if not, why not? (3) Has Mr. Shedden been appointed to any position under Government; if so, on what date, and what salary, expenses, and allowances have been granted to him and his staff? (4) Have any other members of Mr. Shedden's family been appointed to positions; if so,

in what capacity, and what allowances will be paid to them? (5) The like information with regard to any other employees or members of his staff? (6) Has an account been opened by the Government at any Gloucester bank; if so, is Mr. Shedden or any of his family or employees allowed to operate on such account on behalf of the Government? (7) What is the extent of the account, and what moneys have been involved? (8) Has he any objection to lay the whole of the papers relating to the purchase of the State sawmills upon the table of this House? (9) Will he grant a royal commission to inquire into the transaction, or consent to the appointment of a select committee of Parliament to investigate the purchasing of sawmills and resumptions of lands by the State?

Answer,—I am advised by my colleague, the Minister for Forests, that the transactions in these matters are not yet completed, and it is therefore not possible to reply fully to those questions.

With regard to the purchase of this land, I find that the Crown Solicitor raised certain points, and although the valuations were made by Mr. Dimelow and Mr. Cutler and others, the local people advised me that the amount paid was in excess of the value of the land. More than that, they referred to the fact that, in establishing a State forest, it would be necessary to go to where the timber is. At the Comboyne and the Bulga, and in other parts, there are large areas of State forests. The whole of the country surrounding these forests has been alienated, rung, and cleared. In the early part of this year I sent a letter to the department, and I received a letter in acknowledgment of mine, but I do not think that any action has been taken in regard to it. It is a well-known fact, pointed out by the writer of that letter and in the evidence given before the royal commission, that on the western slope the timber is hollow and inferior as compared with the timber on the eastern slope. On land adjoining this land the Jarrah Company expended about £30,000 in laying down tramways. On the other side of the range a sawmill was established by Mr. W. A. Lee and Gibbs, Bright & Co. at a cost of about £30,000. Although this money was expended with the object of obtaining timber, both of those lines are not being worked to-day, for the reason that the timber has been practically all cut out, and it would not pay to work them any



longer. If you want to establish a saw-mill, my contention is that it would be more businesslike to go into a virgin forest—not to resume land for that purpose. Furthermore, under the Forestry Act, I contend that the appointments to which I referred should have been made in accordance with the Public Service Act and regulations, and they should have been shown in the returns of that department. In taking up the returns and the estimates, I can find no reference to or trace whatever of these appointments. I can find no minute whatever covering these appointments. That clearly shows that a great mistake was made, a grave error of judgment, and that the matter was unbusinesslike. Even to-day it appears that another sawmill has been purchased, which is being dismantled, on the Comboyne and is lying idle. The State sawmill, as I am advised by telegram, has broken down, and it is necessary now to get fresh machinery. A question asked by the hon. member for Darlinghurst was whether this machinery had been used before. A portion of that machinery was taken to the Copeland gold-mine, and the other was sold as scrapped machinery. At the royal commission I was advised that I could not raise the question of the businesslike or the unbusinesslike aspect of the case, or the question whether the appointments were rightly or wrongly made, or whether it means a loss to the country, as it evidently must mean. The Auditor-General submitted a report during the operation of the sawmill, stating that it returned a certain amount, but not from a sawmilling point of view, because, contrary to the provisions of the Forestry Act, timber has been purchased from private lands. That is not provided for by law, and my contention against what was done was, and still is, based on grounds of public policy.

[*Mr. Speaker left the chair at 6.6 p.m. The House resumed at 7 p.m.*]

MR. PRICE: On the 16th August last I asked the following question:—

(1) What areas of land have been resumed for returned soldiers, and at what price per acre? (2) Is it a fact that land was resumed at £8 5s. per acre which had originally been purchased at £4 per acre?

[*Mr. Price.*

The following answer was supplied:—

(1) Estates acquired under the Closer Settlement Acts for returned soldiers:—

Estate.	Area.			Price per acre.	
	a.	r.	p.	£	s. d.
Baerami .....	13,661	1	14	5	0 0
Carambi .....	17,909	2	9	4	17 3
Collaroy .....	12,858	3	32	3	17 6
Cullingral .....	6,335	1	38	3	16 0
Harvey Park .....	13,698	1	0	4	0 0
Manus .....	12,442	0	7½	4	16 3
Oban .....	8,809	3	0	8	5 0
	(about)				
Ooma .....	26,538	3	38	4	8 6
Pinnacles .....	5,802	1	0	6	10 0
Tarcutta .....	2,800	2	22½	2	16 3
Tuppai .....	23,422	1	18	4	2 6
Montavella .....	163	0	0	47	0 0
McPhillamy's .....	18	0	0	14	13 0
Clinton's .....	724	0	0	16	12 5
Glen Innes Nursery .....	21	0	13	118	11 9
Bankstown .....	553	0	0	9	19 1
Reen's .....	121	3	27	8	9 11
Grantham .....	118	0	0	84	14 10

(2) No.

I argued then, as I argue now, that it was a grave mistake to purchase private lands for the purpose of settling returned soldiers before utilising the Crown lands that were available for that purpose. I had in my mind certain lands in regard to which I had made representations to the Government and which could be made available for settlement with the expenditure of a small amount of money. For the last ten years I had urged that these lands should be opened up. I refer to lands on the Bulga and the Comboyne which when cleared would be worth £15 per acre. This land belongs to the Crown and not one penny would have to be spent in acquiring it. Very little money would need to be spent in order to carry out all the work required to open it up for settlement. One returned soldier applied for a block of this land and was unable to obtain it. I stated—as will be seen by the report, page 38:—

Certain returns were furnished to me the other night in regard to the land purchased for returned soldiers. The Crown has resumed a number of areas, notwithstanding that surrounding the Bulga, the Craven plateau, and in various other parts of the State, there are vast areas of Crown lands which can be used for the purpose by the expenditure of a comparatively small amount of money.

By the construction of a light tramway this land could be opened up. If it is desired to establish a sawmill it could be established there. There would be no cost to the State either in opening up the Bulga land or the land on the Craven plateau. There is 60,000 acres available in the other. By constructing a light line of railway or tramway and opening up roads returned soldiers might be afforded opportunities of obtaining land and earning some remuneration in the early stages of their settlement. It would have paid the State far better to have opened up this land than to have purchased private property, some of which according to the return furnished has cost £118 per acre. My contention was not put forward in any spirit other than that of broad general national policy. The land is there and is not being used, and it could be made available for settlement without any expenditure beyond the outlay necessary for the construction of a light line of tramway. The timber on the land alone would pay for the cost of all the work that would be necessary in opening up the land for settlement. There is an abundant rainfall and the soil is first-class and 200 acres would maintain a soldier and his family. The land when cleared would be worth £15 per acre, and as a matter of broad general policy the country should be opened up.

Perhaps I spoke strongly with regard to this matter, but when one desires to direct attention to questions of great importance strong language is justified. Has not Mr. Wade used strong language in directing attention to what he conceived to be public abuses, and has not the present Minister for Mines described Mr. Holman as a political bushranger? Equally strong remarks have been made by other members of this House and yet no action has been taken against them. The original speech in which I directed attention to this matter was made eighteen months ago and yet everything was allowed to lie dormant. My desire was to promote the public interest. I concluded that a bad bargain had been made by the State. I did not accuse the Minister, and there was no idea in my mind of personal corruption. As I said there,

I say now, that I had no desire to cast any reflection or to do anything beyond direct attention to the fact that the law had been broken. Both the Forestry Act and the Public Works Act provide that where the proposed expenditure exceeds £20,000 the fullest inquiry shall be made. That is the course laid down by the law, and I conceived that a grave mistake had been made. Where the sawmill has been purchased the whole of the timber has been cut out. On the western falls the timber is hollow and is not as good as that on the eastern fall. The timber has been cut out owing to the operations of a large number of sawmills, and the timber on the adjoining Crown lands could be placed on the market much more cheaply and compete successfully. I considered that a bad business transaction had been made because the State had entered into competition with private enterprise. The State does not seem to be able to run its enterprises as successfully as do private persons. There is not that close personal supervision in State concerns that is exercised in private concerns. Those acting for the Government may be as sincere, honest, and trustworthy as possible, but there is not that keen critical attention displayed by them that is brought to bear by men conducting private businesses who safeguard themselves against all possible leakages and study out the most minute details with a view to producing economical results. This has been the secret underlying the success of the great steel corporation and other huge enterprises throughout the world. The Minister of Public Instruction has told us that he is prepared to go to private firms to get the furniture made for the schools because the cost is 25 per cent. less than in the case of furniture manufactured in the State joinery works. It may be possible to show a profit in connection with the operations of the State sawmill, but not on the milling proposition only. The milling will have to be carried on in conjunction with the supply of girders, piles, sleepers, and bulk timber, and there is no necessity to establish a sawmill to deal with these supplies. I was instrumental in bringing about an arrangement between Mr. Davis, who was acting for the Public Works

Department, and the timber-getters, under which sleepers were supplied direct to the Government at 4s. for square and 3s. 6d. for round-back sleepers. There was no necessity to establish a State sawmill in order to ensure a supply of sleepers. Then again there was no necessity to establish a sawmill to secure girders and piles or bulk timber because these articles could have been cut under contract. The sawmill proposition by itself will not pay. There is some good timber on the other side on the eastern fall, but when the timber is cleared the land will not feed a handicoot. If a sawmill had been established on the Comboyne or on the Bulga a good sound commercial proposition might have been established. My contention was that it was an unbusinesslike proceeding to establish a State sawmill in the locality selected, and I was justified in bringing the matter before the House and insisting that we should proceed on sound business lines. I have a telegram here stating that the State sawmill is not now in operation because the machinery has broken down and that other machinery has been removed from Smith's mill on the Comboyne. I made no reflection of a personal character so far as the Minister was concerned. I have endeavoured to show that on the information supplied to me I honestly and sincerely believed that the enterprise engaged in was unbusinesslike. The fact is that there is hardly a sawmill on the coast that is paying at the present time. I have been associated with sawmilling districts for the best part of my life, and those who know anything of sawmilling will know that of the timber you cut at a mill only one-third consists of what are called order sizes. I have known market sizes to sell for 4s. 9d. per 100 feet. The reason is that there is no market for timber of that description on account of its being brought into competition with Jarrah timbers, Tasmanian timbers, and other timbers in various parts. There is another point, and that is that no sawmilling proposition will pay unless you have water and rail carriage. If you desire to export, you require water carriage on account of the cheap cost of freight. Rail carriage may be a saving as far as haulage is con-

[*Mr. Price.*

cerned, but for the purpose of properly carrying on sawmilling operations, you require to have water as well as rail carriage. My contention is that a serious mistake has been made. It is all very well for a man to make a valuation of a property, but in valuing the plant you ought to take into consideration its value as a going concern. That is the only true basis of valuation to adopt.

As regards land for returned soldiers, I have always taken a deep interest in the settlement upon the land of men who have returned from the war. I have taken man after man to the department for the purpose of seeing if land could be provided for him. One man applied for land in the Bulga district. Unfortunately that land is not available for returned soldiers; but by the construction of a tramway line from the deep water at Wingham, facilities could be given for the shipment of produce as well as timber. There are millions and millions of feet of hard and soft woods in that part. The timber cut off the land would have paid for the line, and the land would then have been suitable for returned soldiers. In the statements which I made I was simply actuated by a desire to serve the public interest.

As regards the railway deviations, there is the fact that this important cross-country line was approved of by Parliament, although it was known it would not pay. Why? There is the report of Colonel Home, the report of the Decentralisation Commission, and the report of Lord Kitchener to the effect that this line would be of great value in the event of the Hawkesbury bridge being destroyed. We know the precautions that have been taken to guard the Hawkesbury bridge. If that bridge had been blown up, the continuity of communication between the northern and southern parts of the eastern side of Australia would have been broken off, whereas by the construction of this Dubbo-Werris Creek line, a distance of 100 miles would be saved in the journey between Brisbane and Melbourne. By these deviations the length of the line has been increased, and that simply means that in the event of war there will be a delay in the transport of troops from the north to the south. A bungle

has been made which will cost £80,000, and which will have to be rectified in the future. My speech was based on the fact that it was contrary to the best interests of the country, and from a strategical point of view, particularly, it was absolutely wrong. I further contend that after the fullest investigation has been made by the Public Works Committee, and the recommendation of that committee has been given effect to by Parliament, the constructing authority has no right to make deviations. In this case the deviations which have been made are not calculated to work out in the best interests of the State.

As I pointed out to the commission, I was dealing with these matters on public grounds, and not on personal grounds. I have no personal feeling with regard to the Minister. I have no charge to make against him personally, and if that interpretation has been put on my remarks, I regret it. It was not my intention to convey personal reference to the hon. gentleman. If that construction has been put upon my remarks, in justice to him and to myself I unreservedly withdraw any imputation of that kind. My desire was to act on broader grounds, and to look after the best interests of the country by having opened up the Crown lands in the Bulga, the Craven plateau, and other districts for returned soldiers, the construction of a cross-country line, both for military purposes and for the transport of starving stock by the shortest possible route, and a connection between the main Northern line and the Western line, and thus provide continuity of communication with the Southern line. I declined to give evidence with regard to the personal matter, because I did not intend my remarks to be personal. If my remarks have caused any pain or misunderstanding, I unreservedly withdraw them. I did not intend that any such construction should be placed upon my statements. We all know that heated language has been frequently used in this House. Heated remarks have been made by Mr. Wade and Mr. Fitzpatrick, who called Mr. Holman a bushranger, and what was done in those cases? Absolutely nothing. What was done in the case of Mr. Wade when a royal com-

mission was appointed to deal with certain charges? My desire was to protect the public interest, to act in the interests of the conservation of our forests, and to have opened up and made available land for our returned soldiers. I contend that any work which involves the expenditure of more than £20,000 should be submitted to the Public Works Committee for full and open inquiry, and the report of that body should be submitted for the consideration of this House. That course ought to have been adopted, and had it been, the mistake would not have been made in connection with the sawmills. In establishing sawmills you must have water and land carriage to achieve the best possible results. There was no necessity to enter into competition with private enterprise in the sawmilling business. If there was, then why not establish up-to-date mills in districts like the Comboyne and the Bulga? It is necessary to have up-to-date mills at the present time in order to make sawmilling pay. For example, the working of twin saws has resulted in an enormous saving of money. Have not these methods been adopted in Canada, Germany, Sweden, and in Western Australia by the Jarrah Company? If this proposal had been placed before the Public Works Committee, evidence of that kind would have been furnished, so that the most up-to-date methods might have been adopted. It is laid down in the Forestry Act distinctly that matters such as these shall be dealt with in accordance with the provisions of the Public Works Act. My reading of the law is that this thing must be done. This thing was not done. A purchase was made which entailed an expenditure of over £22,000. I think a mistake was committed. It may be that those who were dealing with the matter said that the Forestry Act gives permission to establish sawmills and State forests. So it does, subject to the provisions of the Public Works Act. It may be an error of judgment was committed, but that error of judgment will cost the country vast sums of money in the near future. The machinery will have to be renewed. It is being renewed to-day. Another sawmill has been purchased so that the parts can be brought down to take the

place of parts in the other machinery. This will all mean an immense cost to the country. Our own State forests should be utilised. To my mind the law has not been carried out. While the Forestry Act gives authority to buy, and sell, and handle timber of the State forests it does not give authority to buy timber on private lands. What is being done to-day? Every day logs are being brought from private property and transhipped. The whole thing is unbusiness-like, and to my mind is not in accordance with the law. A course was adopted which was not in the best interests of the country.

I leave the matter in the hands of the House. I wish to say that I did not intend the interpretation which hon. members have put on my words, which the Minister appears to have put on them, and which it appears the commissioner has put on them. A most extraordinary part of the matter was that one was cribbed, cabined, and confined on the commission. One had the right to expect that a Supreme Court judge would deal with the matter, but a District Court judge was appointed. The only other inquiry he had been engaged on was in connection with the cost of certain materials. This inquiry involved parliamentary considerations. The Crown was represented by counsel. There was no intention on my part, neither is there now, to reflect personally on the Minister or on his reputation. If that construction is put upon my words, all I can say is that I regret it and unhesitatingly withdraw any such imputation. That was not my intention. My intention was based on broader grounds, on the grounds that a mistake had been made. The only opportunity I had to draw attention to the matter was on the estimates. The matter came on hurriedly on the estimates. I had not my notes with me at the time. I could only speak from memory. But when I moved the adjournment of the House the evidence conclusively proved that the line had been lengthened, which was a mistake, that sawmills had been purchased without the routine of inquiry by the Public Works Committee. The matter was unbusinesslike. The Government ought to have opened up Crown lands at

[*Mr. Price.*

Bulga and other places. It should have given returned soldiers an opportunity to earn money from the timber. It should have established sawmills and constructed a light line of railway. There you had water carriage and the possibilities of railway carriage. There were possibilities of the thing being carried on on business lines. That was the policy which would have been in the best interests of the country. On those broad general lines my contention was based, not on personal lines. The issues were larger and more important. It was my desire that we should make the best of the deal in a time of stringency like this, when every penny of the taxpayers is required in taxation. The interests of the taxpayer should be jealously guarded and dealt with so that not the slightest leakage will occur. Those were the broad general principles on which I acted. I leave the matter in the hands of the House. There was no intention on my part to do anything of a personal nature. The thing was too big and broad for that construction to be placed on my action. All I can say is that I regret that a mistaken construction, which was not in my mind, was placed on my action. Members of the House often apply to Government officials for information, and when an official gives information in good faith it would not be fair to put him away. It might mean the pilling of an unfortunate man in the public service. I acted in good faith in the best interests of the public with a desire to save the country's money. That was the only object I had in view. The language I used may have been strong, but it was no stronger than has often been used in the House. I regret it unreservedly. I withdraw any allegations or imputations in the case. The question was too big, too broad, and of too grave a character. Everyone in that district knows that the price paid was excessive. Everyone knows that the deviation made will have to be corrected in the future from a national point of view. Everyone knows that in running starving stock on the railway the shorter the route you make the better. We all know from the evidence given that the line which was agreed to was the best on national

grounds and for strategic purposes. The Commissioners themselves admit that it will have to be rectified in the future. I can confidently say that I was endeavouring to do my duty to the country and to the taxpayer on big, broad, general grounds, not on personal grounds. Therefore, there was no desire on my part that personal issues should enter into the question. I have no desire and had no intention to do anything but what I considered was right. Hon. members may make mistakes just like a policeman who arrests a man. But is he to be hounded down because he cannot prove his charge conclusively? I believed I was doing the right thing in the best interests of the country and of this House. I had no personal feeling, and have none now. I say that without the slightest hesitation. I leave the matter confidently with you, Mr. Speaker, and with the House to deal with. My desire was based on bigger, broader, and more national issues for the welfare of the country.

Mr. FULLER (Wollondilly), Acting Premier [7.55], moved:

That Richard Atkinson Price, Esq., a member of this House for the electoral district of Gloucester, having made charges against the Hon. William George Ashford, M.L.A., Secretary for Lands and Minister for Forests, which charges are characterised in the report of the royal commissioner as made wantonly and recklessly and without any foundation whatsoever, is guilty of conduct unworthy of a member of Parliament, and seriously reflecting upon the honor and dignity of this House.

He said: I need hardly say it is a painful duty which devolves upon me as acting leader of the Government to move a motion of this character. Whatever the feelings of hon. members may be in connection with the hon. member for Gloucester, I must say personally that since I have come into the House I have been treated with the utmost courtesy by him. That makes me feel the position more keenly perhaps than I otherwise would. However, it is my duty as acting leader of the Government to uphold the honor and dignity of the House. Feeling that the honor and dignity of Parliament, judging by the report of the commissioner, have been attacked, it is my duty

to submit this motion to the House for the consideration of hon. members.

I am not here to-night in the position of Crown prosecutor to press the charge. I am here as far as my ability will allow me to place the position clearly before hon. members with the view of their coming to a decision on the matter. The commissioner, whose report has been read this afternoon, was appointed in consequence of charges made by the hon. member for Gloucester against Mr. Ashford, a member of this House and also Minister for Lands. The charges are of such a character that the commissioner in the concluding paragraph of his report says:

The charges made by Mr. Price against Mr. Ashford were made wantonly and recklessly and without any foundation whatsoever.

The commissioner was Mr. Hamilton, one of our District Court judges, a man of large experience. He went into this matter on the broadest basis. He was not restricted by the terms of the commission. He went into the matter on statements of the hon. member for Gloucester made in this House and reported in *Hansard*, the official record of our proceedings here. The first charge was in connection with an alteration in the Dubbo to Werris Creek line. The hon. member for Gloucester has disclaimed that he had any personal feeling in the matter, that he spoke from a broad sense of public duty, that the alterations in that line were unnecessary, and that the line was necessary for military, strategic, and other purposes. He said it was purely from a sense of public duty that he spoke as he did. But, Mr. Speaker, the terms the hon. gentleman used in the discharge of his public duty, as he says, were couched in very strong language, as far as the Minister was concerned. The words used by the hon. member for Gloucester were as follows:—

Now I come to the Dubbo to Werris Creek line, the construction of which was recommended by the Public Works Committee after an exhaustive inquiry, the railway to be taken along a specified route. At the request of the Minister for Lands and two German constituents of his—

At a time like this probably nothing stronger can be said than to use the word "German" in connection with this or any other matter—

one a member of the local Labour league and the other the president of the progress association, the line was diverted 3½ miles to Mundooran against the report of the officers, and in this way £6,000 of public money was wasted.

He went on further to refer to the fact that traffic would have to be hauled over an additional 16½ miles for all time. In regard to Mr. Cann's minute, the hon. member for Gloucester said:

But the following morning, on the 6th July, a telegram comes to the Minister for Lands, Mr. Ashford, from this gentleman, and another telegram comes from his brother. One is the secretary to the Labour league, and the other is president of the progress association. This little coterie get together, and a marvellous thing occurs. Although Mr. Fraser condemned the proposal, and although there are no papers in the department to justify it, yet this country is put to the expense of £80,000 for a deviation which is contrary to the law. A detour of 16½ miles is made, and an increase of £80,000 put on the estimates. That is done at the suggestion of these German gentlemen. It is a public scandal, and I am not going to be party to allowing £80,000 to be spent unnecessarily. These are constituents of the Minister: one is Oscar Carl and the other is Carl Oscar.

In connection with the Dubbo-Werris Creek railway, I do not intend to take hon. members through the various stages set out on page 5 of the royal commissioner's report until I get to the third paragraph from the bottom. The royal commissioner has found the facts as set out in the previous paragraphs, and he makes the following comment:—

These being the facts, it is clear that a deviation was made from the route set out by the Public Works Committee, but I cannot see that Mr. Ashford was in any way responsible for this, or, in any case, that there was anything improper in his actions throughout; he merely transmitted to the Minister letters and a petition from residents of the district for which he is member, and, when the Minister had turned the proposal down, he informed him of the views expressed at a deputation which protested against the decision of the Minister. At no time did he do more than urge that the trial survey, suggested by Mr. Jamieson, should be made, and everything he did was obviously open and aboveboard, and is fully disclosed in the official papers.

[Mr. Fuller.

No German constituent of Mr. Ashford had anything to do with the matter, and, so far from the line being diverted against the report of the officers—though Mr. Kennedy at one time was against it—Mr. Jamieson and Mr. Stewart favoured it, and there can be no doubt that it was in consequence of the report of the latter that Mr. Griffith agreed to the deviation being carried out.

Without going through various other matters in which the Chief Railway Commissioners and others took part, I bring hon. members to the second paragraph on page 7:

Mr. Hutchinson was most emphatic that the decision to adhere to Binnaway was that of the Chief Commissioner; and that neither he nor the Chief Commissioner knew anything of Mr. Ashford in the matter at all. If Mr. Price went through the papers with any care, he must have seen that whatever action Mr. Ashford took (and I cannot see anything at all improper in what he did, which was no more than would have been done by the member for the district, whoever he might be), it was obviously not to *obtain* an alteration, but to *prevent* an alteration from the plan originally proposed. He had nothing to do with the original departure from the take-off shown in the map attached to the report of the Public Works Committee, and his actions had no effect on the ultimate decision, which was due to Mr. Hutchinson's recommendation being adopted by the Chief Commissioner, and approved by Mr. Cann.

The royal commissioner goes on to say:

It is difficult to imagine a statement more full of inaccuracies and even distortions of fact than this part of Mr. Price's speech.

No minute either of Mr. Cann's or of Mr. Fraser's, such as Mr. Price mentioned in his speech, was among the papers. As to the former, though Mr. Price asserted he had seen it, it is highly probable that the memo. by Mr. Cooper, to which reference has been made, was all that ever existed, and that was not in the terms which Mr. Price purported to quote in his speech. It is to be noted, too, that the precis which Mr. Campbell typed from Mr. Price's notes contains no reference to any such minute.

As to the supposed minute of Mr. Fraser, I can find nothing to account in any way for Mr. Price's statement with regard to it.

Again, Mr. Price's dates and names are all wrong. I have mentioned the names of the persons who sent the telegrams, and it appears that none of them bear the names of Oscar Carl or Carl Oscar. Mr. Price said that he had been informed these were the names they are commonly

known by. He gave no proof of this, and it is difficult to understand why, having the real names before him, he did not give them.

Further on towards the bottom of the next paragraph the commissioner points out that:

Again, as to his statements that "the country was put to an expense of £80,000 for a deviation contrary to law" and "a detour of 16½ miles and an increase of £80,000 put on the estimates," and that it was "a public scandal and he was not going to be a party to allowing £80,000 to be spent unnecessarily," Mr. Price asserted that he had not meant that the deviation, as he called it, had cost £80,000 but that that sum would be the ultimate loss entailed by its having been made. It seems to me that Mr. Price—having seen in the Loan Act, 1916, under the heading, "Railway Construction, Dubbo to Werris Creek," a further sum of £90,000—wanted to make it appear in his speech that that sum represented the expenditure involved by these "deviations," namely, £6,500 at Mundooran and £80,000 at Binnaway, but as the actual cost of the two was not more than £16,000 at the outside, he then attempted to explain away the position in which he found himself by saying that he had meant "ultimate loss" and not "cost," a construction which I am sure no one who heard or reads his speech could possibly put upon his words.

In quoting those portions of the royal commissioner's report in connection with the deviation on the Dubbo-Werris Creek line, I am perfectly prepared to give the hon. member for Gloucester the full benefit of all he has stated here to-night—that there was no personal feeling, that he was not making a personal attack on the Minister for Lands in any way, that he was speaking from a broad sense of public duty in connection with the report of Lord Kitchener and others to whom he has referred. But no one can read those statements of the hon. gentleman without paying attention to the conclusions that have been come to by the royal commissioner in connection with the statements made by the hon. member for Gloucester. No hon. member of this House, I feel sure, can possibly come to any other conclusion than that in connection with these matters the royal commissioner is justified in saying that these charges "were made wantonly and recklessly, and without any foundation whatsoever." Under these circumstances in connec-

tion with this portion of the royal commissioner's report, when we find that to be the position of affairs, the question that hon. members of this House have to ask themselves is this: whether Parliament is a place where hon. members are justified in making charges in a reckless, wanton fashion without any foundation whatever, or whether Parliament is to be a place where the reputations of hon. members will be safe and where hon. members should be careful indeed about what they say about the character and actions of other hon. members, so as to keep up that dignity which Parliament ought to have, and to maintain it in the highest respect of the public of this country. That is the position which we have to consider, and I feel sure that hon. members will consider it according to their conscience, giving their judgment without any feeling other than a clear sense of duty as far as their position in Parliament is concerned.

The next matter is in connection with the purchase of the sawmills. The statement was made by the hon. member for Gloucester that the purchase of the sawmills was contrary to the Public Works Act, the expenditure being over the sum of £20,000. The hon. member made a further statement in connection with this matter:

... a banking account has been transferred from the City Bank at Gloucester and opened on behalf of the Government with the Commercial Bank in the same town. . . . The Minister for Lands, in answer to a question put by me, deliberately said that the transaction had not been completed, yet it was a matter of open knowledge, and the Minister must either have been misinformed, he must have been misleading this House, or he must have made an untruthful statement. . . . this expenditure was incurred contrary to the law, and is not shown on these estimates. I want to know what schedule this expense has been smothered under. . . . an account was transferred from the City Bank at Gloucester, and the Government opened an account in the Commercial Bank in the same town, cheques being drawn and paid by a private individual. . . . and to get behind the law as laid down by statute, the Government entered into a transaction involving the expenditure of a sum of £20,000, which, according to the Public Works Act, must be submitted to this House. The fact is that the law has been broken by the Government. . . . I



want to point out that we are getting into a very dangerous system, when items are jockeyed from one department to another. In answer to a specific question asked by me, the Minister distinctly stated that this transaction had not been completed. Now we are told that it has been completed. I complain of the way in which the accounts are bolstered up and falsified. . . . These accounts are supposed to be so clear that the man in the street can understand them, but far from being clear the House and the country is being deceived by a deliberate system of jockeying. These estimates, I submit, are false and not in accordance with the books of the department.

That is a very serious charge to make against any Minister responsible for the estimates which he places on the table of the House—to say that they are false and not in accordance with the books of the department. The hon. member for Kahibah interjected, "That is a serious charge." The hon. member for Gloucester continued:

Yes, and a true one. I repeat that the account was transferred from the City Bank at Gloucester to a private account, and authority was given to a private citizen to operate upon it. (Mr. Edden: Is the hon. member prepared to prove it?) Absolutely, and the sooner the facts are disclosed to the public, in order that they may thoroughly understand what the position is, the better it will be. . . . These estimates ought not to be hurriedly gone through, seeing that they do not disclose the whole of the facts and the true position of affairs. When the facts are disclosed there will not be one decent man on either side of the House who will not cry "shame." . . . The whole transaction was carried out behind the back of Parliament, and a fraud has been committed inasmuch as an excess price was paid for the property.

After all those strong statements, referring without doubt directly to the Minister for Lands—after the statements with regard to the removal of this bank account, and the expenditure of money without the authority of Parliament—after the hon. member for Kahibah had interjected that the charge against the Minister was a very serious one, and the hon. member for Gloucester had said that his statements were absolutely true, and that he was prepared to prove them, adding that when the facts came out there was not a decent member of the House who would not cry "shame"—yet, when the hon. member comes before

[Mr. Fuller.

the commissioner appointed to inquire into the matter he confesses that he has no evidence to support in any way the serious charges which he has made.

That is the position for hon. members to consider with regard to that portion of the hon. member's statement regarding the purchase of the sawmills. It is of no use from my point of view for the hon. member to attempt to smother up the issue, as he did to-night, by pointing out that the matter of the sawmills was an unbusinesslike proposition; by pointing to the Comboyne and other places where there was timber of a better character than at this particular place; and by declaring that it would be infinitely better to have the places he mentioned cleared and developed for settlement purposes. All these suggestions merely cloud the issue. They do not explain it; they do not touch it. The issue before hon. members is clear and distinct. The fact remains that when the hon. member for Gloucester appeared before the commissioner to substantiate the charges made by himself on the floor of the House, and recorded in *Hansard*, he had to acknowledge that notwithstanding he had made these strong statements there was no justification for them, and that he had no evidence to support them. That is the position which hon. members have to consider.

The next statement is in connection with the land for soldiers' settlements. The hon. member said:

Further, the Minister for Lands advised me that no property had been resumed at £8 5s. per acre, the original purchase cost of which was £4 per acre. That is absolutely misleading.

The position, as far as that is concerned, is very simple. It was the resumption of a property by the Minister for Lands consisting of some 24,000 acres, which was occupied by the people from whom it was resumed. Twenty-four thousand acres was paid for at the rate of £4 per acre; but when the land was resumed, on the advice of the outdoor inspectors of the Lands Department, endorsed by the Advisory Board, for a picked lot of 8,000 acres out of 24,000, with a river frontage containing at least 1,500 acres of lucerne land, the price of £8 5s. per acre was

paid. It was resumed on the advice of the advisory board, and on the recommendation of the outdoor inspectors. It is on record that the officers of the department look upon this as probably the best resumption that has ever been made by the department. The hon. member for Gloucester, in connection with that matter, went on:

What I do say is that it is a case of maladministration. . . . The administration of this department is of such a character that men who want to get on the land, and those who want land, those who want additional conditional purchases and additional holdings are starving . . . . the putrid and dishonest administration that has been adopted . . . . I have made no charges with regard to the Minister that I cannot substantiate. The charges made by me are deliberately made.

Yet when the hon. member came before the commissioner in connection with that matter he withdrew the charges which he had in his place so strongly and deliberately made, in the words which I have just read to the House.

Those are the three positions which were before the commissioner. Those are the statements which were made by the hon. member. He withdrew as far as two matters are concerned, and he said he had no evidence whatever to support the charge he had made in connection with the sawmills. The commissioner points out:

All imputations against the Minister with regard to this matter were withdrawn by Mr. Price when the inquiry into them was about to be proceeded with, and Mr. Price stated that he had no evidence to support his charges.

Mr. Price admitted that his statement that the Government account had been transferred from one bank in Gloucester to another and put in the name of a private person was not in accordance with the fact, which was simply that an account had been opened in the name of a private person. This person was, I understand, the person appointed by the Government as manager of the mill, and the admission showed that the action was not taken, as the speech implied, for the purpose of concealing the purchase of the mill, but was taken to provide for the ordinary mill accounts, and thus it disposed at once of one of the most serious of Mr. Price's allegations in regard to this matter.

I do not think it is necessary for me to discuss the matter further. The report is so clear and distinct that I feel sure hon. members will have no difficulty whatever in forming their own conclusions with regard to the accusations which were investigated by the commissioner, whose conclusions are now before hon. members. The report concludes as follows:—

I find that the official papers and the evidence relating to the "deviations" of the Dubbo to Werris Creek line, and the terms of Mr. Price's withdrawal of the charges in respect of the sawmills matter, clearly establish that the charges made by Mr. Price against Mr. Ashford were made wantonly and recklessly, and without any foundation whatsoever.

We have heard the statement to-night by the hon. member for Gloucester; I listened to it carefully, as did other hon. members. The hon. member has not dealt with the matters to which I have referred, but has talked around them all. He said that he had no personal feeling against the Minister in connection with the matter; but the fact remains that while his charges are unanswered by the hon. member for Gloucester they have been answered by an independent commissioner, free of any bias whatever with regard to the two hon. members concerned. They have been answered in the most distinct terms, possibly, ever used in any report that has been submitted to this House. There they are. The hon. member stands before this House as having made certain charges in a reckless and wanton fashion and without any foundation, and it is for hon. members to say whether his action has been such as to warrant the motion I have submitted—whether, under the circumstances, he has made these charges in the way the commissioner has found, and whether, having done so, he has been guilty of conduct unworthy of a member of Parliament and has seriously reflected on the honor and dignity of this House. Speaking without any feeling in the matter, it seems to me that when men come into Parliament, it is expected of them that they will respect the reputation and feelings of their fellow-members. It is expected of them that in connection with any statements they may make,

more particularly with regard to Ministers who are charged with the administration of the affairs of the State, they will be careful before making serious charges to have absolute proof or, at any rate, good sound grounds for doing so. When an hon. member does what it has been shown by the commissioner has been done in this case, he is guilty of conduct unworthy of a member of Parliament, and also guilty of conduct seriously reflecting on the honor and dignity of Parliament. It is the duty of every hon. member who comes into this House, which represents the public opinion of the great body politic of New South Wales, to be careful indeed with regard to its dignity, and endeavour to keep it held in the highest respect and esteem by the people of this State. When hon. members act in the way the hon. member for Gloucester has been found to have acted, it is for us to carefully consider the position, not only so far as we are personally concerned, but also so far as the reputation of Parliament is concerned. This being so, I leave the motion absolutely in the hands of the House, and I hope that hon. members will arrive at a judgment entirely on the facts before them without any feeling they may have with regard to the hon. member.

Question proposed.

Mr. EDDEN (Kahibah). [8.24]: I trust hon. members will not think for a moment that I am holding a brief for the hon. member for Gloucester. I do not hold any such brief, but when I see a man with his back to the wall and I know just as well as the next man the circumstances that have caused him to be in his present position, I am prepared to stand up for him a little bit, be he friend or foe. With regard to the charges that were made against the Minister, I say solemnly—and perhaps it may seem a strange assertion to make—that I have so much confidence in him that even if the charges could be proved, I would still have my doubts regarding his guilt. It is true that at the inquiry before the commissioner the hon. member for Gloucester backed down. He did not call any witnesses, and yet we are told that he had twenty-five witnesses ready to come forward. Be that as it may, what has troubled me has been the yelling on the

[Mr. Fuller.

part of certain newspapers who want to hound Mr. Price out of public life. I refer particularly to the *Sun*, which has published two leading articles, and which may publish an article about me next Sunday. Mr. Price, at the conclusion of the inquiry before the commissioner, said that he had not been permitted to go into certain matters, which I assume he has dealt with to-night. Doubtless he referred to matters of administration. His charges against the Minister were no doubt bad. I sat near him when he made his statements embodying the charges against the Minister, and I interjected twice. I now feel somewhat sorry I did so, because it seemed to me that my interjections caused the hon. member to emphasise what he was saying. I ask hon. members to consider the serious position in which Mr. Price stands. The outcome of this action which is being taken against him means expulsion from the House, and the matter is very serious, even though he may be guilty. It is no joke, and nothing to laugh about, and none of us would like to occupy the position of the hon. member. I ask how many hon. members have read the report of the commissioner. I venture to say that not one dozen members have read it. I will not say that hon. members are prejudiced because the member involved happens to be Mr. Price. I saw him come here, and according to present appearances I am going to see him go away; but at the same time let us give him fair play. Who has read his speech? How many hon. members were in the House when he made it? I was here, and I venture to say there were not thirty members in the House when he made the speech containing his charges. How many hon. members were in the House to-night when he made his defence—weak though it was? There were more than twenty, but there were not thirty. But as soon as the Acting Premier rose hon. members rolled in. Mr. Price has been a foolish man. Had he used the talents which he undoubtedly possesses, he might have held a high position in the Parliament of this country. But, as I have told him on many an occasion, he has foolishly talked himself out of court, which I hope he has not done to-night. I do not believe the

charges that he has made, but I cannot help saying that I believe there is a prejudice in this House against him. While he was making his defence, weak though it may be, there were not thirty members present to listen to him. Let us have a little bit of charity. Let us read in *Hansard* what he did say. I believe there are not a dozen men in this House who can truthfully say that they have read the report. I move:

That all the words after the word "That" be struck out, with a view to insert the following words: "A call of the House be made for Thursday, 1st November, to further consider the conduct of Richard Atkinson Price, Esquire, a member of this House for the electoral district of Gloucester."

This is nothing new. I have before me an official record showing that even on a question of the alteration of the standing orders that great statesman, Sir Henry Parkes, required a call of the House to be made. What are we called upon to do? We are called upon to throw out a man. I am not now saying whether he deserves it or not, but I say let every man be in his place and take the responsibility of the vote which he gives. Let us give consideration to what Mr. Price has said to-night, and if my reading of his defence in *Hansard* does not alter my opinion, I know what I shall do. There is no one more sorry than I am that this thing has taken place. I have been in this House for twenty-six years, and during that time there have been several cases of this kind. Those occasions have been always painful to me, as they no doubt were to every other hon. member, and I feel certain that the Acting Premier has not, since he has been in his present position, performed a more painful duty than he is performing to-night. I do feel that there is a prejudice in this House against Richard Atkinson Price.

AN HON. MEMBER: Why?

MR. EDDEN: Simply because of his austere attitude towards people. Let us give him a chance. Let us read what he has said to-night, and let us postpone our final decision for a week or two. No harm can result from doing that. I hold no brief for him, because I have no time for a man who will stand up here and make charges against anybody under

the privilege of Parliament, but I again say let us read what he had to say to-night before coming to a decision, because not one-tenth of the members of the House were present to hear what he did say.

MR. D. R. HALL (Enmore), Attorney-General [8.38]: The hon. member for Kahibah, with a generosity that is characteristic of him, has put in a word on behalf of the member for Gloucester, whose conduct we are now called upon to consider, and has referred to his long experience of cases somewhat analogous to this. Speaking from my recollection of the doings of this House, I can recall several occasions when men have been called upon to answer for statements made in this House, but I can recall no occasion when the conduct of a member has been so continuous as it has been in the case of the hon. member for Gloucester. I am sure that members of this House would be disposed to deal generously with a man who, in a moment of excitement, made a charge which was unworthy of him. If the allegations of the member for Gloucester were made under the stress of some great excitement, and in an hour when that excitement had passed off he had come to this House and done the decent thing by those whom he had slandered, and the decent thing by the House of which he was a member, there is not a member of this House who would not be prepared to wipe out the past and overlook his conduct. But this was not done in a moment of excitement. The references by the hon. member for Gloucester to the Minister for Lands were not made in one night. For the last year, night after night, we have had the member for Gloucester coming here and voicing suggestions of corruption against the Minister for Lands. Let any man look over *Hansard* and he will see that on every occasion when the hon. member for Gloucester had an opportunity to speak—

MR. SPEAKER: I would suggest to the Minister that he should confine his comments to the matter strictly before the House, and not refer to any other occasion when the hon. member for Gloucester may have spoken. We are considering now the report of the royal commission

on the charges made, and it would be very unwise to refer to what may have taken place on previous occasions. I allowed the hon. member for Kahibah some latitude in speaking, but I do not think hon. members want to discuss the merits of the hon. member for Gloucester, favourably or unfavourably, with regard to any other matter except the one now before us.

Mr. D. R. HALL: Accepting your ruling, Mr. Speaker, I confess that I would be unable to make up my mind as to exactly what I would be prepared to do with a man without taking into consideration whether his conduct arose from the excitement of a single occasion or was part of a long-continued and deliberate series of attacks.

Mr. J. STOREY: An amendment having been moved, the usual custom at this stage is to deal with the amendment rather than the motion!

Mr. D. R. HALL: The Speaker has not so ruled.

Mr. SPEAKER: I propose to allow the general question to be discussed with the amendment. On an occasion like this I think it would be the better course, but I ask the hon. member to confine himself to the particular charges under consideration, charges which in the terms of the motion before the House, "are characterised in the report of the royal commissioner as made wantonly and recklessly, and without foundation whatsoever," as a consequence of which the hon. member "is guilty of conduct unworthy of a member of Parliament, and seriously reflecting upon the honor and dignity of this House." The House is not called upon, and cannot be called upon, to judge of any prior action of the hon. member for Gloucester which was not the subject of investigation by the royal commission of inquiry.

Mr. D. R. HALL: Do I take it from your ruling, Mr. Speaker, that you hold it is not relevant to the matter before the House to show that the same charges have been repeatedly made in the course of the past year?

Mr. SPEAKER: The hon. member may deal with the same charges, not with other charges.

Mr. D. R. HALL: Then I shall confine my remarks solely to the charges that

[Mr. D. R. Hall.

have been made in connection with the matters now before Parliament. I had intended to go beyond that a little, and to make certain references to to-night's business-paper to a motion standing in Mr. Price's name, and particularly to one which does deal with the matter now before us. But in deference to your ruling I shall not go beyond that.

Mr. J. STOREY: May I, for the guidance of hon. members on this side, ask whether the hon. member for Kahibah having moved that in view of the fact that hon. members have not read the report of the royal commission, and therefore cannot give an intelligent vote, the matter should be postponed until a later date, it is now permissible to discuss the general question?

Mr. SPEAKER: Strictly speaking, the amendment alone should be considered at this stage. I do not desire to restrict debate at a time like this, but I thought it would save time to allow both the amendment and the general question to be discussed together. Strictly speaking, of course, the only question before the Chair is the amendment moved by the hon. member for Kahibah, and if hon. members take that point I must rule that only the amendment can be discussed at this stage.

Mr. J. STOREY: For the guidance of new members who are not familiar with the procedure of the House, I ask your ruling, Mr. Speaker, as to whether the hon. member, the Attorney-General, is in order at this stage in discussing other than the amendment before the House.

Mr. SPEAKER: The point having been taken, I must rule that the matter before the House is the amendment moved by the hon. member for Kahibah.

Mr. D. R. HALL: In view of your ruling, Mr. Speaker, I shall not further continue my remarks. I do not desire to detain the House in discussing the question of whether this House should now proceed to deal with the matter before it or whether it should adjourn the debate until some future occasion. I can only speak for myself in the matter. I do not come under the category of those who have not had an opportunity to read the report. I have had an opportunity.

Mr. FALLICK: It has been read twice to the House!

Mr. D. R. HALL: It has been read in the House. I do not think there is anything in that claim for an adjournment. I heard the hon. member for Kahibah put forward that claim. What was the reason for it? It was first that hon. members might hear the report read. The report has been read by the Clerk of the House, and the relevant matters in the report have been read by the Acting Premier. What is the other ground on which it is suggested we should adjourn the debate? The other ground was that we might all have an opportunity of reading the speech made to-night by the hon. member for Gloucester.

Mr. J. J. G. MCGIRR: Quite right!

Mr. D. R. HALL: If the hon. member for Yass, who says it is quite right, were to tell the House that he will read the speech, or if he were to come to-morrow and tell the House that he had read that speech, I do not think there are many hon. members who would be prepared to believe him. No one knows better than the hon. member who moved this amendment that whatever other arguments may be found in favour of adjourning the debate there can be nothing found in favour of it so far as that argument is concerned to give hon. members an opportunity of reading Mr. Price's speech. If we adjourn for that purpose the hon. member will be frank enough to admit he does not believe one member out of twenty will take time to read Mr. Price's speech.

Mr. EDDEN: Did the hon. member hear Mr. Price's speech?

Mr. D. R. HALL: A good deal of it.

Mr. EDDEN: Will the hon. member answer me one question: Was his mind made up before he came here?

Mr. D. R. HALL: The hon. member has been good enough to ask me if my mind was made up before I came here. My mind was made up when I read what Mr. Grahame said in this House on the night the charges were made. Mr. Grahame said they were too serious to be passed over. He said that a royal commission would be granted, and that Mr. Price would have an opportunity to prove his charges or else he would be accounted unworthy to be a member of

this House. If Mr. Price had succeeded in proving his charges, the Minister for Lands would not be worthy to be a member of this House. As Mr. Price has not succeeded in proving his charges, and as he repeated them when he had the matter fully before him, he must have done it with his eyes wide open, knowing what the result would be. The subject is sufficiently painful, and at the same time sufficiently clear before the House to enable the House to come to a decision to-night. Personally I oppose the adjournment of the debate.

Mr. SPEAKER: I would not take the action I am taking now on an ordinary occasion, and unless a point of order had been raised. I regard this as a novel point of procedure, and I think it my duty to mention it to the House. The hon. member for Kahibah came to me early in the afternoon and said he intended to move this amendment. I told the hon. member then that I thought it was in order. I had no precedents before me; I knew of no similar cases, nor even now can I find any similar cases. But since the tea adjournment I have looked up the precedents, and so far as I can ascertain there are only two cases in which a call of the House has been made on an amendment to a motion put before the House. The first was in 1887 when Mr. Speaker Young was in the chair. Sir Henry Parkes had moved: "That this House, in the exercise of the powers conferred by the 35th section of the Constitution Act, having referred certain proposed rules of procedure for the consideration of the Standing Orders Committee, and that committee having reported the same with amendments, now agrees to and adopts the same in the following form as standing orders of this House, and authorises Mr. Speaker to present such standing orders to his Excellency the Governor for approval." Then he gave a list of the standing orders. A point of order was taken. Mr. Garvan moved: "That the question be amended by the omission of all the words after the word 'That' with a view to the insertion in their place of the following words: 'A call of the House be made for Tuesday, 14th June next, to consider the report of the Standing Orders Committee brought up on Tuesday, 17th

May instant, embodying the following proposed standing orders." And he repeated the standing orders. This is reported in the *Votes and Proceedings* of Thursday, 19th May, 1887. A point of order was taken by Mr. Garrett.

Mr. Garrett submitted that the proposed amendment was not in order on the grounds that it was really a substantive motion, and therefore could not be moved without notice; that it was not relevant to the question before the House, and that a call of the House could only be made after notice duly given. He requested Mr. Speaker's ruling on the objections taken by him to the amendment. Mr. Speaker said it had been urged by the hon. member for Camden that, inasmuch as notice had always been given of a motion of this character in the House of Commons, and also in this House, it was absolutely necessary that notice should be given of this amendment. It seemed to him that he would be exceeding the strict lines of his duty if he limited the power of the House in matters of this kind in the absence of any express standing order or rule; and while he could not find a precedent for such an amendment there was no record of a similar motion having been ruled out of order; indeed he could not discover that such a question had been submitted to any previous Speaker, and therefore he thought it to be his duty to rule so as to leave the power of decision in the hands of the House rather than to decide the matter himself. As to the question of relevancy, he said that amendments had been moved and carried opposite in meaning to the original motion, and therefore he could not sustain the objections taken by the hon. member.

The question again came before the House in July, 1900, when Mr. William McCourt was Speaker:

Mr. Crick moved, pursuant to notice, "That the following standing order be adopted by this House and presented by Mr. Speaker to his Excellency the Governor for approval."

Then he stated the standing order.

On that Mr. Dick moved that the question be amended by inserting after the word "That" the words "after a call of the House upon due notice given." On a point of order Mr. Crick submitted that the proposed amendment was out of order as being irrelevant. Debate ensued. Mr. Speaker decided that, the amendment could be admitted.

Now we come to a position here for which I can find no precedent. When the hon. member first spoke to me I thought the amendment was in order, but, on further consideration, I think

[*Mr. Speaker.*

that the hon. member lost his opportunity, because the House has already decided by motion that the report of the royal commissioner appointed to inquire into the charges made by Mr. Richard Atkinson Price, M.L.A., in the Legislative Assembly against the Hon. W. G. Ashford shall now be considered. If the amendment for a call of the House had been moved on that motion, it would have been in order, but the House having come to the decision unanimously that the matter is now to be considered, it is too late now to move that a call of the House be made in order to consider the conduct of Mr. Price at a future date. Under the circumstances, I cannot accept the amendment of the hon. member.

Mr. EDDEN: Will you kindly allow me to say a word in explanation? I bow to your ruling. I have to. The case you have referred to, Mr. Speaker, comes back to my memory, as I have heard it quoted in this House before. In the case you quoted the House decided the question whether there should be a call of the House or not. Furthermore,—

Mr. SPEAKER: Order! I do not think I can hear the hon. member. This is a very important point. If the hon. member thinks my ruling is wrong, there is a proper way to take exception to it. I shall be glad to have a direction from the House. I have given careful consideration to the matter. Had the hon. member moved his amendment on the motion first moved, I should have accepted it. Now it is too late, because the House has now decided to consider the report.

Mr. EDDEN: Will you allow me to ask a question?

Mr. SPEAKER: No.

Mr. EDDEN: Then I object to your ruling!

Mr. SPEAKER: There is a certain way to do so.

Mr. EDDEN: I will do it to-morrow!

Mr. J. J. G. MCGIRR (Yass) [8.55]: The motion before the House is one of the gravest importance as far as I and other members are concerned. Here we have the Ministry following up its tyrannical attitude towards members of this Assembly who have made charges in

keeping with the traditional privileges of the House. We have had the Government establishing precedents in the outside community such as have never been known before in the history of this country. During the administration of the Labour Government charges of a more serious nature were levelled against Ministers by hon. members who are now members of the Government, and who have taken such umbrage at the remarks of the hon. member for Gloucester. I object strongly to members of this House using the privileges of Parliament to cast imputations on Ministers or members. Ministers and members are subject to enough criticism and harsh remarks by the outside community without having baseless charges laid against them by other hon. members. There is no treatment sufficiently severe to be meted out to anyone who makes charges against another hon. member without being able to base his charges on facts. I believe the Minister who has been charged in this matter is one of the most honorable Ministers who has ever presided over the department. I am not here to back up the statements made by the hon. member for Gloucester, but I am here to object to the tyrannical methods which are being adopted by the Government. I recognise that the charges which have been made are groundless, and that the hon. member who made them deserves some form of censure, but not the harshest censure, because the charges were encouraged by the very party which is in power to-day.

Mr. SPEAKER: Order! The question to be decided is whether the hon. member for Gloucester is guilty of conduct unworthy of a member of Parliament and seriously reflecting on the honor and dignity of this House. It is not a question of what the hon. member for Gloucester has done previously, or what members of the House he sat with—which side he voted upon. That does not come into this question. The only question to be considered is whether, on the report of the royal commissioner, as embodied in this motion, the hon. member for Gloucester is guilty of conduct unworthy of a member of Parliament and seriously reflecting on the honor and dignity of this House.

Mr. J. J. G. MCGIRR: I recognise, then, that the debate is limited, but I say that, in endeavouring to arrive at a conclusion as to whether we should deal with the hon. member for Gloucester, we can base our treatment of that hon. member on the report of other royal commissioners. Surely we are allowed to go into facts in regard to what has previously occurred in the Parliament of this country. I have before me the report of a royal commission which inquired into charges made by Mr. Thomas Henley against Mr. Griffith—

Mr. SPEAKER: Order! The hon. member cannot go into that. I have already ruled that he can only refer to the matter before the House at the present time. I hope the hon. member will obey that ruling. This is a matter to be debated calmly and quietly. It is a very serious matter to the hon. member for Gloucester. The hon. member for Yass must not deviate from my ruling.

Mr. J. J. G. MCGIRR: This is a question of the greatest importance, and if we are hindered in this manner, I do not know what I can say if I cannot refer to the fact that Mr. Henley—

Mr. SPEAKER: Order! The hon. member cannot go into anything indirectly which I will not allow him to go into directly.

Mr. J. J. G. MCGIRR: There is the report of a royal commissioner before this House. That royal commissioner, who was appointed like other royal commissioners, or at least should have been, has made certain statements with regard to the hon. member for Gloucester. I cannot see why we cannot quote the reports of other royal commissioners.

Mr. SPEAKER: Order! I have given my ruling. I hope the hon. member will obey it. I do not want to take any further action in the matter.

Mr. J. J. G. MCGIRR: I ask you, Mr. Speaker, what can we say, then, on this particular subject?

Mr. SPEAKER: Order!

Mr. J. J. G. MCGIRR: I do not want to cast a silent vote on this particular question, and while a man's liberty, so to speak, is at stake, I want to know exactly where we stand as regards the treatment of that particular member. If I were allowed freedom of discussion on



the question before the House, I would say that, while the royal commissioner's report may prove something against the hon. member for Gloucester, and the hon. member may be worthy of censure for having made unfounded statements against a certain Minister of the Crown, who, I say, is an honorable and straightforward man, yet I contend that the hon. member for Gloucester should not be more harshly dealt with than others who have made worse statements—the leader of the Government and others in this House.

Mr. SPEAKER: Order! The question before the House is whether the conduct of the hon. member for Gloucester is unworthy of a member of Parliament and seriously reflecting on the honor and dignity of this House. Other hon. members may have been guilty of more serious offences than the hon. member for Gloucester, but that is not the question at issue now. The question is very clearly put in the motion, and that is the only matter the hon. member for Yass can discuss.

Mr. J. J. G. MCGIRR: I have the report of the royal commissioner on which this motion is based, and I find in it references to charges made by members against Ministers in the past. There are references to the Norton Griffiths scheme, and finally that Mr. Surveyor Stewart reported on his trial survey on the 10th October, and Mr. Griffith approved of the deviation at an estimated cost of £5,000. I do not want to read the paragraphs of the report *seriatim*, but it looks as though I have got to.

Mr. J. C. L. FITZPATRICK: You have not got to. You will not even do that!

Mr. J. J. G. MCGIRR: I take it that I can quote from the report, and as far as I can see, Mr. Speaker binds us down to reading it. What I wish to say is that we have before us to-night a charge of a most serious nature, and as you, Mr. Speaker, have ruled that we must stick closely to the question of whether the House should deal with the hon. member for Gloucester or not, I cannot see how we can find out whether we should deal with that hon. member or not, unless we look at history to see how similar cases have been dealt with in

the past. I fail to see how any debate can take place on this particular question if we on this side cannot in some way show that the hon. member for Gloucester probably followed the example set him by other members in this House previously.

Mr. SPEAKER: Order! The hon. member is trifling with the forms of the House. If he continues to do so I must ask him to discontinue his speech.

Mr. PERRY (Byron) [9.7]: I want first of all to congratulate the leader of the House on the very calm and temperate way he has dealt with this case. The hon. member has put the case clearly and calmly, and I think every hon. member will agree with me in saying, in the most unbiassed way as regards the hon. member for Gloucester, leaving the whole matter in the hands of the House without showing any partisanship or anything of that sort. We are dealing simply with a question affecting the honor of the House. The hon. member for Kahibah said that he will stand alongside and fight for a man who has his back to the wall. That is the attitude of all Britishers. If a man with his back to the wall is being attacked in an unfair way a Britisher will stand by him, but to-night we are dealing with a case where the other man has had his back to the wall for some little time past, and has been suffering mentally owing to the charges made by an hon. member. Anybody who has read or heard read the report of the royal commissioner, and knows the hon. member for Gloucester, will know that the statements made by that hon. member must have been made by him knowing them to be untrue. Therefore all we have to do is to take into consideration the question whether the charges made by the hon. member for Gloucester should have been made, and we can come to only one conclusion, namely, that those charges should not have been made. The House is the custodian of its own dignity. If hon. members are content to allow any hon. member to so get away from the position that an hon. member ought to take up by making charges against hon. members, and thus fouling our own nest, I am mistaken in my estimation of hon. members. I think every hon. member must come to the conclusion that in the

[Mr. J. J. G. McGirr.]

interests of Parliament itself, when we find reckless charges being made and persistently reiterated, not only in the House but outside it, it is our duty to protect ourselves against being attacked again in the same way. Had the hon. member been here only for a very short time, he might have been led through inexperience or excitement into making his statements; but he made them calmly. We have a painful duty, but we must do it. I remember having to give a vote to expel another hon. member—a man whom I was glad to call friend—and I did it because it was my duty. It was painful, but it had to be done. He was a man with whom the hon. member for Gloucester could not be named in the same breath—a man of considerable ability and parts; but we had to take the course then that we will have to take now. I appeal to every hon. member's individual sense of honor as to whether any member of this Chamber shall be at liberty to traduce another member without having to pay some penalty.

Mr. J. STOREY (Balmain) [9.14]: Like other hon. members, I approach this question with a good deal of regret. I wish to say to hon. members on my side of the House that in this motion we are called upon to decide whether the hon. member for Gloucester has been guilty of conduct which is unworthy of a member of this House. The question will be dealt with later on as to whether the House will take any further action, but the point we have to determine now is whether that hon. member in making these statements has proved himself unworthy to continue to be a member of this House. In addition to that we have to determine whether he has been guilty of conduct which is unworthy a member of this House.

Hon. members will remember that on the occasion when the hon. member made the speech which caused the trouble I protested against an hon. member being permitted to rise in his place and make accusations against the honor of members of this House, and escaping without being called upon to, at any rate, say something in justification. I stated then that if an hon. member elected to use language against another hon. member which could be proved to be un-

justified, then the House ought to deal with that hon. member. So long as I have been a member of this House I have always protested that it was an improper thing for hon. members to rise in their places and make statements reflecting upon the honor of other people unless they were prepared in some degree to justify them. It is true that an hon. member might be badly informed; his information might be of such a character as to lead even the most careful into error, and into saying things which ought not to be said. I am sure that will be accepted as a reasonable position. But I hold that notwithstanding what has been said to-night by the hon. member in justification of his position, he has failed to show the House that he was justified in making the statements he did. I do not like having to say this about an hon. member, but as I say, I have always held the view that hon. members ought to be careful; therefore I say that the hon. member when he addressed the House this evening rather aggravated his offence than attempted to prove his statements. That being so, we cannot escape the position that the hon. member has been guilty of using language against the honor of another hon. member which, if proved, would make the latter at any rate unfitted to occupy the position of a Minister of the Crown. Therefore we who have had entrusted to us the right of protecting the honor of this House—having been elected, ninety men out of 2,000,000 people, to make the laws of the country, sitting in this, the highest institution in the land—have the right, whenever the opportunity presents itself, to resent, from whatever source it comes, any imputation against the honor of this Chamber. Even if it were my strongest friend I would under those circumstances raise my voice in opposition to him.

I shall not refer to what the hon. member has done in the past in the way of making charges; I am going to let him be judged upon the statements which he has made on this occasion; but I may point out incidentally that the hon. member, like some other hon. members, is somewhat too flippant in making accusations against people which are

often not sustained. When an hon. member is always posing as a paragon of virtue and political honesty, he should exercise some discretion when dealing with other people's reputations. I do not intend to labour the question except to say that I invite hon. members to approach the consideration of the hon. member's charges with fairness and impartiality, free from any partisan attitude. Hon. members on my side of the House may vote as they please in the matter as far as I am concerned—it does not affect me in the slightest; but although we may come to the decision now that the hon. member has been guilty of conduct of a very serious character, we ought to be able, having vindicated the honor of this House, to show the people of New South Wales, in respect of this Parliament at any rate, that, as Shakespeare has said:

Earthly power doth then show likest God's  
When mercy seasons justice.

Mr. WRIGHT (Willyama) [9.19]: I move:

That the question be amended by striking out all words after "Parliament."

I quite agree with all that our leader has said, and I very well remember that when I first entered this Chamber some four years ago I made the statement that I hoped I would never say anything under privilege which I did not believe to be true. I hope I never shall. In my opinion the hon. member for Gloucester made statements which he could not prove and which he has not had the manliness to withdraw. I did not stay to listen to his speech. I am prejudiced against him. I have not liked him since I have been here. But I hope this House will temper justice with mercy. If my amendment be carried the motion will suffice to vindicate the Minister, who, I believe, is an honest man. I am sorry that he should have been vilified as he has been. If the motion be carried in the amended form Mr. Price will be condemned and that will be sufficient, because in my view he cannot besmirch the honor of this House. I do not believe the public take sufficient notice of him.

Mr. SPEAKER: Order! The hon. member cannot discuss Mr. Price in that way.

Mr. WRIGHT: If the first part of the motion be carried it will suffice to remove

[*Mr. J. Storey.*

from the Minister any stigma that may have attached to him because of certain charges which have not been proved, and I do not think the honor of the House will suffer if we strike out the concluding words. I can quite understand that if the motion be carried in its entirety further action will follow, and whilst I admit that Mr. Price has been guilty of an offence which all decent men would resent, it has not been serious enough to justify us in flying in the face of the people who sent him here by expelling him from Parliament. If the motion be carried in the amended form it will have the effect of discrediting Mr. Price, and if his constituents after reviewing his conduct in two years' time send him back here he will probably be a true representative of them.

Mr. DOOLEY (Hartley) [9.24]: The question before us is undoubtedly a serious one. Every member of this House is charged with certain responsibilities which must be faithfully discharged. If an hon. member believes seriously and honestly that some other member has acted unworthily he is quite justified at the first available opportunity in bringing the matter before this House and doing his best to purify public life. In that respect I have no fault to find, but if we are rightly informed the hon. member for Gloucester has deliberately made certain charges inferring dishonest and dishonorable conduct on the part of the Minister for Lands and has failed to prove them. I have known the Minister for Lands for a number of years, and although I regret exceedingly to find him in his present company I should be loath to believe in his or any other man's dishonesty without substantial proof. There have been cases in which hon. members have been suspended for the session without any trial, and I have always been opposed to that kind of thing. But on this occasion the hon. member for Gloucester has had an opportunity of going before a judge and substantiating his statements. He has utterly failed and the commissioner has submitted a report which cannot be ignored by the Government and which calls for the vindication of the honor and dignity of the House. If the hon. member had proofs to offer in support of his charges he

should have brought them before the commissioner and if he had not proofs he should not have made his charges. As to what should be done with him after this motion is carried I may say at once that although I do not believe in adopting extreme measures, this is a case in which we might go a long way. There is no party question involved, but we are merely called upon to vindicate the honor and integrity of this House. There is an impression growing outside that we are content to submit to too much sneering and too many accusations against members of this House. I admit that there are members of this House who may not be entitled to the respect which is due to the position which they occupy, but when 10,000 electors send a representative here he is entitled to a great deal more respect than is given to him by the average person outside. If you have some definite evidence to offer against a man, offer it; but if you have not that evidence, keep quiet. I do not think we can get away from the fact that the hon. member for Gloucester has made statements which are unworthy of a member of this House and which have not been substantiated, and it is only right that we should uphold the dignity of this House by protecting a member against whom accusations are made which cannot be proved. Consequently I do not see anything very wrong in the motion submitted by the Acting Premier.

Mr. SPEAKER: I should like to correct a ruling that I gave in error a little while ago. While the Attorney-General was speaking my attention was directed to a point of order, and I ruled that an amendment being before the House remarks of hon. members must be directed to the amendment only. That is true where words are proposed to be inserted in lieu of words omitted, but on thinking the matter over since I find that when it is proposed to omit all the words after the word "That" with a view to substituting other words both the amendment and the motion can be spoken to. If the Attorney-General desires to make further remarks he is at liberty to do so.

Mr. STUART-ROBERTSON (Camperdown) [9.32]: There is a certain phase of this question which I should like to put before the House. Mr. Price in mak-

ing these statements may have been misled by outside persons who gave him the information, and he may have believed, and probably did believe, that information to be correct. I am inclined to take the view that every member of this House believes that what he is stating to the House is true. Under those circumstances it would be a very dangerous and bad precedent to establish to expel a man from this House for stating what he believes to be true.

Mr. D. R. HALL: How can you say that when he pretended to quote from a minute by Mr. Cann and he knew no such minute was in existence?

Mr. STUART-ROBERTSON: I admit that I have not had time to read the whole of the report of the royal commissioner and the evidence, and I am not therefore in a position to make any statement upon that point. If a member makes statements which he believes to be true and has been misled by statements made to him by outside persons and those persons fail to support him before the royal commissioner, then to carry a motion which ultimately means the expulsion of the member from the House would be establishing a very dangerous precedent because it would have the effect of positively closing men's mouths unless they were absolutely sure and had overwhelming proof that the statements they proposed to make were true.

Mr. BAVIN: A man should be absolutely sure!

Mr. STUART-ROBERTSON: I am usually quite sure of the statements which I make, but every man is not similarly constituted.

Mr. BAVIN: Then he is not fit to be a member of this House!

Mr. STUART-ROBERTSON: If a man believes that what he states to the House is true—and I understand the hon. member for Gloucester made that statement—we should not expel him, because this Chamber is the place where the grievances of electors should be discussed. If we expel a member for bringing charges which he has reasonable ground for believing to be true, we create a very dangerous precedent. I have always been opposed to taking a strong line of action against any member of this House. I believe the best thing to

do is to allow a man to go on and politically kill himself. The electors of New South Wales have sufficient common-sense to enable them to deal with a member who is unfitted for a position in this House when the election comes round. I do not think the State would gain any advantage by having an election for Gloucester in the near future. We have had instances in this House—

Mr. SPEAKER: Order! The hon. member cannot refer to that. There is no question of another election before the House.

Mr. STUART-ROBERTSON: There have been instances in this House where hon. members have made charges against Ministers.

Mr. SPEAKER: Order! The hon. member cannot refer to those instances. If the hon. member reads the motion he will find it is very specific.

Mr. STUART-ROBERTSON: The carrying of this motion means that Mr. Price must leave this Chamber, unless the electors if he goes before them again are prepared to return him. Under those circumstances I am not prepared to cast a vote which will practically mean that a man elected to this Chamber shall within twelve months of the time of his election be compelled to again go before the electors.

Mr. SPEAKER: The hon. member cannot discuss that on this motion. He may or may not have an opportunity, but the hon. member knows that this, at any rate, is not the opportunity. He is familiar with the forms of the House, and I must ask him to confine his remarks to the question before the House, otherwise I shall call upon him to desist.

Mr. STUART-ROBERTSON: I certainly bow to your ruling, Mr. Speaker; but I was under the impression that the carrying of this motion would mean that the hon. member for Gloucester—

Mr. SPEAKER: Order! I order the hon. member to discontinue his speech.

Mr. W. E. V. ROBSON (Ashfield) [9.41]: The question before this House is not what punishment should be inflicted upon the hon. member for Gloucester, but whether the hon. member has been guilty of conduct unworthy of a member of this House. I do not think a more serious question than that could

[*Mr. Stuart-Robertson.*

arise for consideration. The right of a member to discuss the proposals or the acts of administration of the Government is his most privileged possession, established by long usage, and in fact embodied in the Bill of Rights itself. But the possession of that privilege carries with it corresponding responsibilities. Whilst an hon. member has the right, and it is his duty in the interests of his electors and the country at large fully and freely to discuss the proposals of the Government and its acts of administration, and to point out any matters of abuse, at the same time, when the honor and integrity of another hon. member is affected, he has the corresponding responsibility of seeing that he is on sure ground before he adopts the serious course of charging that hon. member with acts of maladministration. I have scrutinised the evidence in this case, carefully read the report and considered it, and listened to the speech made by the hon. member for Gloucester this evening. I have looked to find any means of escape from casting a vote in favour of this motion; but having looked through the report and read the evidence, I am compelled to agree with the finding of the royal commissioner that the hon. member's charges were wanton and without foundation. That being so, what other course can one take than vote for the motion, which declares that the action of the hon. member for Gloucester was unworthy an hon. member of this House? Deeply as I regret having to give a vote in that direction, I feel that I owe a responsibility to another hon. member of this House whose character has been publicly assailed. Holding the view that there is really no foundation and never has been any foundation for the charges which the hon. member for Gloucester hurled against the Minister for Lands, and being in agreement with the finding of the royal commissioner, I am compelled to vote for the motion.

Mr. BROOKFIELD (Sturt) [9.45]: If one votes in favour of this motion of censure he will be compelled to vote for the expulsion of the hon. member for Gloucester. For that reason I oppose the motion. There is no doubt the hon. member made some statements which he was not able to substantiate. The hon.

member may possibly have been led astray by rumours, and may have made statements thinking he would be able to gather the necessary witnesses to support him. My view is that the hon. member was actuated by a purely national spirit. Hon. members may not agree with that view of the position, but I would ask what hon. member can read the mind of another and know exactly what he intended when making certain statements to this House? I admit that there is room for censure, and that the hon. member for Gloucester not only never proved, but made no attempt to prove, the bitter and unfounded statements he made. At the same time, if hon. members vote for this motion, they must be prepared to vote for the expulsion of the hon. member for Gloucester. I am speaking feelingly on this matter. I do not believe that if hon. members thoroughly understand the position in which this motion puts them, they will be prepared to vote in favour of it. Many hon. members of this House are in the habit of saying things outside which they believe to be true. There are members of the Government who have been telling deliberate lies about me.

Mr. SPEAKER: Order!

Mr. BROOKFIELD: If this motion is carried it will be carried by those who say that I belong to the I.W.W., which is a deliberate lie.

Mr. SPEAKER: Order! The hon. member must not use that expression under any circumstances.

Mr. BROOKFIELD: I think the Secretary for Lands is satisfied that, so far as this House is concerned, there is not a member who believes him to be guilty of the charges made. No man in this House is more respected than the Secretary for Lands, and no matter what the hon. member for Gloucester may have said, the Minister after all is no worse off. He has lost nothing by it, he still holds his position, and I do not think he will lose anything in the country. We have heard a lot of talk about preserving the honor and dignity of Parliament. The hon. member for Gloucester has been frank in his statement to-night. If an hon. member is sufficiently manly to retract a statement he may have made, there is no necessity that we should

pursue him until we break him. Surely that is not the intention of this great party formed to win the war—to break a man when he does all that a man can do.

Mr. D. R. HALL: He never even offered a decent apology!

Mr. BROOKFIELD: If the Minister will read the commissioner's findings he will see that the hon. member for Gloucester unqualifiedly withdrew two of the charges. I desire to say no more on this matter than to point out to hon. members that if they vote for this motion of censure, then by the same process of reasoning they will be compelled to vote at a later stage for the expulsion of the hon. member for Gloucester.

Mr. WEARNE (Namoi) [9.50]: I should like to touch on one point which possibly has been missed by other hon. members. First of all, in coming to a decision on this matter we might reasonably place ourselves in the position of the Minister for Lands, who has been attacked. We should take into consideration his feelings, and what he suffered after the charges were made and when they were being investigated by the commissioner. His wife and children could understand the charges which were made. They are also surely entitled to some consideration, at any rate to as much consideration as the hon. member for Gloucester. If hon. members will place themselves in that position they will have no hesitation in coming to the decision that the hon. member for Gloucester, having failed to substantiate his charges, was guilty of conduct unbecoming a member of the House.

There is another position. I shall vote on the motion alone, and will not allow my thoughts to drift to anything that may come afterwards. Since I have been in the House I have been struck by some of the remarks made by hon. members. It has struck me, as it must strike anyone who reads the reports of Parliament, that the honor and reputation of hon. members are handled very carelessly by some hon. members. I shall always stand up for anyone who has been attacked as the Minister has been. Would the hon. member for Gloucester have made his charges outside the House against anyone occupying a high position

in the State, not a Minister of the Crown, without first ascertaining whether there was any truth in them? It seems to me that hon. members can say things in the House without inquiring whether their statements are true. Under cover of the privilege of Parliament they can make statements which may be very painful to persons who are the subject of them. In coming to a decision with regard to this motion I shall retain my sympathy for the man who is attacked, and my contempt, shall I say, for the man who makes charges and fails to prove them.

Mr. KEEGAN (Glebe) [9.53]: I agree with those hon. members who have complimented the leader of the House on the temperate way in which he has moved the motion, but while it is necessary that some action should be taken to protect the honor and integrity of hon. members, it is quite possible that we may carry matters to extremes. I listened attentively to the speech of the hon. member for Gloucester, and while I agree that he did not touch the report of the royal commissioner to the extent we might have expected, nevertheless he made it clear that he did not intend, in the speech he made in the House, to impute dishonest motives to the Minister for Lands. He made that statement on evidence before the royal commissioner. The hon. member for Gloucester has stated tonight that there are public officers from whom members get information who do not like to be involved in a matter of this kind. When the hon. member for Gloucester made his speech in the House it was based on information he had received from someone else. I agree that he should have furnished himself with facts before he made his charges. Nevertheless, he thought he was doing what he had a right to do in the interests of the State. Hon. members who vote for the motion must recollect that, as it says that the hon. member is unworthy to be a member of this House because of his not being able to substantiate charges he made, they will also have to vote for whatever other motion is submitted.

Mr. SPEAKER: The motion does not say that the hon. member for Gloucester is not worthy to be an hon. member of this House, but that he has been guilty of conduct unworthy of a member.

[Mr. Wearne.

Mr. KEEGAN: That is the same thing. No matter what any hon. member on any side of the House may say there is only one course to follow, and whatever motion is afterwards moved by the leader of the House those who vote for this motion will have to vote for that also. Feeling that to be the case I cannot bring myself to vote for the motion now before the Chamber. Furthermore, any other hon. member may at some time or other be placed in the same position as the hon. member for Gloucester. If any information were brought to me bearing upon the administration of any department, and if I had confidence in my informant, should I not be lacking in my duty if I did not bring the matter to light in Parliament? The hon. member has probably done what any other hon. member would do. While it is necessary to preserve the integrity and honor of Parliament by some action of a moderate character, at the same time I say that we have to bear in mind that the hon. member whose actions are now in question has stated that he imputed no dishonest motives to the Minister for Lands, a man who, I believe, is one of the most honest men who ever occupied the position of Minister for Lands in this country. In voting against this motion, I wish it to be clearly understood that I in no way agree with the statements made in the speech of the hon. member for Gloucester, which brought about the appointment of the royal commission. Nevertheless, I realise that the day may come when other hon. members will make a similar mistake to that made by the hon. member for Gloucester, and for that reason I shall feel compelled to vote against the motion.

Mr. BAVIN (Gordon) [10.2]: The issue before the House is a very simple one—whether the hon. member for Gloucester has been guilty of conduct unworthy of a member of this House. If any hon. member can read the report of the royal commission, and, after reading it, come to the conclusion that the conduct disclosed in it does not amount to conduct which is unworthy of a member of this House, that hon. member must have a very moderate standard indeed as regards the kind of conduct which is required of a member of this

House. The simple fact, as disclosed by the report of the royal commissioner, is that the hon. member for Gloucester, under cover of the privilege he enjoys as a member of this House, made statements which, if the English language means anything at all, means that the Minister for Lands was guilty of corruption. The hon. member for Gloucester made a statement, and supported it by evidence, which, if the words of the royal commissioner are to be read in their simple meaning, was found to be evidence invented by the hon. member for Gloucester for the purpose of supporting his case. I do not desire to mince words in any way whatever. I refer to the statements made by the hon. member for Gloucester in this House to the effect that Mr. Cann had made a minute in connection with the deviation on the Dubbo and Werris Creek railway line—a subject which is referred to as No. 2 in the royal commissioner's report. In that speech the hon. member for Gloucester stated that Mr. Cann had made "the following minute." Then follows in inverted commas what purports to be a minute by Mr. Cann. I may remind hon. members that the royal commissioner is a judge of the District Court, a man who is wholly impartial, a man of high reputation, who has no bias of any sort whatever. The royal commissioner finds that:

No minute either of Mr. Cann's or of Mr. Fraser's such as Mr. Price mentioned in his speech was among the papers. As to the former, though Mr. Price asserted that he had seen it, it is highly probable that the memo. by Mr. Cooper, to which reference has been made, was all that ever existed, and that was not in the terms Mr. Price purported to quote in his speech. It is to be noted, too, that the precis which Mr. Campbell typed from Mr. Price's notes contains no reference to any such minute.

The hon. member for Gloucester asserted that he had spent four hours in going through the papers, and presumably he had made a precis of the papers given to him in the department, and I presume that that minute which he quoted purported to be among the departmental papers of which he made a precis. When that precis was examined by Mr. Campbell, who I understand held some official position, that minute did not appear even

in the hon. member for Gloucester's own precis of the papers. If that means anything, it means that that minute did not exist, and it is perfectly clear, from the royal commissioner's finding, that he does not think it ever existed.

Mr. HARRY MORTON: Mr. Cann said he never made it!

Mr. BAVIN: Mr. Cann himself denied that he had ever made such a minute. If conduct of that sort is not conduct unworthy of a member of this House, it is difficult to imagine any kind of conduct that would be unworthy of a member of the House. That is not the only misstatement of fact which appears in the speech of the hon. member for Gloucester, nor the only misstatement of fact which it is very difficult indeed to believe could have been made by mistake. It has been said by some hon. members that the hon. member for Gloucester may have only repeated information which had been given to him by others, and that it would be a dangerous thing for us to adjudge him guilty of conduct unworthy of a member of the House because he repeated in the House information which had been given to him by others. I say deliberately, if any hon. member makes statements which have been made to him by others, the basis of a charge of corruption against a Minister of the Crown without first verifying those statements for himself, he is guilty of conduct unworthy of a member of this House. Even if that were a fact, which it is not in this case, there is no excuse to be found in the statement that the hon. member for Gloucester only repeated statements which had been made to him by others. Before the hon. member ventured to base a charge of corruption against a Minister of the Crown on those statements he should have verified them for himself. Outside this House, in the law courts, if a man makes a statement recklessly or wantonly, not caring whether it is true or false, he is placed by the law courts precisely on the same footing as if he made the statement deliberately and falsely. We ought not under any circumstances to allow a man, under the privileges of this House, to be put in a better position than if he made the statements outside. I venture to say that if a man were to make outside the



House such statements as have been made here there is no jury in the country who, under the circumstances, would not award to the man against whom those statements were made the highest possible damages that could be awarded. It is not right that this House should seek to give any protection to its members for statements of such a kind as those which the royal commissioner, with the full responsibility of his office, found to be recklessly and wantonly made.

There are other statements which were made by the hon. member for Gloucester in his speech wholly without foundation in fact, and which it is impossible for any gathering of sane men to believe were made without knowing they were false. I am not going to weary the House by referring to the other statements. They appear in the royal commissioner's report. There are even names given which, as far as one can understand, appear to have been invented. There are two names given in the speech of the hon. member for Gloucester—one Oscar Carl and the other Carl Oscar—apparently to support the statement that the Minister for Lands had been acting in the interests of Germans. That statement was made apparently for the sole purpose of prejudicing the case against the Minister for Lands. It seems that no one of that name appeared in any way in connection with the matter, and the hon. member for Gloucester has afforded no explanation of the appearance of those names in his speech. As the hon. member for Gloucester did not give, either before the commission or this House, any explanation of the appearance of those names in his speech, I submit that we are bound to assume that those names have been invented. The hon. member for Gloucester has had two ample opportunities of making an explanation of the statements he made in his speech. He had the fullest possible opportunity before the royal commissioner. He had another opportunity before this House to-night. I realise as fully as any hon. member that it is a serious thing for us to pass a resolution which may result in more extreme measures having to be taken against an hon. member, but it is an infinitely more serious thing that a man, after being honored

[*Mr. Bavin.*]

with the confidence of the electors of a constituency in this country, should get up in this House and make charges of corruption against a Minister of the Crown, in support of which, when challenged, he can offer not a shred of evidence. Another excuse that has been made for him in this House to-night, and an excuse which he himself has made, is that in saying what he did he made no charge of any sort against the Minister for Lands, but that his statements were merely allegations of maladministration. All I can say is that if the hon. member has so little appreciation of the value of words as to ask this House to believe that, that in itself is conduct unworthy of a member of this House. One has only to read the statement in the hon. member for Gloucester's speech with regard to the land for returned soldiers. In that speech, which was made the basis of one of the charges before the royal commissioner, the hon. member used these words:

Further, the Minister for Lands advised me that no property had been resumed at £8 5s. per acre, the original purchase cost of which was £4 per acre. That is absolutely misleading. What I do say is that it is a case of maladministration.

Then he goes on to refer to:

The putrid and dishonest administration that has been adopted . . . . I have made no charges with regard to the Minister that I cannot substantiate. The charges made by me are deliberately made.

In face of that we are asked to believe by the hon. member that he made no charge against the Minister. All I can say is that a gentleman who gets up in this House and asks hon. members to take him seriously, when he says that in using those words he made no charge against the Minister personally, is not entitled to a very great deal of sympathy from hon. members. It is not a case for sympathy—it is a case for upholding the honor of the House, and for recording before the public what we think of conduct of this sort, and what standards of conduct we require from men who have been honored with the confidence of the electors.

AN HON. MEMBER: Why was not Mr. Wade expelled?

Mr. BAVIN: That is a wholly irrelevant question. If it could be shown that any hon. member ever made statements so wholly baseless as those now under consideration, and so wholly failed to justify them as the hon. member for Gloucester has, I say that he should have been treated in precisely the same way as the leader of the Government proposes the hon. member for Gloucester should be treated. I can only add that if the House to-night should vote that this conduct is not unworthy of an hon. member, it will be a matter for very great regret indeed, and one which I think will result in lowering the esteem in which this House is held by the people of the country.

Mr. COCHRAN (Darling Harbour) [10.14]: It is not my intention to support this resolution. I am unaware that the honor of Parliament has been in any way damaged, or that the dignity of hon. members—that is, of those who parade dignity as a substitute for ability—has been in any way impugned. It was very interesting to hear the hon. members for Namoi and Gordon lecturing the House upon what they consider should be the honor and dignity of Parliament. These two hon. members date their entry into this Chamber for the first time only a few months back; and when we contrast their tenure of representation in Parliament with that of the hon. member who is now being tried, we find that the hon. member for Gloucester has represented his highly-important district for more than twenty years. A member who could represent a district like Gloucester for so long a period must in that time have rendered his constituents very valuable service; and to one of his character I maintain that the punishment implied in the resolution is too severe for the offence committed.

Regarding the charges brought forward by the hon. member for Gloucester, and his vain effort to prove the accuracy of them, we find that these charges did not receive that amount of consideration in court to which in my opinion they were entitled; but on the contrary, instead of the charges levelled against the department's administration being inquired into—

Mr. SPEAKER: Order! The hon. member is reflecting on the conduct of the inquiry by the commissioner.

Mr. COCHRAN: I will read the facts of the case.

Mr. SPEAKER: Order! The hon. member may refer to them, but on this resolution he must not reflect upon the royal commissioner at all.

Mr. COCHRAN: I say the inquiry resulted in the trial of the hon. member for Gloucester, instead of being made into the extravagant and fictitious charges which he admitted he had brought forward. When the inquiry was opened I looked forward to the sittings of the tribunal with some amount of interest, and expected that the Minister for Lands would enter the witness-box and give his version of many of the inaccurate charges made against him. Instead of that the Minister was exempt. Not a question was asked him; on the contrary, the report states, in my opinion unnecessarily, that the charges were wantonly and recklessly made, and without foundation. The report seems to me to labour the decision. What I should have liked to see in that report is that the charges made by the hon. member for Gloucester were unproved; and that would have been quite sufficient. The honor of Parliament has been sufficiently vindicated by the commissioner's report.

The Minister, it has been stated, has suffered very great pain of mind. The hon. member for Namoi, with more than necessary sympathy and solicitude for the Minister, who is quite capable of taking care of himself, referred to the awful pain, anxiety, and worry the Minister had endured, and for these things he asks us to punish the hon. member for Gloucester. It has been said that a great number of very clever and capable men abhor the proposition that they should present themselves to the electors for election to Parliament. It has been said that the light of criticism beats fiercely upon public men. All that being so, I maintain that the Minister for Lands—whose character has in no wise been besmirched by the charges made against him—has not suffered any great loss of sleep on account of those charges. If this resolution be

carried, and its corollary of expulsion given effect to, it means that members will not be so much inclined to bring charges that they believe to be true against Ministers whose conduct is not what it should be. This privilege that hon. members possess is a very wise precaution to allow of our discussing to the fullest extent matters which come within our purview. Every hon. member is the recipient from time to time of startling information of a public character, containing reflections upon the administration of every department. The Minister for Agriculture has been the subject of some of these things quite recently, and so have other Ministers. Without referring to the voluminous report of the commissioner, which I have not had time to study, I submit that if we pass the motion we shall unnecessarily punish a man of wide experience and great capacity, who has given good service to this country for twenty years.

Mr. LAZZARINI (Marrickville) [10.21]: I intend to support the resolution. I have had an opportunity of reading the report, and I have also listened to the weak defence put up by the hon. member for Gloucester. He did not show any chastened spirit to-day, but he endeavoured by innuendo to get in some of his original statements in another way. I cannot understand hon. members stating that they believe absolutely in the honesty and integrity of the Minister for Lands, and at the same time giving a vote on this motion which would be tantamount to saying that an hon. member who has made unfounded statements against the Minister is still worthy to be a member of Parliament. While I am prepared to support the motion, I do not intend to vote in favour of any further drastic action that may follow upon it. If the motion be carried it will be placed on record that this House considers the action of the hon. member for Gloucester unworthy of a member of this Parliament, and if that hon. member likes to retain his position irrespective of what may be thought of him by his fellow-members, that is a matter entirely for him. The hon. member has not a leg to stand on, and cannot expect any sympathy. It cannot by any stretch of imagination be suggested that the hon.

member merely innocently repeated statements which he believed to be true, because he was most emphatic. He stated that he could substantiate what he had said, that he had made the statements deliberately, and that he was only too anxious that a tribunal should be appointed which would give him an opportunity to prove everything he had said. Then when he went before the commission he did not make any effort to substantiate the charges made by him under cover of privilege in this House, and in my opinion his conduct was unworthy of a member of Parliament. I desire to place on record my opinion that it does not logically follow that any hon. member voting for this motion must of necessity vote for a more drastic resolution which may follow upon it.

Mr. F. M. BURKE (Newtown) [10.24]: The hon. member for Gloucester apparently has very few friends in this House. He is politically ostracised, seemingly because he has some peculiar traits that do not commend themselves to hon. members generally. I do not know much about the idiosyncracies of the hon. member, but I consider that the motion is rather too drastic. We cannot get away from the fact that the hon. member has made charges which have been proved to be groundless, but I cannot conceive of any man in his senses making such charges without being under the impression that they were true. Any hon. member who makes reckless charges against a Minister must know that he will not be allowed to go scot-free. The hon. member was so persistent in his charges that one cannot but conclude that he must have thought he had some foundation for what he said. I think the explanation he made here to-night might be considered sufficient to meet the circumstances of the case, in view of the finding of the royal commissioner, which has exonerated the Minister for Lands. If an hon. member honestly takes action in this House in what he conceives to be the best interests of the country, and afterwards finds that he has been misinformed and acknowledges the fact, that ought to be sufficient for this House without his having to go on his knees and practically crawl

[Mr. Cochran.

to the person accused. I quite understand that hon. members are not justified in making statements which are not true, but during my short experience in this House many statements have been made to me which, if true, would have the effect of turning this House inside out and wrecking the Government. We know very well that the hon. member for Gloucester should have taken steps to ascertain whether the information given to him was accurate, and seeing that he did not do so, he made a grave mistake. But now that he has come here and declared that he acted in the public interest, and had no improper purpose to serve, because the Government were bound to cause an investigation to be made, the House should be satisfied. We know what is going to follow upon the motion. The hon. member for Gordon said that it was a diabolical thing for the hon. member for Gloucester to state that he had sat for four hours making up a precis which, when he came before the commissioner, he could not prove had ever been in existence. It is unthinkable that an hon. member in his senses would make a statement of that character if no such document had ever been in existence. If the hon. member for Gloucester deliberately made that statement knowing that it was false, there is only one place for him, and that is in the lunatic asylum. I shall vote against the motion. I did not wish to give a silent vote, and that is my reason for making these few remarks.

Mr. BUCKLEY (Surry Hills) [10.31]: I have no desire to cast a silent vote upon this question. While the hon. member for Gloucester has made statements at random which have not been proved, the motion of the Acting Premier is rather extreme. If a precedent of this kind be established it will very probably be made use of in cases of hon. members who are members of the Opposition. I speak feelingly upon this question because the future holds in store for us many possibilities. If this motion be carried another motion must follow, and despite the statements made by several hon. members, if members vote in favour of this motion they must also support the subsequent motion. While I agree that charges have been recklessly made by the

hon. member for Gloucester against the Minister for Lands, the question is, how far is this House going to deal with a member who makes certain charges and who states that he was acting in the best interests of the country? I agree that the charges are a direct attack upon the Minister for Lands, but the situation could be met by a motion not so harshly worded as this one is. If hon. members support this motion there is no alternative for them but to support the subsequent motion. I would be inclined to support a motion expressing condemnation of the action of the hon. member in having made these statements, but I do not feel disposed to support an extreme motion of this kind. It is possible that in the immediate future the House will be called upon to decide upon another course with regard to somebody else. If we carry this motion a precedent will be established in regard to gagging those public men who are sent here to uphold the principles of the people who elected them. The motion is too extreme, otherwise it would have my support.

Mr. GARDINER (Newcastle) [10.35]: The hon. member for Gloucester has seen fit to make charges which he failed to substantiate before a royal commission. The royal commission has completely exonerated the Minister for Lands, and I want to say this as regards the Minister: I do not think there is an hon. member who has ever occupied the position of Minister for Lands who is held in greater respect than Mr. Ashford. Personally I have every confidence in the Minister, both as regards his sincerity and his conscientiousness in carrying out his duties, but the position I take up is this: The hon. member for Gloucester has admitted what may be, at the very least, described as an indiscretion in making these charges, and failing to support them before the royal commission. But the hon. member might well be dealt with by his constituents. It is not for us to sit in judgment on the hon. member. The only question is whether we are going to sit in judgment on the hon. member for committing this act. I am not prepared to say that the hon. member for Gloucester is not fitted to be a member of this House. The answer to that ques-

tion might well be left to the hon. member's constituents. I shall therefore vote against the motion.

Question—That the words proposed to be omitted stand part of the question—put. The House divided:

Ayes, 38; noes, 17; majority, 21.

#### AYES.

Abbott, M.	Ley, T. J.
Arthur, Dr. R.	McGarry, P.
Ball, R. T.	Millard, W.
Bavin, T. R.	Miller, G. T. C.
Beeby, G. S.	Morton, Harry
Briner, G. S.	Morton, Mark F.
Bruntnell, A.	Nicholson, Lt.-Col.
Cocks, A. A. C.	Oakes, C. W.
Colquhoun, P. B.	Perry, J.
Doe, B. J.	Robson, W. E. V.
Fallick, J.	Storey, D.
Fitzpatrick, J. C. L.	Thomas, F. J.
Fuller, G. W.	Walker, R. B.
Grahame, W. C.	Wearne, W. E.
Hall, D. R.	Weaver, R. W. D.
Hickey, Simon	Zuill, W. A.
Hoskins, T. J.	
Lane, H. W.	<i>Tellers,</i>
Latimer, W. F.	Graff, A.
Lazzarini, C. C.	Nesbitt, G.

#### NOES.

Brookfield, P.	Mutch, T. D.
Buckley, A. W.	O'Brien, W. J.
Burke, F. M.	Quirk, J. P.
Burke, M.	Smith, T. J.
Bushell, C. H.	Storey, J.
Cochran, J. P.	Wright, J.
Davies, W.	<i>Tellers,</i>
Gardiner, A. R.	Keegan, T.
Loughlin, P. F.	McKell, W. J.

Question so resolved in the affirmative.

Question—That the original motion be agreed to—put. The House divided:

Ayes, 46; noes, 11; majority, 35.

#### AYES.

Abbott, M.	Latimer, W. F.
Ball, R. T.	Lazzarini, C. C.
Bavin, T. R.	Ley, T. J.
Beeby, G. S.	McGarry, P.
Briner, G. S.	McGirr, J. J. G.
Bushell, C. H.	McKell, W. J.
Cocks, A. A. C.	Millard, W.
Colquhoun, P. B.	Miller, G. T. C.
Davies, W.	Morton, Harry
Doe, B. J.	Morton, Mark F.
Fallick, J.	Mutch, T. D.
Fitzpatrick, J. C. L.	Nesbitt, G.
Fuller, G. W.	Nicholson, Lt.-Col.
Graff, A.	Oakes, C. W.
Grahame, W. C.	Perry, J.
Hall, D. R.	Robson, W. E. V.
Hickey, Simon	Smith, T. J.
Hoskins, T. J.	Storey, D.
Kearsley, W.	Storey, J.
Lane, H. W.	Thomas, F. J.

[*Mr. Gardiner.*

Walker, R. B.	<i>Tellers,</i>
Wearne, W. E.	
Weaver, R. W. D.	Arthur, Dr. R.
Zuill, W. A.	Bruntnell, A.

#### NOES.

Burke, F. M.	O'Brien, W. J.
Burke, M.	Quirk, J. P.
Cochran, J. P.	Wright, J.
Gardiner, A. R.	<i>Tellers,</i>
Keegan, T.	Brookfield, P.
Loughlin, P. F.	Buckley, A. W.

Question so resolved in the affirmative.

Mr. FULLER (Wollondilly), Acting Premier [10.50]: Following on the resolution just arrived at, I desire to move:

That Richard Atkinson Price, Esquire, now sitting in this House as member for the electoral district of Gloucester, be for the said offence expelled this House.

Hon. members will see that, as a corollary of the resolution just carried, I as acting leader must move this motion in order to give effect to the resolution just arrived at. When an hon. member has been adjudged guilty of conduct unworthy of a member of Parliament, and seriously reflecting on the honor and dignity of this House, and when the Chamber has arrived at a resolution of the character of the one just passed, it follows that the motion I have just submitted must also be carried. Some hon. members have expressed a different view, but I submit with all respect to those hon. members that their attitude seems to me to be somewhat inconsistent. However, it is entirely a matter for hon. members to vote according to their conscience. Having put the case before the House as clearly as I could in moving the former motion, hon. members will understand that when an hon. member has been adjudged guilty, as the hon. member for Gloucester has been, this House, in order to preserve its honor and to uphold its dignity, must carry that resolution into effect by agreeing to the motion which I have just submitted. Some hon. members have stated that, by carrying the previous resolution, the honor and dignity of Parliament have been sufficiently upheld. Some hon. members have expressed the opinion that, even if the hon. member for Gloucester were allowed to remain in the House after the former motion had been decided, the honor and dignity of Parliament would still be maintained. I submit with

all respect to the opinions of hon. members that the carrying of the motion now before the House is essential if the honor and dignity of Parliament are to be maintained, and if Parliament is to have that respect which it ought to have.

Question proposed.

Mr. J. STOREY (Balmain) [10.55]: I differ from the leader of the Government. I voted that the hon. member for Gloucester was guilty of conduct unworthy of a member of Parliament and seriously reflecting on the honor and dignity of the House. I am prepared to admit that the hon. member was guilty of conduct reflecting on the House. His conduct has been such that he should be severely censured, but it does not follow that we should go the length of expelling the hon. member. The hon. member has been elected to the House by a very large electorate, which has supported him for twenty years, and I venture to say will vote for him again if he is expelled. Instead of following the course it is now proposed to take we should recollect that he has been a member for twenty years, and was only recently elected. We must also recollect that he made these statements during the course of the election, that he made allegations against the Premier of a much more serious character and against the Ministry as a whole, but nothing was done then. A paper containing these charges was sent to every member of Parliament. Every hon. member knew what the hon. member for Gloucester was saying during his election campaign. Not only were they aware that he was making these allegations against Mr. Ashford when he was a member of the Labour party, but that he was making them against Mr. Grahame, and also against Mr. Holman and other members of the former Labour party. He also made charges against the National party. Yet, after that conduct on his part, Mr. Price was admitted by them into the Ministerial rooms.

MINISTERIAL MEMBERS: No!

Mr. J. STOREY: I mean to say that the hon. member for Gloucester occupied the Ministerial rooms whenever he liked to do so until Mr. Ashford took this course against him.

MINISTERIAL MEMBERS: No!

Mr. J. STOREY: If that is not correct—

Mr. SPEAKER: Order! This is irrelevant.

Mr. J. STOREY: I should say that this motion is much wider than the previous one, and I think I may be permitted to refer incidentally to the position the hon. member for Gloucester occupies now and the position he occupied during the election campaign. I may also be permitted to refer incidentally to the further fact that he was accepted as a member of the Liberal party after he was elected.

MINISTERIAL MEMBERS: No!

Mr. J. STOREY: If hon. members say he was not, I will let it stand at that. The point is not important. I only wish to say that it was I who complained about his using unwarrantable language. I also complained about another hon. member of whom no notice has been taken. When I complained about hon. members using their rights as members of Parliament to make charges against one another, I was not supported to any degree. The only person who protested was the Minister for Agriculture, who very properly attacked the hon. member for Gloucester for making the statements he did. Although I hold that the hon. member for Gloucester has been guilty of conduct unworthy of a member of this House, I should prefer to leave him to the electors who sent him here a year ago. What good purpose will be served by expelling the hon. member? We have placed on record our disapprobation of his conduct. We have shown that such conduct as he has been guilty of is not acceptable to the House. Our action will act as a deterrent to any other hon. member who may wish to pursue a similar course. I fail to see that we are justified in expelling an hon. member for using language which, after all, is not peculiar to the hon. member for Gloucester, and has been made use of by other hon. members at different times. If we looked up the records of the House, we should see that other hon. members have made much more serious charges against their fellow-members. Upon investigation they were found to be either not proven or groundless. Yet no expulsion followed. Judging the

conduct of certain hon. members during the last five or six years by what the hon. member for Gloucester has done, I say that we are dealing harshly with him in comparison with the others. I ask hon. members who have occupied seats in the House for some years whether they have known any hon. member to be punished to the extent of expulsion from the House for using language similar to that used by the hon. member for Gloucester. I admit that on one occasion a member of the House made very serious charges against the Chairman of Committees and Mr. Speaker, and told them in plain language what he thought of them and what they were—that they were blackguards, thieves, and rogues. For that he was expelled.

Mr. PERRY: No!

Mr. J. STOREY: I thought he was. I refer to the late W. P. Crick. Hon. members know that since that time statements have been made in this House by an hon. member who would not make the statements outside when challenged to do so because he knew that he might be successfully proceeded against under the libel law of the country. Hon. members also know that on another occasion an hon. member made serious allegations against another hon. member, and when a royal commission was appointed that hon. gentleman did not even present himself to make a semblance of defence of what he had done. Hon. members know that the men who made those statements stand to-day in the highest estimation of this country, and, furthermore, that they possess an unimpeachable character. Let hon. members look through the records and peruse for themselves the language that was used by those hon. gentlemen and compare it with the language used by the hon. member for Gloucester. The one is as a razor to a blunt knife. The one was only a clumsy attempt—

Mr. SPEAKER: Order! The hon. member can refer to any case in this House where a resolution was carried declaring that an hon. member had been guilty of conduct unworthy of a member of this House, and subsequently a motion was proposed similar to the one now

before the House; but he cannot refer to a case where no similar motion was proposed.

Mr. J. STOREY: A royal commission was appointed to inquire into a case—

Mr. SPEAKER: But did the House carry a resolution similar to the motion now before the House?

Mr. J. STOREY: I should like you to give us some guidance as to what prevents an hon. member referring to something in this House of a parallel character.

Mr. SPEAKER: The hon. member is perfectly at liberty to do that, but the hon. member, in citing a parallel case, must refer to a case where action had been taken in the House declaring an hon. member guilty of conduct unworthy of a member of the House, and subsequently a motion similar to the one now before the House was proposed. The hon. member is not in order in referring to statements made when no such action was taken by the House.

Mr. J. STOREY: I do not want to canvass your ruling, but I want to say with very great respect that this House did take notice of the statements made, and the Government appointed a royal commission, and the commissioner reported that the gentleman to whom I have referred did not present himself for examination. I am endeavouring to show that hon. gentlemen who made charges, and when a royal commission was appointed, and they were given an opportunity of appearing before the commission, failed to do so, in my judgment at any rate, presented a weaker case than did the hon. member for Gloucester, who made charges upon which a royal commission was appointed, and then went before the commissioner and endeavoured honestly, in the beginning at any rate, to establish his case. I have referred to the case I have mentioned for the purpose of showing that we were prepared in that particular instance to vindicate the honor of this House. A royal commission was appointed for that purpose, and the Government who appointed the royal commission was a Government of which the present Minister for Lands and Minister for Agriculture were members. They resented to the full what had been said by an

[Mr. J. Storey.]

hon. gentleman, and when the royal commission had been appointed the hon. gentleman did not present himself to be examined nor prefer his charges, and nothing further was done in the matter.

Mr. FULLER: But he did not admit that he had no evidence!

Mr. J. STOREY: How could he admit that he had no evidence if he failed to present himself before the royal commission appointed by the Government?

Mr. FULLER: The reason he gave for not going before the royal commission was that the commission had not been appointed in a manner satisfactory to him!

Mr. J. STOREY: I am not referring to that particular case for the purpose of attempting to justify what the hon. member for Gloucester has done. I am only referring to it for the purpose of showing that in this particular instance, having censured the hon. member for Gloucester, we might go no further, instead of proceeding in the direction set out in the motion now before the House. I am endeavouring to show that the action of the Government is particularly severe in the case as compared with what was done in other cases, and those who had made charges felt that they were unable to sustain them when the royal commission was appointed by the Government for the purpose of inquiring into them. I could cite a large number of cases of a similar character. That being so, I hold that I am justified in asking the House to stay its hand with regard to the expulsion of the hon. member for Gloucester. I have nothing but contempt for that hon. gentleman. His conduct has been of such a character that I can feel nothing but contempt for him, but whilst thinking that he should be severely censured I do not feel justified in voting for his expulsion from the House. I appeal to the Minister for Agriculture, who was a member of the Government which had charges of maladministration made against it very often. I also appeal to the Minister for Lands to remember the facts I have mentioned, and to extend the hand of clemency to one who I admit has committed a grievous error of judgment in pursuing the course he took. I did not

want to speak on this motion. I regret having had to do it. I believe that the good name of this House will not be in any way impaired by the Government taking the course I have suggested. I do not know what good purpose could be served by plunging this country into a contest even at the expense of a couple of hundred pounds for the purpose of endeavouring to prevent the hon. member for Gloucester from being any longer a member of this House. Within a couple of years from now, or a little more, the hon. member will be compelled to appear before his constituents, and if his conduct has been as is now alleged the electors will know how to deal with him. If hon. members want to pursue him then they can do so, but I hold at the present stage no useful purpose can be served in expending money with the idea of vindicating the honor of the House, which has been already maintained by the vote it gave to-night.

Mr. J. J. G. MCGIRR (Yass) [11.8]: While I agree that the conduct of the hon. member for Gloucester deserves the censure of the House, I do not know that I can go to the extent of expelling him from the House. I am undecided on that particular point; I am fully seized with the seriousness of a member of this House making charges against a Minister of the Crown. Whilst I was a follower of the late Government right through, we on that side were subjected to the most scurrilous charges from members of the Opposition. On various occasions I hoped and wished that the Premier, Mr. Griffith, and other Ministers, charged as the Minister for Lands has been charged, would have taken drastic action with regard to the hon. member who had made the charges. But charges of this kind have been made before, and in no case has the hon. member who made them been expelled from Parliament. I find in the *Votes and Proceedings* that the present Acting Treasurer at one time made a charge against three members of the Labour party—Mr. Burgess, Mr. Scobie, and a Minister—

Mr. J. C. L. FITZPATRICK: I rise to order. I take the point that the hon. member is not entitled to discuss the aspect of the question which he now pre-



poses. There is a specific motion before the Chamber, which reads as follows:—

That Richard Atkinson Price, Esquire, now sitting in this House as member for the electoral district of Gloucester, be for the said offence expelled this House.

My contention is that the hon. member must be limited to a discussion of the question as to whether the hon. member for Gloucester shall be expelled or shall not be expelled. The circumstance that I at one time was haled before this House upon a motion moved by the then hon. member for Redfern has no bearing whatever upon the present motion, for the simple reason that the motion which was moved on that occasion, and which sought to indicate a view of the House to the effect that I had committed some grave offence against its dignity, was not carried; so that no further proceedings could be taken in connection with it. The hon. member, so far as he has gone, has not been able to cite a case on all-fours with the one which we are now discussing, as you yourself, sir, ruled only a few moments ago. I hold that the hon. member is not entitled to do more than make passing reference to any case which did not reach the stage which this case has reached, and that this motion absolutely restricts him to a discussion of the question whether the hon. member for Gloucester should be expelled from this House, or whether he should be allowed to continue a member.

Mr. J. J. G. McGIRR: On the point of order, I would point out that the previous motion is more or less contingent on this one, and that this is of a much wider character; and therefore for reference purposes we should be allowed to discuss previous cases.

Mr. SPEAKER: In what way is it wider?

Mr. J. J. G. McGIRR: Inasmuch as it is more or less the result of the previous motion which directed the House as to what this particular motion should be. I leave it to you, sir, but I think it is a question on which, although we were somewhat bound down on the previous motion, we should have more liberty of discussion seeing that a man's liberty is at stake.

Mr. SPEAKER: I am disposed to give hon. members all the latitude possible. If hon. members have instances to cite

[*Mr. J. C. L. Fitzpatrick.*

where an hon. member has been adjudged guilty of an offence against this House, and no motion of expulsion has been moved, they are at liberty to cite them, and I shall not prevent it; but cases in which a motion has been moved and lost, and the House has declared that the hon. member has not been guilty of conduct unworthy of an hon. member, would be irrelevant to this motion. If the hon. member's case is one where the House decided that the conduct of an hon. member was unworthy of a member of this House, I shall give the hon. member every opportunity of citing it and using it as a parallel case, but the hon. member cannot cite or refer to cases on this motion unless he can show that the House itself has decided that the conduct in question was unworthy of an hon. member. I may point out to the hon. member that the motion now before the House reads that the hon. member for Gloucester "for the said offence" be expelled this House.

Mr. J. J. G. McGIRR: Charges have repeatedly been made in Parliament, and the question has been brought up in this House before to-day. There are hon. members now sitting on the Government benches who have on previous occasions voted that men are not worthy of expulsion because they have made certain statements maligning the character of Ministers of the Crown. In a division list which I have now before me, on the question of the expulsion of a particular member, appear the names of certain hon. members opposite who voted to that effect when charges were made against Ministers of the Crown.

Mr. OAKES: Was the motion carried?

Mr. J. J. G. McGIRR: No, it was lost.

Mr. OAKES: That makes all the difference!

Mr. J. J. G. McGIRR: On the occasion I refer to Messrs. Levy, Robson, Ball, Fallick, Hunt, Thomas, and Latimer, and Colonel Onslow all voted that, though charges of a most serious nature were made against a Minister, that was no reason why a particular hon. member should be expelled from Parliament. While I myself am against these wholesale charges of maladministration and corruption being made by hon. members whenever they choose, there has in the

past been laid down by Speakers and Governments a policy which has really created the position we have to-day

Mr. LEY: Let us put an end to it!

Mr. J. J. G. MCGIRR: The hon. member is quite correct, and I am with him heart and soul, because I do not believe in hon. members standing up in their places and making unfounded charges against Ministers or other hon. members. The question is, should we not be merciful in putting an end to it? The hon. member who has made these charges and who to-night will be adjudged guilty or otherwise, is one of the men who were used as a weapon by the Opposition against the last Government of which I was a follower.

Mr. SPEAKER: Order! The hon. member will see that that is irrelevant.

Mr. J. J. G. MCGIRR: There is not the slightest doubt that the expulsion now proposed is more or less the outcome of a series of petty charges, working up gradually, which have been allowed by previous Governments to be made. The fact that even the leader of the Opposition and followers of the Government in the past were allowed to stand here and make unfounded charges against the Government has brought into the public mind a certain amount of suspicion against every man in public life—Liberal, Labour, or Nationalist, or whatever he is called. The impression seemed to be that a man only need be a member of Parliament to become a wrongdoer. Many men have neglected their businesses and have given up their time and energies to the service of the public, and yet suspicion has attached to them; and when members are allowed to stand up here and strengthen this suspicion, we are faced with a most serious situation. I strongly object to hon. members making unfounded charges, and the most drastic treatment should be meted out to those who are guilty of such conduct. But special circumstances have led up to the present position. Mr. Wade made serious charges against Mr. Griffith when he was Minister for Public Works, and Mr. Henley also made charges of corruption against the same Minister.

Mr. SPEAKER: Order! The hon. member knows that the case he is citing has no relevance to the present motion.

Mr. J. J. G. MCGIRR: My point is that circumstances may have afforded some warrant for the action of the hon. member for Gloucester, and therefore we must view his case with some degree of leniency. The proceedings in this House during the last six years have more or less encouraged hon. members to take liberties in connection with comments passed by them on the actions of Ministers and others, and it would not be fair to adopt the harsh course of expelling the hon. member for Gloucester. If we decide that he shall be suspended for the remainder of the session we shall fully meet the case. I quite agree that the hon. member should be dealt with. No man should be allowed to stand up and make charges without taking the responsibility attached to them. At the same time I do not think we should do anything that would whittle away our privileges. If an hon. member makes charges which are proved to be false, and we expel him, we may make a serious inroad upon the privileges attaching to membership in this House. I believe that the Minister for Lands would be quite satisfied, and that his character would be vindicated, if the hon. member for Gloucester were suspended for the remainder of the session. The Minister for Lands is all right, and I believe that the Government has taken action more or less to please him and vindicate his character.

Mr. FULLER: Not only that; but to vindicate the honor of Parliament!

Mr. J. J. G. MCGIRR: I move:

That the question be amended by omitting the words "expelled this House," with a view to inserting in lieu thereof the words "suspended for the remainder of the present session."

Mr. FULLER: I cannot accept that amendment!

Mr. J. J. G. MCGIRR: I would strongly urge the Minister to agree to my amendment, because it is not desirable that the country should be put to the expense of another election at this time. Moreover, if there is an election, and Mr. Price is again returned, the Government will occupy a very peculiar

and anomalous position. If the hon. member had been on this side of the House he would have had a short shrift, whereas if he had been sitting behind the Government his statements would have been allowed to pass. We know that the Hon. Mr. Trethowan has made most serious statements.

Mr. SPEAKER: Order! The hon. member cannot discuss that.

Mr. FULLER: He has never made a definite charge yet!

Mr. J. J. G. MCGIRR: In 1908 a certain hon. member who made serious charges was a follower of the Government, and the Opposition moved for his expulsion. He charged various members of the Labour party with being implicated in the land scandals, and stated that the hon. member for Burrangong had received £25, and others had also received sums of money. The expulsion of the offending member in that case could not be brought about because he was a member of the party which had a majority in the House; but Mr. Price finds himself in a peculiar position. He is now in the lost dog's room, and has no party behind him. The defence which the hon. member put up would get a sick chicken hanged. The correct course for him to have adopted was to have come before the House, have retracted in a manly way, and apologised for having committed the grave mistake which he made. Seeing that he is in a most unfortunate position, it is not our duty from a party point of view to sacrifice him. While the hon. member may be deserving of censure, he may not deserve expulsion, and I contend that my amendment would meet the case. By passing the amendment we shall be setting an example to those who may in the future do what many members of the present National party did in the past. We know that the hon. member for Woolahra voted against the proposed expulsion of a certain member for statements made regarding members of the Labour party in connection with the land scandals, and about ten or fifteen other members of the present Government party voted with the hon. member for Woolahra. Those hon. members have now an opportunity of saving themselves by

[Mr. J. J. G. McGirr.

voting for the amendment which proposes to deal fairly with this misguided hon. member. I must confess that I am in a somewhat peculiar position because I object to a member making statements of this kind which are not substantiated, but seeing that Mr. Wade and a member of the Government party, Mr. Henley, made unwarranted charges of corruption against Mr. Griffith and Mr. Holman—

Mr. SPEAKER: Order!

Mr. J. J. G. MCGIRR: I am hardly inclined to favour the extreme course of expelling this hon. member. I believe that the position would be met fairly by passing the amendment.

Mr. OSBORNE (Paddington) [11.36]: I do not propose to detain the House at any great length at this hour, more particularly when one realises that one is placed in a somewhat peculiar position when facing a motion of this kind. In my judgment, the attitude and the actions of the hon. member for Gloucester are utterly indefensible. Further than that, for many years past this gentleman has been in the habit of making charges of this description in a wholesale fashion, irrespective of whether those charges contained the slightest degree of truth or not. I realise the severity of the motion moved by the Acting Premier, and what it means to the hon. member for Gloucester, and after all one feels that perhaps it is just as well to temper justice with a certain degree of mercy. At the same time I can quite understand the action of the Acting Premier in moving this motion. There is no member of this Assembly who has so consistently attempted to belittle and degrade the public life of this State as the hon. member for Gloucester. During the seven years I have been a member of this Assembly I have devoted a good deal of attention to the remarks of the hon. member for Gloucester and his attitude generally, and there has never yet been an occasion on which the hon. member has not taken the opportunity of making some accusation against either a Minister of the Crown or another hon. member.

Mr. SPEAKER: Order! I do not think the hon. member for Gloucester ought to be judged on his past actions in a matter of such serious import. The hon.

member ought to be judged on the matter before the House. It would be unfair to judge the hon. member's conduct by his past actions when a resolution of this serious nature is before the House.

Mr. OSBORNE: While no doubt your ruling is correct, it must be obvious that one comes to a conclusion at the end of a series of circumstances that might be entirely different if there were only one circumstance. Had this been the only act of the kind by the hon. member for Gloucester, probably the Acting Premier would not have moved the motion at all, but because he realises that this act does not stand alone, but constitutes one of many acts, he has taken upon himself the responsibility of moving the motion. I cannot help recognising the fact that in every circle of life there is a type of individual who is prepared to foul his own nest, and do his best to make the general public believe that things are not what they seem. We find this type of individual just as much amongst politicians as amongst commercial and social circles. It is perfectly patent to me, as I think it must be to hon. members generally, that the hon. member for Gloucester on this and on other occasions has laid himself out to make the general public believe that there are men in the public life of this State who have no right to be there because they are not sufficiently honorable to occupy the positions they hold. One cannot shut one's eyes to the effect statements of this kind must have on the community. And if an hon. member of the Chamber sows broadcast imputations of dishonesty and corruption against other hon. members, what must be the state of the public mind? It must be clear to all of us that if such statements are made sufficiently often the people outside will begin to think there is an element of truth in them. It is an old saying that if you throw sufficient mud some of it will stick. The actions of the hon. member for Gloucester culminated in his charges against the Secretary for Lands, the object presumably being to disparage the good and honest qualities of that hon. member. I remember well an incident which occurred in the last Parliament, when I was concerned in a matter which was engaging

the attention of hon. members of this Assembly and the country generally. Certain statements were then made and certain charges of an invidious character. It was suggested that a royal commission should be appointed to clear up the charges. I very heartily agreed, knowing that I had nothing to face in connection with those charges. I cannot help having a lively recollection of the circumstance that out of a House of ninety members only one ever suggested that there was anything in the shape of corruption or dishonesty in the insinuations levelled against me, and against the party, and strange to say, that member was the hon. member for Gloucester.

Mr. SPEAKER: Order! The hon. member ought not to say that.

Mr. OSBORNE: One does not forget these things in a day.

Mr. SPEAKER: I quite appreciate the hon. member's feelings, and the fact that he cannot forget these things; but I would point out to him that this is not a proper occasion on which to ventilate his opinions. On another motion, possibly, I should be willing to hear the hon. member's views, but not on this motion. I hope the hon. member will not express his feelings against the hon. member for Gloucester's past actions on the motion now before the House, but that he will wait for some future occasion.

Mr. OSBORNE: I quite realise that one is somewhat restricted in dealing with this motion. But naturally one's thoughts go in the direction I have suggested when a matter of this kind is under discussion. I have a lively recollection of the incident just as I have a lively recollection of the charges made by the hon. member for Gloucester in connection with this case. I felt satisfied when the charges were made, seeing they were made by the hon. member for Gloucester, that the odds were 100 to 1 that there was nothing in them. I was not at all surprised at the result of the royal commission, or at the attitude taken by the Government. But holding the opinion I do about the hon. member for Gloucester, and knowing him as I do, I find myself in a difficult position when I am asked to cast a vote on the motion before the House. I recognise that the question of expulsion is one which must engage the serious attention

of every hon. member. It is the most severe punishment that can be inflicted by this House as a constituted assembly, and the question arises whether after all it is worth it; whether the individual concerned is worth it, and whether it is worth while hon. members devoting so much attention to this individual as we are devoting to him to-night. Then this phase of the question comes to one's mind as to whether, after all, one's vote on a question of this description might not be misinterpreted if one advocated that the full penalty should be paid by the hon. member whose conduct is under discussion. Personally, I recognise that when we come to the question of expulsion, we are dealing with a serious and delicate matter. The hon. member for Gloucester is no doubt a fit subject for such a motion, although one may find it difficult to subscribe to the principle involved. Personally, I am more disposed to fall into line with the suggestion put forward by the hon. member for Yass, and to temper justice with mercy. If we carry such a resolution as we have already adopted, expressing our opinion of the hon. member for Gloucester, and then by way of penalty suspend him for the rest of the session, we make it apparent to him that he has forfeited the respect of every decent member of this House, and we give him an opportunity for the balance of the Parliament at least of behaving himself in such a way as to make it unnecessary for people to pass remarks about him in the future. After all, that might be the better course to adopt. I do not want to cast any vote which might be construed to be given in a spirit of vindictiveness or which would show small-mindedness or meanness, and for that reason I find it difficult to subscribe to the motion. I do not for one moment suggest that the hon. member for Gloucester does not deserve all he gets. But if everyone deserved all he got in this world, possibly very few hon. members would be here to-night. If this House places on record its opinion of the hon. member for Gloucester in undisguised terms—

An HON. MEMBER: He already knows our opinion!

MR. OSBORNE: The hon. member should know it to-night; presumably he  
[*Mr. Osborne.*]

knew it before. But this motion will be a lesson, and if we suspended the hon. member for the balance of the session and indicated to him the opinion hon. members generally hold regarding him, I think we should be inflicting sufficient penalty to meet the case. If it is not sufficient to meet the case, then let us bear in mind that after all it is better to err on the side of mercy. Because of that, and of the fact that if I felt disposed to register a vote with the Government it might be interpreted as a vindictive vote, and heartily as I endorse the sentiments of the Acting Premier, it appears to me that the case would be better met by the terms of the amendment than by the terms of the original motion. If we suspend the hon. member for the balance of the session, we can trust to the good sense of the electors of Gloucester when the hon. member again seeks their suffrages at the poll, to recognise that he is not, and has not for many years, been a fit person to represent any section of electors in this Assembly.

MR. MUTOCH (Botany) [11.50]: In proposing this question, the Acting Premier has endeavoured to assure members on this side of the House that the motion is a necessary corollary to the one that has been carried. I disagree entirely with the hon. member. Standing order 391, on which this action is being taken, says:

A member adjudged by the House guilty of conduct unworthy of a member of Parliament may be expelled by vote of the House, and his seat shall thereupon be declared vacant.

There is nothing mandatory in the word "may," and I am not going to read an interpretation into the standing order it does not possess. The standing order has been made clear enough to enable the House to adjudge the quality of the punishment that should be inflicted for an offence. All penalties for proved offences must be a question of degree. It is for the House to decide whether the offence of which the hon. member has been adjudged guilty is of sufficient gravity to warrant his expulsion, the last penalty the House can impose on any member.

In giving my vote on this question, I am concerned with the precedent that

this position will establish. I am not prepared to register a vote which in the future may be used as a precedent by which any Government controlling a majority of votes may rid itself of an inconvenient if unreliable critic. I am aware that parliamentary procedure is largely a matter of precedent, and I can foresee the use to which a motion of this character, which is fortunately rare, may be put if carried. I am not going to sit in this House and say that a man who makes wanton and reckless charges ought to be expelled. In my judgment, that penalty, the most extreme penalty the House can impose on anyone, should be reserved for a person who makes use of his position here for personal gain, or for purposes of corruption. I am not prepared to say that the conduct of the hon. member has been sufficiently grave to warrant his expulsion. We should not appropriate to ourselves the right to say to the electors of his constituency that they were wrong in electing him. That question was put to them at the election; and not only at one election, but, as has been pointed out this evening, for the last twenty years. It is twenty-three years since Mr. Price was first elected to the House, and he has sat here continuously except for one break of three years. If the electors are satisfied with a man of his character to represent them, they are the judges, and they deserve all they get. So far as I am concerned, I fancy that the people who have a free choice in the election of their representatives get the Parliament they deserve, and subsequently they get the administration they deserve. And after they get a good dose no doubt they will change their opinion as to whether they were right at the election or not. I believe the conduct of the hon. member for Gloucester in the charges he made against the Minister will be visited against him if he goes before the electors for judgment. And I am prepared to leave it to the judgment of his constituents as to whether he should be sent back or not. I agree with the hon. member for Paddington, who said in effect that if we voted for the expulsion of all members who are guilty of unworthy conduct, there would perhaps be very few of us here to-night.

When I consider some of the statements members have made, both inside the House and out, the wild, wanton, and reckless charges levelled in particular against members on this side of the House in the recent campaign, charges of our having received German gold, which cannot be proven, and which are untrue, I say that the men who made such charges are not justified in sitting in judgment on another man who has made wanton charges. Their offence is just as worthy of censure as his. I would turn to those hon. gentlemen—I look at no one in particular—and say, take the advice that was given on a memorable occasion recorded in Biblical history when Jesus of Nazareth went to the Scribes and Pharisees, and they tried to entrap him, and to persuade others that he would break the law of Moses in regard to the woman taken in adultery. I commend to hon. members the advice given on that occasion, "He that is without sin among you let him first cast a stone." That is my attitude in regard to the motion before the House. I am not here to vote for the expulsion of a member for an offence of this kind. I think the hon. member for Gloucester stands sufficiently condemned already. I do not think that I was elected to this House to exercise the right of depriving a member of a seat in this House unless the country has suffered as a result of some action of his. Who can pretend that the reputation of the Minister for Lands, whose character was impugned by the statements made by the hon. member for Gloucester, has suffered in the least as a result of the charges levelled against him? The finding of the royal commissioner completely exonerates the Minister. As a matter of fact, before the royal commissioner gave his decision not a member of this House worried in the least about the charges that the hon. member for Gloucester had made, and most of us would have been quite prepared to dismiss them as so much hot air—charges which I know from experience in watching the debates of the House for a number of years the hon. member for Gloucester is so prone to make. I am not prepared to cast a vote

to suit the purposes of the National party in order to make a seat vacant for somebody who wants it.

Mr. DEPUTY-SPEAKER: Order!

Mr. MUTCH: The Acting Premier has said that it is not vindicating only the honor of the Minister for Lands but it is also vindicating the honor of Parliament.

Mr. FULLER: I said that was the first object!

Mr. MUTCH: I say that if the honor of Parliament is to be vindicated before the electors, let us have a general election, not a by-election. We have heard in this Parliament charges more wilful and wanton completely disproven, charges that hon. members have not been prepared to attempt to substantiate, passed by without comment—I refer to the charges made by Mr. Wade against Mr. Griffith. In the Commonwealth Parliament we have seen probably the most corrupt incident in the history of the Australian Parliaments—I refer to the Earle-Ready incident.

Mr. J. C. L. FITZPATRICK: I take the point of order that the hon. member is endeavouring to evade the ruling given by Mr. Speaker a little time ago. The question now before the House at present is not whether the hon. member for Gloucester has been adjudged guilty or not of some offence charged against him. The question is, what form of punishment shall be inflicted upon the hon. member for Gloucester, and I submit that the hon. member for Botany should be absolutely confined to a discussion of that aspect of the case. What has been done in the Federal Parliament, or what has been done in the State Parliament in days gone by has no bearing whatever on the subject which is being discussed at the present moment. In view of the fact that the aspect of the case which the hon. member for Botany proposes to discuss has already been discussed on the preceding motion, I ask you to rule that the hon. member must confine himself to the question before the House.

Mr. LOUGHLIN: On the point of order I should like to suggest that the question for us to determine to-night is what amount of punishment we should allot to a certain person. I believe that in

[Mr. Mutch,

coming to a decision it is not a question that can be determined on its own merits; we have to compare it with previous cases.

Mr. DEPUTY-SPEAKER: So long as the hon. member confines himself to a comparison with previous similar cases, I shall permit him to proceed. I recognise that the motion is a very serious one indeed, and I am not disposed to unduly restrict the debate; but the hon. member must remember that this motion is consequential upon the one which has already been carried, and he cannot go into the merits of the case generally. The motion before the House now is that Richard Atkinson Price, Esquire, now sitting in this House as member for the electoral district of Gloucester, be "for the said offence" expelled this House. It is closely connected with the motion that has already been passed; therefore I would ask the hon. member, if he wishes to discuss prior cases, to confine himself to cases which he argues are on all-fours with that now before the House, and not to go into the details of the case to which he has just made reference unless he is prepared to maintain that the facts of that case are similar to those of the case which the House is now considering.

Mr. MUTCH: We are asked to come to a decision as to the penalty to be imposed for the offence which the House has held to have been committed. The hon. member for Gloucester has been adjudged guilty of conduct unworthy of a member of Parliament. In coming to a decision as to what penalty should be imposed, I am considering other cases where men have been guilty of conduct unworthy of a member of Parliament; and I desire to point out that there are some cases well within public knowledge, as well as within the knowledge of hon. members, where the conduct of members has been far more unworthy than has that of the hon. member for Gloucester, and yet no action has been taken by the Parliament concerned.

Mr. BAVIN: Name them!

Mr. MUTCH: I have named them.

Mr. BAVIN: It is impossible!

Mr. MUTCH: I draw the attention of hon. members to the debates of the Federal Parliament of 6th September last, page 1785, in which a charge was made

against the Acting Premier of this State by the hon. member for Melbourne.

Mr. DEPUTY-SPEAKER: The hon. member is obviously out of order.

Mr. MUTCH: It is very nearly time we came to an estimate of values. We should not determine the penalty by a majority in this House, no matter to which party we belong. I hold no brief for the hon. member for Gloucester. He is never likely to be of assistance to me as a new member; he is not likely to be of benefit to the party with which I am connected; and so far as I can see he is never likely to add much to the value of the debates in this House; but that is not for me to decide—it is for his constituents. For twenty out of twenty-three years they have been satisfied with him, and I suggest that to them again shall he go to be judged, now that they have clear evidence of the wanton and reckless charges he has made in this House. They are the people who should give the decision. In my judgment I have no right to expel any man who has been elected to this House unless his conduct represents corruption or it has been shown that he has used his position to the detriment of the country's interest or the benefit of his own.

Mr. FULLER (Wollondilly), Acting Premier and Colonial Secretary [12.6 a.m.]: I would like to direct the attention of hon. members to what happened in the well-known Milburn Creek case. In that instance the House passed resolutions exactly similar to these submitted to-night. In the first place a motion was moved stating that the hon. member whose conduct was in question had been guilty of conduct unworthy of a member of Parliament and seriously reflecting on the honor and dignity of the House. Following upon that, a motion was submitted by Sir Henry Parkes, as follows:—

That Ezekiel Alexander Baker, Esq., now sitting in this House as one of the members for Carcoar, be for the said offence expelled this House.

The motion was in exactly the same terms as the one now before us, and in submitting it Sir Henry Parkes made use of the following words:—

It is absolutely necessary; it is in strict accord with the action of all legislative

bodies with which I am acquainted. Take the two cases in Victoria to which I adverted in the earlier part of the evening. There was a division on the first motion as to whether the person had been guilty of misconduct; but when that was carried by a majority the resolution for expelling the member was carried unanimously, and as far as I can see, in every case in the House of Commons when a motion affirming improper conduct has been agreed to expulsion of the member whose conduct is so condemned follows as a matter of unanimity. I find no case of a division.

That is the position in which we find ourselves here to-night. We have passed a motion in terms exactly similar to those used in the motion to which I first referred in the Milburn Creek case, and we are now considering a second motion which follows as a corollary of the first. Sir Henry Parkes was one of our best constitutional authorities, and he stated clearly that he knew of no cases in which any division had taken place on a motion such as we are now discussing. Once the original motion was passed, the second motion was carried unanimously as a matter of course. When it has been decided by a majority that an hon. member has been guilty of conduct unworthy of a member of Parliament, hon. members, as a matter of course, vote for his expulsion, because a member having been guilty of unworthy conduct is regarded as unfit to sit in Parliament. According to all precedents, hon. members having decided that the hon. member for Gloucester has been guilty of conduct unworthy of a member of Parliament, should vote unanimously for his expulsion.

Mr. O'BRIEN (Annandale) [12.10 a.m.]: This debate has produced some rather extraordinary results and many inconsistencies. I am inclined to accept the view of the Acting Premier that those who voted for the original motion should now support the motion to expel the hon. member. That is the logical outcome of their vote on the original motion. Most hon. members who favour the expulsion have done so by unloading the severest condemnation on the head of this most unfortunate member. I say that he is most unfortunate, because he was heavily handicapped by the fact that there was an almost unanimous prejudice against him before the case was brought before the House at all. I have



not spoken to the hon. member, and I am positive that many other hon. members who are joining in condemnation of him on account of his unpopularity have not spoken to him, and do not know anything about him. I do not know whether that unpopularity is justified, and I do not know whether severe condemnation for his past actions is justified, but I think it would be becoming on the part of those who spoke in support of the original motion to justify their remarks by voting for his expulsion. I am opposed to the motion not because I feel there was any justification for the accusations made against the Minister for Lands. That there was no justification for those accusations is amply demonstrated by the evidence given before the commission and the finding of the royal commissioner himself. But I would point out that a very serious accusation might be made against a Minister, and the hon. member who made that accusation might feel that he was fortified with sufficient evidence to back up his statement, but when the time came for inquiry it might be impossible for him, owing to certain circumstances, to prove that accusation before a commission, although it may have been true. If the House follows the precedent which is being set this evening, in the future it must vote for the expulsion of hon. members similarly situated. It is a most dangerous procedure, and can serve no other purpose than to intimidate members against making accusations that may be true. Members who vote for this motion are recording a vote that must intimidate members who may desire to expose some corruption that may take place. There are many innocent men in gaol to-day, and many guilty ones outside. It does not follow that because a man cannot find sufficient evidence to counteract the influence of a Government which has power to appoint its own commission, the statements he may make are not correct. A man constituted as this man is, is severely handicapped in entering upon an inquiry. If the leader of the Opposition, not in this Parliament alone, but in any Parliament, made a statement against a Minister, the Minister would be fortified by the backing of the Government and the in-

[*Mr. O'Brien.*

stitutions at the disposal of the Government. I do not want it to be understood for one moment that I think there is even a semblance of truth in the allegations made against the Minister for Lands. I have had the greatest respect for Mr. Ashford ever since he became associated with our movement, and I still have, although he is on the other side of the House, but the privileges of future hon. members and of the people must be protected. I feel they are being jeopardised by the action of the Ministry to-night in proposing such a motion as this. If ever circumstances appear to me to be corrupt I shall be prepared to take upon myself, in justice to the people and to the movement I represent, to bring them before the House. If I fail because the charges may not be true, not because I did not believe them to be true, but because the evidence taken since I made the statement shows they were untrue, the House can deal with me as it feels inclined. This man seems to be a most peculiar and unusual type of man, but for aught we know the hon. member whom it is now sought to expel may have been impelled by his conscience to bring the matter before the House in justice to himself and the people he represents. No one knows the impelling influence behind that individual. No one knows to what extent he is deserving of this severe condemnation. He may have felt he was doing what was right in the interests of the country. If so, he is worthy of admiration rather than condemnation. I repeat it is the duty of every member who has any regard for the fair name and reputation of the House, and who wishes to preserve the rights and privileges of future members, to vote this motion down. Furthermore, it ill becomes a Ministry constituted as this Ministry is, which has not set a clean or good moral example—

MR. SPEAKER: Order! The hon. member cannot discuss the actions of the Ministry.

MR. O'BRIEN: I was only going to refer to a statement they made about individuals on this side of the House, and the part they took in the election. I have said all I think is of any importance on this issue. I regret that some hon. members have sought to

put their heel on the neck of the hon. member for Gloucester whilst at the same time they state they will not vote against him. That is reducing debate and parliamentary procedure to an absurdity. Hon. members are either for the motion or against it, otherwise they have no right to be in the Chamber, or at any rate to make any remarks on the motion or record a vote. I regret the fact that the attitude taken up by some hon. members on the previous motion may make their vote on this motion appear illogical. I hope that not only those hon. members, but even the Ministry and members sitting behind the Government will vote the motion down, with the view of saving the honor of the House. I believe that by doing that they will create greater respect for this institution on the part of those outside the House than it is held in at the present time.

Mr. COCHRAN (Darling Harbour) [12.22 a.m.]: We have had very many novel experiences in this House, and very many resolutions of a diverse character have been brought forward, but to-night we have been confronted with a resolution which means the political assassination of one of our own members. We are going to declare him to be a political alien, with whom we refuse any longer to be associated. It means that his useful parliamentary career is to be crowned with the coping stone of infamy and degradation. After more than a score of years in this Parliament, the hon. member for Gloucester is to suffer through the fearlessness of his disposition and his courage in carrying out his parliamentary duties, which is not exemplified in very many instances. After his long years in this House, his wide experience, and his great ability, which is universally recognised, I am not going to be a party to declaring that the hon. member for Gloucester is no longer fit to be a member of this House. It has been said that the hon. member for Gloucester is a man of strange mental attributes.

Mr. SPEAKER: Order! The hon. member cannot discuss the attributes of the hon. member for Gloucester.

Mr. COCHRAN: Surely I can refer to the reasons that are alleged to have

been the cause of evoking the announcement which provoked the displeasure of the Minister for Lands. The hon. member for Gloucester is a gentleman who evokes the prejudice of his fellow-members. At the last election he was attached to no party. He stood as an independent member.

Mr. SPEAKER: Order! The hon. member cannot discuss that on this motion.

Mr. COCHRAN: Before I would be any party to giving a vote to send the hon. member for Gloucester about his business, it would have to be proven to me conclusively that all the canons of political propriety had been outraged by him. I do not subscribe to any statement of that kind. The reasons for this resolution are that a judge has found the hon. member for Gloucester guilty of having wantonly, recklessly, and regardless of political etiquette, made attacks on the Minister for Lands. On the occasion when the hon. member for Gloucester endeavoured to conduct his case he was not equipped with any assistance from learned counsel at the bar. On the other hand, he was confronted with legal luminaries who one day will argue one thing and the next day something quite different. We must remember that the royal commissioner, for whom we have the highest respect, has been recruited from the ranks of practising barristers.

Mr. SPEAKER: Order! The hon. member must not discuss the royal commissioner on this motion.

Mr. COCHRAN: I will not refer to the royal commissioner, but to the fact that the judges on our District Court bench—

Mr. SPEAKER: Nor can the hon. member refer to that on this motion.

Mr. COCHRAN: Any hon. member who realises the responsibilities that devolve upon him should remember that any one of us might be in the same position as the hon. member for Gloucester. It was only a little while ago that I got "emptied out" until the end of the session for some very trifling offence. The position in which the hon. member for Gloucester finds himself to-night may be the position that any other hon. member may find himself in next week. We know that politics, like fate, will use a running noose for the best man and the

worst. With my knowledge of the hon. member for Gloucester during his career in this House, I have no reason to feel any prejudice against him, nor have any other hon. members. Mr. Price, so far as I know, has always been active in carrying out the duties attached to the high position he occupies. I have always admired the great ability he has brought to bear upon questions of procedure in the House of Commons; his knowledge in that regard was nearly equal to that possessed by your distinguished predecessor, Mr. Willis. I have also admired Mr. Price for his knowledge of constitutional government; and I am quite certain that if he were here to-night he would fill the breach with cheerful readiness to come to the rescue of any hon. member whose position and career were about to be wrecked by an infamous motion of this kind.

MR. SPEAKER: Order! The hon. member knows it is quite disorderly to refer to a motion moved by a Government as an infamous motion. I must ask him to withdraw that epithet.

MR. COCHRAN: I have much pleasure in withdrawing it. With regard to Mr. Price, it is a sad commentary on public life that there is not that camaraderie, that feeling of good fellowship existing in the House that makes no divisional line between hon. members on one side and those opposite.

The charges made by Mr. Price against the Minister have done no harm. In fact, it is a pity that more charges of this kind are not levelled at Ministers, in order to afford them and their supporters an opportunity of pointing out to the public the high positions they occupy in the minds of their fellow-members. It has been said—I do not know where the justification comes in for it—that the Minister has so distinguished himself in the performance of his public duties that he has won the encomiums of every hon. member in this House. I do not know whether he has or has not. Mr. Price said he had not, although I do not subscribe to all Mr. Price's allegations. He is going to be expelled for them, and I consider the resolution will rob us of that fearlessness—that courageous disposition, that every

[*Mr. Cochran.*

hon. member should possess at all times when fighting on behalf of the people who sent him here. There is not enough of that feeling of independence in this House to-day. We consist of two parties; the independent man is immediately ostracised, and his chances of recovering his seat at the polls are infinitesimal. I will be no party to a proposal such as that before us.

MR. LOUGHLIN (Burrangong) [12.30 a.m.]: I intend to support the amendment because I think the punishment therein provided for will be quite sufficient to meet the case. I am not saying this because I am oblivious to the seriousness of the charges made by the hon. member for Gloucester, but we have to remember that charges associated with politics are generally regarded in a light different from that in which they are viewed in other cases. In libel cases, for example, a very clear distinction is always drawn, and there seems to be some good reason for it. After all, our political life is on a different plane from our social life, and when we come to speak of political affairs we are liable to lapse into hyperbole and to make exaggerated statements which are accepted by the public as such. I am disposed to think that in this case Mr. Price made his statements in the way I have described. I have had only five or six months' experience of political life, but I have already found that political life is not to be sustained by bread alone. One requires the assistance of a little limelight, and probably Mr. Price was after a little limelight.

MR. HARRY MORTON: He has got it!

MR. LOUGHLIN: Yes, but he has got the wrong hue. I think there is too much reckless criticism of Ministers and politicians generally. I do not say that I have not been guilty myself, and perhaps if hon. members were prepared to be frank they would confess that they had all of them transgressed more or less. In regard to the opinion of Sir Henry Parkes, which has been quoted by the Acting Premier as to what should follow upon the motion which we first dealt with, I would point out, with all due respect to Sir Henry Parkes, that there is no reason why he should be regarded as

a reliable authority in a matter of this kind to-day. The standing order puts the constitutional provision clearly, and sets out that we "may" expel a member. I would remind hon. members that so far as Sir Henry Parkes may have been regarded as an authority on punishments, he made his statement twenty-five years ago, and our ideas regarding punishments are constantly changing. We are twenty-five years in advance of the ideas that were prevalent when Sir Henry Parkes spoke in the terms which have been quoted, and therefore I think we may very well set his opinion on one side. I think the punishment proposed in the amendment of the hon. member for Yass would be quite ample. The imposition of capital punishment such as that proposed in the motion of the Acting Premier might be reserved for Judas Iscariots, and should not be imposed on a man for using exaggerated language. The Acting Premier might well consider the position and not pursue a course which people will regard as showing vindictiveness.

Question—That the words proposed to be struck out (Mr. J. J. G. McGirr's amendment) stand part of the question—put. The House divided:

Ayes, 34; noes, 22; majority, 12.

**AYES.**

Abbott, M.	Millard, W.
Ball, R. T.	Morton, Harry
Beeby, G. S.	Morton, Mark F.
Briner, G. S.	Nesbitt, G.
Bruntnell, A.	Nicholson, Lt.-Col.
Cocks, A. A. C.	Oakes, C. W.
Doe, B. J.	Perry, J.
Fallick, J.	Robson, W. E. V.
Fitzpatrick, J. C. L.	Storey, D.
Fuller, G. W.	Thomas, F. J.
Graff, A.	Walker, R. B.
Grahame, W. C.	Wearne, W. E.
Hall, D. R.	Weaver, R. W. D.
Hoskins, T. J.	Zuill, W. A.
Lane, H. W.	
Latimer, W. F.	<i>Tellers,</i>
Ley, T. J.	Bavin, T. R.
McGarry, P.	Colquhoun, P. B.

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**NOES.**

Brookfield, P.	McGirr, J. J. G.
Buckley, A. W.	Miller, G. T. C.
Burke, F. M.	O'Brien, W. J.
Burke, M.	Quirk, J. P.
Bushell, C. H.	Smith, T. J.
Cochran, J. P.	Storey, J.
Davies, W.	Stuart-Robertson,
Doyle, J. W.	R. J.
Johnston, V. C. R. W.	Wright, J.
Kearsley, W.	<i>Tellers,</i>
Keegan, T.	Hickey, Simon
Loughlin, P. F.	Mutch, T. D.

Question so resolved in the affirmative.

Question—That the original motion be agreed to—put. The House divided:

Ayes, 35; noes, 20; majority, 15.

**AYES.**

Abbott, M.	McGirr, J. J. G.
Ball, R. T.	Millard, W.
Bavin, T. R.	Morton, Harry
Beeby, G. S.	Morton, Mark F.
Briner, G. S.	Nesbitt, G.
Bruntnell, A.	Nicholson, Lt.-Col.
Cocks, A. A. C.	Oakes, C. W.
Colquhoun, P. B.	Perry, J.
Fallick, J.	Robson, W. E. V.
Fitzpatrick, J. C. L.	Storey, D.
Fuller, G. W.	Thomas, F. J.
Graff, A.	Walker, R. B.
Grahame, W. C.	Wearne, W. E.
Hall, D. R.	Wearer, R. W. D.
Hoskins, T. J.	Zuill, W. A.
Lane, H. W.	<i>Tellers,</i>
Latimer, W. F.	Doe, B. J.
McGarry, P.	Ley, T. J.

**NOES.**

Brookfield, P.	Mutch, T. D.
Buckley, A. W.	O'Brien, W. J.
Burke, F. M.	Quirk, J. P.
Burke, M.	Smith, T. J.
Bushell, C. H.	Storey, J.
Cochran, J. P.	Stuart-Robertson,
Hickey, Simon	R. J.
Kearsley, W.	Wright, J.
Keegan, T.	<i>Tellers,</i>
Loughlin, P. F.	Davies, W.
Miller, G. T. C.	Doyle, J. W.

Question so resolved in the affirmative.

Motion (by Mr. FULLER) proposed:

That the seat of Richard Atkinson Price, Esquire, member for the electoral district of Gloucester, hath become, and is now vacant, by reason of his expulsion from this House.

Question put. The House divided:

Ayes, 34; noes, 17; majority, 17.

**AYES.**

Abbott, M.	McGarry, P.
Ball, R. T.	McGirr, J. J. G.
Bavin, T. R.	Millard, W.
Briner, G. S.	Morton, Harry
Bruntnell, A.	Morton, Mark F.
Cocks, A. A. C.	Nesbitt, G.
Colquhoun, P. B.	Nicholson, Lt.-Col.
Doe, B. J.	Oakes, C. W.
Fallick, J.	Perry, J.
Fitzpatrick, J. C. L.	Robson, W. E. V.
Fuller, G. W.	Storey, D.
Graff, A.	Thomas, F. J.
Grahame, W. C.	Wearne, W. E.
Hall, D. R.	Zuill, W. A.
Hoskins, T. J.	
Lane, H. W.	<i>Tellers,</i>
Latimer, W. F.	Walker, R. B.
Ley, T. J.	Weaver, R. W. D.

**NOES.**

Buckley, A. W.	Quirk, J. P.
Burke, M.	Smith, T. J.
Cochran, J. P.	Storey, J.
Davies, W.	Stuart-Robertson,
Doyle, J. W.	R. J.
Kearsley, W.	Wright, J.
Keegan, T.	
Loughlin, P. F.	<i>Tellers,</i>
Mutch, T. D.	Brookfield, P.
O'Brien, W. J.	Burke, F. M.

Question so resolved in the affirmative.

**BEGA AND WILBERFORCE LABOUR SETTLEMENTS BILL.**

Bill read a third time.

**WATER AND SEWERAGE RATING BILL.**

*In Committee:*

Mr. BALL (Corowa), Secretary for Public Works [12.56 a.m.], moved:

That it is expedient to bring in a bill to authorise the Metropolitan Board of Water Supply and Sewerage and the Hunter District Water Supply and Sewerage Board to levy rates on the unimproved value of ratable lands; to provide for catchment areas; to amend the Metropolitan Water and Sewerage Acts, 1880-1916, the Hunter District Water and Sewerage Acts, 1892-1906, and the Valuation of Land Act, 1916; and for purposes consequent thereon or incidental thereto.

He said: Briefly, this bill is to give extended powers to the Metropolitan Board of Water Supply and Sewerage and the Hunter District Water Supply and Sewerage Board to levy rates upon the unimproved value of land, and also to

amend the limits of the catchment area for the Sydney water supply. A bill was passed without division by this House in the latter part of last year, and was sent on to the other Chamber, but did not get through there. We are anxious now to have this bill sent to the Council. Hon. members will have an opportunity of discussing it on the second reading.

Mr. J. STOREY: What explanation has the Minister to give of the expediency of introducing the bill?

Mr. BALL: It is to make provision for leaving it optional to the Water and Sewerage Boards to levy rates upon the unimproved value of land. The hon. member knows perfectly well the contents of this measure, because he discussed it and approved of it when it was passed without division by this House on a former occasion. I am just introducing it now, leaving its discussion to the second reading.

Question proposed.

Mr. J. STOREY (Balmain) [12.58 a.m.]: I do not wish to take up time unnecessarily, but this bill is of so controversial a nature, and of such importance, that I think we should be justified in discussing it at some considerable length. The hon. member now brings forward a proposition of a controversial nature at 1 o'clock in the morning. If it were one of those simple measures which have already been dealt with during the session one could understand it, but it is not. The Minister tells us that a similar measure was passed by this House last session, but apparently the Legislative Council regarded our decision as wrong.

Mr. J. C. L. FITZPATRICK: No; the bill was dropped because of the close of the session!

Mr. J. STOREY: Apparently it will be hung up for a similar reason this time. However, on the understanding that we shall not be asked to transact any further business to-night, I will say no more.

Question resolved in the affirmative.

Resolution reported and agreed to.

Bill presented and read a first time.

House adjourned at 1.5 a.m.  
(Thursday).