

Mr. McCALLUM: I suppose the Solicitor General is right but I do not like it.

Mr. MUNSIE: The opening part of the clause is the one which I think gives power to the Government to charge the rate of interest, and it is under that part of the clause that the alteration in the rate may be brought about.

The Premier: I assure you, you are wrong.

Mr. MUNSIE: I do not dispute the intention of the Premier but he may not always be there. Under the Act as it stands now, the rate of interest is fixed at 5 per cent., but in the clause it says, "notwithstanding anything contained in this Act to the contrary," the Government may prescribe the rate of interest, and so on. There is nothing to prevent the Government from prescribing the rate of interest on the present lease at 7 per cent.

Mr. Piesse: But that applies to future business.

Mr. MUNSIE: If words to that effect were added, the position would be quite clear. It is said that the proposed amendment cannot override a mortgage, but I do not know what is the exact position. Then again, money is advanced at 5 per cent. and is repaid to the Workers' Homes Board. It is quite possible that the Government, when they receive back money which they borrowed at 5 per cent., will lend that money out again at 7 per cent., and thus become moneylenders.

Hon. W. C. Angwin: I would not blame them for doing that.

Mr. MUNSIE: It is not part of the functions of the Government to act as moneylenders.

The Premier: We would not get enough back to do that.

Hon. W. C. Angwin: That is what they have been doing regarding the farmers for some time.

Mr. MUNSIE: The member for Williams-Narrogin drew attention to a similar position in connection with the Industries Assistance Board and I supported him in his protest. I do not think it was fair to the farmers to secure repayments of money originally borrowed at 5 per cent. and again lend it to farmers at 7 per cent.

Hon. W. C. ANGWIN: I move an amendment—

That in line 4, after "advance," the words "made after the passing of the amending Act, 1921," be inserted.

There is a possibility that, notwithstanding anything contained in this part of the measure, some person, finding himself compelled by unfortunate circumstances to transfer his home to some other person, will not be able to transfer it on exactly the same conditions as he holds it. The Government might demand an increase of 2 per cent. in the rate of interest, and thus the person might become a considerable loser. I am unable to agree with the member for Hannans in his suggestion, which would put a stop to the erection of workers' homes.

The Premier: It is quite unnecessary to add the words.

Hon. W. C. ANGWIN: Their addition will make the clause perfectly clear.

The PREMIER: As I have already told the Committee, the mortgages are fixed things. If a mortgaged property is transferred to another person, the transfer is subject to the existing mortgage, the terms of which cannot be altered.

Hon. W. C. Angwin: By legal enactment anything can be altered.

The PREMIER: I do not mind the words going in, but I do not wish the Committee to believe that the measure interferes with the rate of interest payable on any existing advance.

Mr. Munsie: The clause is badly worded; that is all.

The PREMIER: I will not oppose the amendment, though it is quite unnecessary.

Amendment put and passed; the clause, as amended, agreed to.

New clause:

Mr. MacCallum SMITH: I move—

That the following be inserted to stand as Clause 6:—"23a. Any lessee under this part of the Act who has, under Section 18, received a certificate of purchase of the dwelling-house, shall be entitled, on the surrender of his lease to the Crown and on payment of the capital unimproved value of the land as appraised for the time being, to obtain from the Crown a grant of the land for an estate in fee simple."

The CHAIRMAN: Before the hon. member proceeds any further, I desire to point out to him that the proposed new clause is outside the scope of the Bill and outside the Title of the Bill. I rule the proposed new clause out of order.

Title—agreed to.

Bill reported with amendments.

House adjourned at 10-57 p.m.

Legislative Assembly,

Friday, 9th December, 1921.

	Page
Questions: Railways, coal supplies ...	2271
Hospital for Insane, condition of patients ...	2271
Kalgoorlie Soldiers' Institute, meals ...	2271
Wheat 1, Stevedoring; 2, Appointment of London agent ...	2271
Maimed Soldiers, privileges ...	2271
Aliens, Registration ...	2271
Bills: Commonwealth Powers (Air Navigation), 1R.	2272
Road Closure, 1R.	2272
Permanent Reserves, 1R.	2272
Agricultural Bank Act Amendment, 1R.	2272
Industries Assistance Act Amendment, 1R.	2272
Traffic Act Amendment, 1R.	2272
Workers' Homes Act Amendment, report ...	2272
Land Agents, Com.	2272
Closer Settlement, Message, Com.	2277-88
Inspection of Machinery, Council's Amend-ments ...	2278
Auctioneers, Council's Amendments ...	2299

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

QUESTION—RAILWAYS, COAL SUPPLIES.

Mr. LUTY (for Mr. Wilson), asked the Premier : 1, What was the price of Newcastle large coal in trucks at Fremantle wharf to the Railway Department? 2, What was the price of Collie large coal in trucks at Collie to the Railway Department? 3, What was the equitable price of Collie coal in relation to Newcastle coal on the basis laid down by the late Chief Mechanical Engineer (Mr. Hume) and the Woolnough Commission (separately) on all coal used on the railways other than the northern portion?

The PREMIER replied: 1, 43s. 2, 19s. 3, The conditions of the present day are so different from those operating at the times referred to that the basis of calculations then used are not now applicable.

QUESTION—HOSPITAL FOR INSANE, CONDITION OF PATIENTS.

Mr. JOHNSTON asked the Colonial Secretary: 1, Is the Government aware that a member of the Royal Commission on Lunacy (Hon. W. C. Angwin) is reported in the "West Australian" of 2nd December to have said, "that the Commission had examined from 15 to 20 persons at the asylum on the previous day. Out of that number he had no hesitation in saying that only about two would warrant further consideration from the view-point of sanity?" 2, Do the Inspector General and the Board of Visitors assert that these two patients are insane? 3, Are the Inspector General and the Board of Visitors infallible? 4, If not, in view of the vital importance of the issue to the patients concerned, what steps do the Government intend to take to have the sanity of these persons determined?

The COLONIAL SECRETARY replied: 1, 2, 3, and 4, The Government do not propose to take any action on proceedings before the Royal Commission until the report of the Commission has been received.

QUESTION—KALGOORLIE SOLDIERS' INSTITUTE, MEALS.

Mr. MUNSIE asked the Premier: Relative to the amount of £300, shown in the Auditor General's report as paid to the Kalgoorlie Soldiers' Institute for meals supplied to special constables, for which no details are given, was this payment for meals prepared and served in the institute named, or does it represent the estimated value of meals supplied from other sources?

The PREMIER replied: This represents meals supplied at the Kalgoorlie Soldiers' Institute.

QUESTIONS (2)—WHEAT.

Stevedoring.

Mr. MacCallum SMITH asked the Minister for Agriculture: 1, Has any tender been accepted for the stevedoring of the coming season's wheat? 2, If so, what firm has secured the contract? 3, What is the price to be paid?

The MINISTER FOR AGRICULTURE replied: 1, No. 2 and 3, Answered by No. 1.

Appointment of London Agent.

Mr. MacCallum SMITH asked the Minister for Agriculture: 1, In view of his statement that wheat had already been sold by the Government agent in London, who has been appointed such agent? 2, What are the terms and conditions of the appointment?

The MINISTER FOR AGRICULTURE replied: 1, Geo. Wills & Coy. 2, Sole selling agency for Western Australia of the 1921-22 harvest for United Kingdom and Continent; selling commission 13/32 per cent. of 1 per cent. on London value c.i.f., etc.

QUESTION—MAIMED SOLDIERS, PRIVILEGES.

Mr. MUNSIE (for Mr. Corboy) asked the Premier: 1, Will the Government continue the travelling privileges granted to maimed and limbers soldiers for a further twelve months? 2, Will the Government consider the advisability of granting such privileges permanently to those permanently maimed and make an announcement of the decision arrived at?

The PREMIER replied: 1, These passes are being renewed for a time, pending further consideration. 2, This is a Federal responsibility. The Government, however, have the matter under consideration.

QUESTION—ALIENS REGISTRATION.

Mr. PICKERING asked the Premier: 1, Who is responsible for the registration of aliens? 2, Are these duties being effectively carried out? 3, Is there any difficulty between the States and Commonwealth Governments in this connection? If so, what is the nature of this difficulty?

The PREMIER replied: 1, The Commonwealth Government. 2, I am not in a position to say. 3, There is no difficulty. A request was made to the Commonwealth Government for payment for the services rendered by the Police Department, but as it was not entertained, the work, which had been performed by that department on behalf of the Commonwealth authorities, ceased.

BILLS (6).—FIRST READING.

- 1, Commonwealth Powers (Air Navigation).
- 2, Road Closure.
- 3, Permanent Reserves.
- 4, Agricultural Bank Act Amendment.
- 5, Industries Assistance Act Continuance. Introduced by the Premier.
- 6, Traffic Act Amendment. Introduced by the Minister for Works.

BILL—WORKERS' HOMES ACT
AMENDMENT.

Report of Committee adopted.

BILL—LAND AGENTS.

In Committee.

Resumed from 13th September; Mr. Stubbs in the Chair, the Premier in charge of the Bill.

New clause—Apportionment of rates, taxes, and outgoings.

Mr. SAMPSON: I move an amendment—

That the following new clause be added to stand as Clause 15:—"Whenever on the sale of land or any interest therein, a land agent receives payment of the purchase money on behalf of the vendor, it shall be such agent's duty to the purchaser to ascertain that all rates, taxes, and outgoings then payable, which are by statute a charge on the land, and which, as between the vendor and the purchaser, are payable by the vendor, are paid by him, and that all such rates, taxes, and outgoings then accruing are duly apportioned between the vendor and purchaser.

There is no need to say much regarding the clause, which will appeal to the Committee. It often happens that land is sold and the new owner finds that rates and taxes are owing on the property which he was under the impression had been paid.

Hon. W. C. ANGWIN: The onus of discovering whether the rates and taxes have been paid should be on the purchaser. It might be some time before the full purchase money is paid to the agent, who, in the first instance, probably would receive only a deposit. Before the agent can pay the taxes he has to learn from the department what is owing, and in the meantime the sale might be off. I could not understand any purchaser buying land without first assuring himself that the rates and taxes had been paid.

Mr. SAMPSON: I thought the intention of the proposed new clause was quite clear. I am sure the hon. member must have had many instances of people buying land and afterwards discovering that rates and taxes were due on that land.

Hon. W. C. Angwin: Never yet.

Mr. SAMPSON: Well, it frequently happens. All that is provided in the proposed new clause is that the agent, on receiving payment of the purchase money, shall do certain things.

The CHAIRMAN: You do not provide any penalty.

Mr. SAMPSON: I understand there is a penalty for any and all breaches of the provisions in the Bill.

The Premier: It is easy enough, by the production of the receipts, to satisfy the purchaser that the rates and taxes have been paid.

Capt. CARTER: There is in operation in every land agent's office machinery for handling the whole of the conveyancing of any title. That machinery should include protection for the purchaser. I have seen several cases in which land tax has been owing for years and, in consequence, the purchaser of the block has found too late that he has been unfairly treated in this regard. It should be made necessary for the agent to protect both parties. The purchaser's protection is provided in the proposed new clause, which is a good one.

Hon. W. C. ANGWIN: The arguments in favour of the proposed new clause might apply if we had not the Bill, which renders this provision unnecessary. Under the Bill the agent who sells land and does not give the purchaser all information in regard to it is liable to have his license cancelled.

Mr. Angelo: That would not be much satisfaction to the purchaser.

Mr. Sampson: That is not expressed in the Bill as clearly as it should be.

Hon. W. C. ANGWIN: When the land agent applies for a renewal of his license, an opportunity is afforded for objecting to the application. If, as a purchaser of land I suffered through the neglect of the agent, I would certainly oppose his application for a renewal of his license. However, I will not object to the proposed new clause if, as is suggested, the land agents have been so neglectful of their obvious duties as to render this new safeguard necessary.

Mr. MONEY: I was astonished to hear the member for Leederville (Capt. Carter) say that every land agent's office had its machinery for completing the conveyancing part of the business.

Capt. Carter: What has that to do with the proposed new clause? Are you wasting time, or what?

Mr. MONEY: From that interjection I begin to think there is more in this than appears on the surface.

Capt. Carter: Turn up "Hansard," and you will find that all this has been gone into previously.

Mr. MONEY: The Committee is entitled to know whether the land agents are confining their attention to their own legitimate work, or going beyond their proper functions. Had all the legal work of conveyancing been attended to by legal

practitioners, very much less trouble would have arisen, for land would not have been sold without a proper title. It is up to the hon. member to give us more information as to this conveyancing done by land agents.

Capt. CARTER: I will give you the information outside.

Mr. MONEY: Who is it requires this amendment? Who requires the Bill?

Mr. UNDERWOOD: The land agents.

Mr. MONEY: Apparently they carry out, not only their own work, but other work as well.

Hon. W. C. Angwin: And now they are seeking legislation which will compel them to do that.

Mr. MONEY: When it comes to the paying of the balance of the purchase money, the business should leave the hands of the land agents. The title is not complete until it is known that the encumbrances have been cleared. Of course, Jones or Robertson can do his own work if he likes; but if he employs a layman to do his legal work, that layman is not entitled to charge anything for it. I cannot understand a land agent keeping a special department for conveyancing work unless he is being paid for that work.

Capt. CARTER: On a point of order: We are considering the payment of rates and taxes. I claim that the hon. member is not dealing with that.

The CHAIRMAN: The member for Bunbury (Mr. Money) is in order.

Mr. MONEY: I am referring to this, because the member for Leederville (Capt. Carter) told the Committee that a conveyancing department was maintained in every land agent's office. Ostensibly the Bill is to protect the public; if we are to give protection to the land agents, it would be as well to have a provision that those agents confine their attention to the work they are legally entitled to do.

Mr. UNDERWOOD: I oppose the proposed new clause, which would be quite out of place in this Bill. We have laws dealing with the transfer of land and the payment of rates, but this Bill is merely designed to register land agents who wish to put up a guarantee for their honesty. We should not legislate in this serious manner with regard to them. If the new clause is passed, it may lead to titles being disputed. We are not giving any legislative guarantee that the work of land agents in connection with the transfer of land will be reliable, and consequently it would be unwise to pass a clause setting out what they should do. The land agent merely brings the seller and buyer together, and they have to look after themselves. To enact that a land agent must do these things will be incurring a risk which we should not undertake.

Hon. T. WALKER: I agree with the member for Pilbara. In a Bill to license land agents, we should not delegate to them work which rightly belongs to the legal profession. Some land agents keep trained men to ex-

amine titles, but some agents are not aware of the risks of the buyer. I have known of cases of disaster resulting from ignorance. I have no objection to licensing land agents as a guarantee of good character, but the real work of the land agent is to bring buyer and seller together. The assurance of a good title is a technical matter, and in no sense is it a branch of land agency.

Mr. Sampson: The new clause will not affect the validity of the title. It deals with money owing in the form of rates and taxes.

Hon. T. WALKER: But it will place on land agents a duty or responsibility which rightly does not come within the scope of the Bill as introduced. An adjustment should be made on settlement when everything in connection with the title is taken into consideration, but this work should not be delegated to the land agent. Conveyancing is legal work, and it is owing to the laxity of the Barristers' Board that it has drifted into the hands of land agents, who should merely act as the go-between of buyer and seller.

Mr. Sampson: In some cases the agent finalises the sale by putting the transfer through the Titles Office without any additional expense to the purchaser.

Hon. T. WALKER: Perhaps so, but land agents keep for this work skilled clerks, some of whom have had experience in legal offices, and they cannot do it for nothing. We should not authorise such laxity by a clause in this Bill.

The Premier: It will not authorise it.

Hon. T. WALKER: It will go a long way towards doing so.

Mr. Mann: The land agents are not asking for this.

Mr. Sampson: Why should they?

Hon. T. WALKER: It would be unwise to provide for this delegation of responsibility for which they have not asked.

Mr. Sampson: But it is a protection which should be given to the purchaser.

Hon. T. WALKER: The purchaser could make sure of getting protection by going to the proper quarter instead of entrusting the work to a layman.

Mr. Sampson: That would add to the expense.

Hon. T. WALKER: The expense would pay the buyer, because he would know that his interests were properly protected. It is wiser to pay a trained man to do the work than to risk running into danger.

Hon. W. C. Angwin: The agents charge as much as solicitors.

Hon. T. WALKER: They must if they keep a staff. This work should not be delegated to an agent merely on the score of respectability of character. It is an innovation which we should not countenance.

Mr. PICKERING: A great deal of fuss is being made by the legal fraternity about this new clause. The clause merely makes the land agent responsible for seeing that all the rates, taxes and outgoings are paid. This is a very simple duty and one which

should rest upon the agents. A seller should be prepared to state the true position, and it should be the business of the land agent to make himself familiar with it.

Hon. T. Walker: The gravamen of this is that when the agent receives payment of the purchase money he shall do these things.

Mr. PICKERING: Is not it the province of the land agent to receive the purchase money?

Hon. T. Walker: That is the completion of the transaction.

Mr. PICKERING: Only when the agent does receive it would this new clause apply. People who purchase land do not understand these technicalities and, unless the agent is strictly honourable, they are likely to be let in. The duties sought to be imposed on land agents are not difficult. I support the proposed new clause.

Mr. MANN: I am surprised that a professional man like the member for Sussex should support the new clause. If it is necessary to have a highly skilled person to deal with the technicalities of building, as was contended when the Architects Bill was under discussion, it is just as necessary to have a qualified person to deal with the technicalities of land transfers. The small fee involved in consulting a solicitor should not be made the reason for leaving the duty to a land agent, who may not properly carry it out. I oppose the proposed new clause.

Mr. JOHNSTON: Most reputable firms of land agents operating in this State carry out these duties at the present time.

Hon. T. Walker: They have trained clerks to do it.

Mr. JOHNSTON: The new clause will merely enact duties which probably nine-tenths of the land agents perform in connection with small transactions. I support the new clause as it will be a protection to the purchaser. Irrespective of whether the clause is passed, I believe land agents will continue to do this work.

Hon. T. Walker: It is a great encroachment upon the legal profession.

Mr. JOHNSTON: It is done now and should be permitted to continue.

The PREMIER: I do not see that the clause affects the question of the preparation of transfers or conveyancing work.

Hon. T. Walker: They do everything; lodge the transfer, draw the transfer, etc.

The PREMIER: Does the clause authorise the preparation of transfers?

Hon. T. Walker: It goes a long way towards it.

The PREMIER: It does not authorise the doing of legal work by unprofessional men.

Mr. Money: It recognises that it is being done.

The PREMIER: This Bill was only intended to deal with the legitimate work of land agents.

Hon. T. Walker: This is taking work from the lawyers and giving it to the land agents.

The PREMIER: The Bill does not propose to authorise any land agent to do legal work. At the same time, I do not think that the lawyers must claim that every man who buys a block of land must go to them. On the other hand, the land agent cannot do legal work and charge for it.

Mr. Sampson: They do not charge for it.

The PREMIER: The clause seems to be a harmless one, and will make the land agent responsible for clearing up the question of the payment of rates. All he would have to do would be to request the vendor to produce the necessary receipts.

Hon. T. Walker: It means he will be entitled to accept all the purchase money.

The PREMIER: If it does mean all that hon. members say, I hope the clause will not be pressed, for we ought not to pass it.

Mr. MONEY: Without doing legal work the land agent cannot comply with this clause.

Mr. Sampson: A fourth standard boy could do all that is required.

Mr. MONEY: Experience has shown the necessity for having these matters dealt with by people who understand them. If we adopt this principle, we shall have more Gosnell's estate episodes. There may be all kinds of encumbrances to a title which may be embraced under the word "outgoing," and the question can only be thoroughly gone into by a professional man.

Mr. Sampson: Could not the agent make a search?

Mr. MONEY: If he can afford to do all this extra work for nothing, one is forced to the conclusion that the fees provided under the Bill are altogether too heavy.

Hon. W. C. Angwin: You get a transfer through, and see if you do not have to pay.

Hon. T. Walker: It is an evasion of the law. The agents do charge.

Capt. Carter: Do you know that they charge?

Mr. MONEY: I do not say they do, but if they can afford to have a special department to do this kind of work, their commissions must be on too high a basis.

Mr. Sampson: They are prescribed by the Chamber of Commerce.

Mr. MONEY: The scale must be too high. If the clause is carried, I shall feel inclined to test the feeling of the Committee as to whether land agents shall do work which we never anticipated would come within their operations as outlined in this Bill.

Capt. CARTER: This clause is not sought after by the land agents, and is proposed by a private member. In every decent land agent's office the matter of apportionment of rates and taxes is fixed up in the ordinary course. The member for Bunbury cannot have any objection to the purchaser of a property taking upon himself the stupendous task of paying 2s. over the counter and citing the title for himself. Does he want to compel the purchaser to pay legal expenses to

do this? There are some transactions which a land agent would not dream of undertaking, and he would advise a client to go to a legal man. The object of the land agents is to cut out dishonest business men, and to ensure that every transaction is a clean one.

Mr. Mann: Might this not force the land agent to do something he may not be able to do?

Capt. CARTER: Not at all.

Mr. ANGELO: This debate brings to my mind—

The Premier: I hope it will not bring too much to your mind.

Mr. ANGELO: —a case which has a great bearing on this question. Some time ago a station property was sold through a land agent. In this case solicitors were engaged to prepare the necessary transfer documents. The transfer was registered and the property duly handed to the purchaser. The previous owner left our shores with the money. In the meantime the land agent had been paid a very considerable commission on the sale. Two or three months later it was found that some hundreds of pounds were due on the property for rabbit tax.

Capt. Carter: Who handled the business—the land agent, or the lawyer?

Mr. ANGELO: Both; and neither of them knew anything about the rabbit tax. The solicitor refused to pay that tax, claiming that he had only been paid fees to complete the transfer; the land agent contended that the rabbit tax was not his liability either. Eventually the poor purchaser had to meet the liability himself. I want to see somebody made responsible in a case of that kind. I do not think the solicitor should be made liable, since he is merely paid fees for the legal work he does.

Hon. T. Walker: He is liable.

Mr. ANGELO: I want to see the land agent, who receives a high commission, made liable.

Mr. McCALLUM: This discussion brings to my mind a great number of happenings within my personal experience. I can picture the stand which the member for Swan would take up if a trade union came along here with a similar claim regarding the distribution of work. Abuse has been heaped on trade unions for that very reason. Here in this Assembly we have an unseemly wrangle between land agents and lawyers as to who shall have a particular job. Are we to tell the public that they must go to a lawyer to get certain work done, and that they shall not have it done by anyone else? The position is absolutely ridiculous. Let the man who has a job to be done get it done where he pleases. This question is purely one of fees, of guineas.

The Premier: No one pays for this work.

Mr. McCALLUM: Is the Premier's experience that land agents and lawyers do work without charging for it? Let the em-

ployers take a little dose of their own medicine in this matter.

The Premier: Land agents cannot charge for this work.

Mr. McCALLUM: The member for Bunbury says the clause means that land agents are entitled to do conveyancing work.

Hon. T. Walker: The clause gives the land agents legal authority.

Mr. McCALLUM: No. This is simply a wrangle for work and guineas. The Premier should not tolerate the taking up of the time of Parliament with such a squabble as this, which ought to be settled outside.

Mr. MULLANY: I oppose the clause, because I think it entirely unnecessary. At the same time, it is quite possible that out of this discussion between the legal profession and the land agents the general community may get some benefit. Those who advocate land agents being permitted to do this work and charge for it, say it is extremely simple, and can be done by practically anyone. The reply of the lawyers is, in effect, that the man who in such matters acts as his own lawyer has a fool for a client. I myself hold the work to be simple, and not such as in the great majority of cases requires the services of a lawyer. If the clause is rejected, every man will be able to go to a lawyer or to a land agent, just as he pleases. What will be the position if a land agent does not do his duty under the new clause? No penalty is provided. The effect of the clause is simply to give the land agent a legal status in the Titles Office, without any responsibility.

The PREMIER: The clause says that it shall be the agent's duty to the purchaser to do this work. Does that mean that the purchaser will pay the land agent for his services in this connection?

Capt. Carter: He will pay him the fees prescribed by the Chamber of Commerce. The purchaser really pays the commission.

The PREMIER: We cannot have two commissions. The agent cannot take commission from both purchaser and vendor, which would be illegal. Secret commissions are forbidden nowadays: an agent cannot take payment from both parties to a transaction. Now, would this clause authorise the purchaser to pay the agent for his services?

Capt. Carter: Not at all. He pays the agent only the fees prescribed by the Chamber of Commerce.

The PREMIER: Does the clause mean that the agent must perform this duty and must do that for his own protection?

Hon. T. Walker: It is merely a pious direction. There is no penalty.

The PREMIER: Must he perform the duty free of charge to the purchaser?

Hon. T. Walker: Do you really think he will?

Mr. Sampson: As a matter of fact, the commission is deducted by the agent from the payment and it becomes a nice point as

to whether the purchaser or the vendor pays the commission.

The PREMIER: The existing law does not admit of a man taking a commission from the vendor and another commission from the purchaser respecting the one block of land. Is it imperative under the clause that payment should be made for the performance of this duty?

Hon. T. Walker: It does not say so. If you expect a man to perform some duty, he will expect to be paid for it.

The PREMIER: If this means that there is a possibility of the commission being paid by both parties, I will not agree to it.

Hon. T. Walker: If it is a duty, the inference is that the person performing that duty has a right to be paid for it.

Mr. SAMPSON: The agent acts for both parties in that he brings them together. He has a duty to both parties, and the new clause merely seeks to enforce the performance of those duties. It has happened time after time that settlers in a certain district have purchased property. The road board has called upon the new settler to pay rates owing for the previous year. The first time that a new settler becomes aware of the fact that rates are owing is when he receives the rate notice from the board. That purchaser should be protected, and that can be done by the agent.

Hon. W. C. ANGWIN: When I spoke first, I did not anticipate that such a discussion as we have had would result. It has been brought about by suspicion entering the minds of hon. members, through the anxiety of the member for Leederville to stop discussion. That hon. member rose to a point of order as to whether the member for Bunbury was correct in his line of argument.

Capt. Carter: Not on that point. You commenced stone-walling, and that started it.

Hon. W. C. ANGWIN: The Municipalities Act provides that until the late owner of a block of land notifies the local authority that he has sold his land, he shall be liable for the payment of rates. It is due to the laxity of the local authorities that at times the new owners receive rate notices demanding payment of rates owing on the properties. I think the Roads Act has a somewhat similar provision.

Mr. Sampson: The local authority may not be aware of the transfer, but, in any case, in many instances the late owners have left the State.

Hon. W. C. ANGWIN: In many instances the late owners are still in the State.

New clause put and a division taken with the following result:—

Ayes	..	..	20
Noes	..	..	17
Majority for	..	..	3

AYES.

Mr. Angelo	Mr. H. K. Maley
Mr. Boyland	Sir James Mitchell
Mr. Broun	Mr. O'Loughlen
Mr. Carter	Mr. Pickering
Mr. Chesson	Mr. Plesse
Mr. Denton	Mr. Sampson
Mr. Harrison	Mr. J. H. Smith
Mr. Heron	Mr. J. M. Smith
Mr. Johnston	Mr. Wilson
Mr. C. C. Maley	Mr. Willcock

(Teller.)

NOES.

Mr. Angwin	Mr. Money
Mrs. Cowan	Mr. Munste
Mr. Davies	Mr. Richardson
Mr. Durack	Mr. Teesdale
Mr. Gibson	Mr. J. Thomson
Mr. Lambert	Mr. Underwood
Mr. Lutey	Mr. Walker
Mr. Mann	Mr. Mullany
Mr. McCallum	

(Teller.)

New clause thus passed.

Postponed Clause 4—Application for License:

Mr. MacCallum SMITH: I move an amendment—

That in line 4 of Subclause 3 "five" be struck out and "one" inserted in lieu.

I propose to reduce the fidelity bond from £500 to £100.

The PREMIER: I do not know why the hon. member is moving in this direction. The fidelity bond does not amount to much.

Capt. Carter: It is 10s. per cent.

The PREMIER: That is £2 10s. per annum. Unless the hon. member shows that there is good reason for the amendment, I shall oppose it.

Mr. MacCallum SMITH: It will cost the land agents a considerable sum to provide that bond. I have inquired what rate the insurance companies will charge, and I am assured that it will be as high as 3 per cent. or £15 per annum. That would be all right for big men, but we should not penalise small land agents.

The Premier: We are not going to do that.

Mr. MacCallum SMITH: Then the Premier ought to accept the amendment. In addition to the fidelity bond, the agent will have to pay a license fee of £5 per annum.

Mr. Lambert: Why not get personal guarantors?

Mr. MacCallum SMITH: That would be all right if everybody had wealthy friends.

Mrs. Cowan: Some of the agents negotiate big transactions.

Mr. MacCallum SMITH: Many of them will find it very difficult to put up all this money each year.

Mr. McCallum: Do you think the reputation of the land agents is so much below that of union secretaries, who can get their fidelity bonds at an annual cost of 10s.?

Mr. MacCallum SMITH: For what amount is the union secretary guaranteed?

Mr. McCallum: When I was there it was £1,000, and it cost me only 10s. per annum.

Mr. MacCallum SMITH: It is too much to ask the land agent to put up a bond of £500. I think £100 quite sufficient.

Hon. W. C. ANGWIN: Admittedly the hon. member has special knowledge of the subject. I agree that a number of the land agents do not make any sales of importance, their work consisting chiefly of rent collecting. Such men will have to go out of the business altogether if they are called upon to provide so large a fidelity bond. Still, £100 is very small. The hon. member ought to make it £300.

The Premier: If it is to cost 3 per cent., even that would mean £9. I will not agree to the imposing of so large an annual sum upon the smaller of the agents.

Hon. W. C. ANGWIN: If those men are to be charged 3 per cent. for their bonds, it will fall very heavily on them. I will not support £500 as the amount of the bond. To ask a small man to pay £15 for his bond and £5 for his license fee, would be asking too much altogether.

THE PREMIER: The member for North Perth (Mr. MacCallum Smith) speaks with authority on such a question. I will not have anything to do with a fidelity bond which will cost £15, or even £9. Such a charge would be all right for big men, but all wrong for small men. If the charge is to be 3 per cent., the bond will have to be considerably reduced. We had better postpone this and make further inquiries.

Progress reported.

BILL—CLOSER SETTLEMENT.

Message.

Message received from the Governor recommending the Bill.

In Committee.

Hon. G. Taylor in the Chair; the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—The board:

Hon. W. C. ANGWIN: It was freely stated in last night's debate that one member of the board would be a local resident.

The Premier: A man who knows local conditions.

Hon. W. C. ANGWIN: The clause does not provide for anything of the sort. Is it the intention of the Government to have continual changes in the personnel of the board so that there will always be on the board one having local knowledge?

The Premier: Frequent changes will not be necessary.

Mr. Davies: A change will be necessary when the consideration of the board shifts from the wheat belt to, say, the South-West.

Hon. W. C. ANGWIN: I realise the difficulty of the Premier in respect of the clause. Every little hamlet will want its local representative on the board. A Northam man will be told he knows nothing whatever about land at Beverley.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. W. C. ANGWIN: The Premier said one member of the board must have knowledge of the district in which was situated the land under consideration. This would mean changing the personnel of the board frequently. There is no provision for the removal of any member of the board. Yet it would not be possible to say what space of time would be necessary for the board to deal with the land in a particular district. If a board were appointed to deal with the Northam district—

The Premier: That is a wheat area.

Mr. Underwood: Well, will not this apply to wheat areas?

The Premier: Yes.

Hon. W. C. ANGWIN: To deal with the land in that district might occupy the board only a few weeks, but the members might be appointed for six months or 12 months. If land in the South-West then required consideration, would it be necessary to await the expiration of that period before it could be dealt with? I agree with the Premier that people acquainted with wheat land might know nothing about the land of the South-West. A similar difficulty arose in connection with the board under the Agricultural Lands Purchase Act. They knew the value of wheat lands, but the values they put on lands in the South-West were about one-fourth of what they should have been.

The Premier: The board will be appointed during the pleasure of the Governor.

Hon. W. C. ANGWIN: In some instances the third member might sit for only a day or two.

The Premier: No, more than that.

Hon. W. C. ANGWIN: I question whether this provision will give satisfaction. A good deal of jealousy exists between the settlers of the different wheat districts, and a man appointed to deal with the Northam land might not give satisfaction at Kellerberrin, Doodlakine or Bruce Rock. Each district will be desirous of having a local member to deal with its lands. Would a man having a knowledge of the land at Brunswick give satisfaction in dealing with the land at Bridgetown?

Mr. Harrison: I should say so.

Mr. Money: He would not.

Hon. W. C. ANGWIN: There is a difference of opinion straight away. I feel sure that difficulty will arise under this clause.

Mr. PICKERING: I support the remarks of the member for North-East Fremantle. The clause dealing with the duties of the board provides that the board shall decide on the productive nature of the land. So far as possible, the third member should deal only

with those districts possessing a similarity of conditions.

Mr. UNDERWOOD: I recognise that difficulty is likely to be experienced, but so far no one has given any idea as to the situation or quality of the land to be resumed. The Premier, in moving the second reading, should have given the House particulars of the land which could be resumed. If we had information on that point, we could decide as to who would be the best judges of the land. I possess a little superficial knowledge of some of the land of this State. The member for North-East Fremantle was correct when he remarked upon its varied quality. There is land at Mt. Barker which might be condemned by a man possessing a good knowledge of other districts, and who would not recognise its value until he saw the apples growing there. I do not care about this Bill, and I hope too much money will not be wasted on the board. If the Bill is to be passed, the district should be made very small, because the variations of soil are so great.

Mr. Pickering: The departmental men would depend on the man with local knowledge.

Mr. UNDERWOOD: They must do so. The land of Western Australia cannot be judged by sight. It can only be judged by personal knowledge and experience. Without knowledge of the land at Northam, one's judgment might be very wide of the mark. The third member of the board should be appointed for only a short period, and only for districts of which he has personal experience.

The PREMIER: I agree with every word the member for Pilbara has said. Of course, it would not be necessary to change the third member of the board with every change of a few miles in the land dealt with.

Mr. Pickering: If he were appointed for an area, it would be a good thing.

The PREMIER: Yes, I suppose a man at Bridgetown would understand the nature of the country for 50 miles around.

Mr. Pickering: It changes a lot out from Bridgetown.

The PREMIER: The third member of the board must have special knowledge. The wheat areas will present a simple proposition, because a wheat farmer would understand wheat lands practically throughout the State. The difficulty will arise when dealing with the lands of the South-West. Of course, the Bill will not apply to land held under conditional purchase, because that is held under contract. It will apply only to freehold land. Land held under conditional purchase conditions must be improved, but the position is different in respect to freehold land. The improvements must be made up to an amount equal to the purchase money. If a man receives 15s. per acre for his land there must be 15s. worth of improvements done on each acre. That will mean a fair amount of expenditure so far as the wheat lands are concerned. The lands that will be secured will for the most part be in the South-West.

Mr. Pickering: This will only apply to first class lands?

The PREMIER: Yes, unless it be second-class land connected with first-class. We must have the best land for people who have no money. If the clause is left as it is we can get over the difficulty. If I find from the Crown Law Department that it needs amendment I will recommit it.

Mr. Money: There should be some qualification to sub-clause 4 to provide that a member of the board shall be an experienced farmer belonging to the district in which the board is sitting.

The PREMIER: I will go into the matter with the Crown Law Department, and in the meantime will report progress.

Clause put and passed.

Progress reported.

BILL—INSPECTION OF MACHINERY.

Council's amendments.

Consideration of schedule of 29 amendments made by the Council resumed from 7th December.

In Committee.

Mr. Stubbs in the Chair; the Colonial Secretary in charge of the Bill.

No. 1. Clause 1.—Add the words "provided that such proclamation shall not issue before the first of July, 1922."

The CHAIRMAN: Hon. members will recollect that I gave a ruling on Wednesday last to the effect that these amendments were not properly before the Committee. Since then I have made further investigation and inquiry, and find that the Council's amendments are properly before the Committee. They can, therefore, be dealt with.

The COLONIAL SECRETARY: I move—

That the amendment be not agreed to.

Another place evidently thought a hardship would be inflicted upon persons unless the operations of this Act were postponed for six months. As I pointed out previously there will be no such hardship inflicted upon people. The certificates that are granted by the inspectors of the department are for one year or two years, as the case may be, and date from the time when they are granted. I do not understand why the amendment was made.

Mr. PICKERING: The Bill really deals with a good deal of machinery which is foreign to the Act, and it is therefore only reasonable that the operations of this new measure should be postponed for six months. I support the amendment.

Mr. UNDERWOOD: Apparently the principal object in the mind of the Minister is to get in more revenue. There are one or two Ministers who will spend money freely and easily, if not wastefully, if they can get it.

The Minister for Works: I could spend all I could get hold of.

Mr. UNDERWOOD: By this Bill we are imposing conditions upon people which have not hitherto been imposed, and we should therefore give them at least six months in which to comply with the altered conditions.

The Colonial Secretary: The Bill will not apply to the whole State at once. Every boiler and piece of machinery in Western Australia cannot be inspected in five minutes.

Mr. UNDERWOOD: There is an attempt by the Chief Inspector of Machinery to build up a department, to put on more inspectors, to bring potential producers out of production and put them on to drag taxation out of actual producers. It will not do any harm to put off such a thing for six months. A few days ago we had a very serious accident in connection with closely inspected and much supervised machinery. But how often does one hear of an accident through machinery on a farm? One hears frequently of accidents in connection with horses or motor cars or aeroplanes or railway engines; but can any hon. member produce now from his memory a really serious accident which arose through machinery on a farm? When hon. members have thought out that problem, they will be able to decide whether the application of this measure is an immediate necessity, or whether it can stand over for six months. Existing legislation already provides for all really dangerous machinery. This Bill seeks to bring in machines which have not been proved seriously dangerous. In the circumstances I hope the Minister will agree to allow the Act to be proclaimed at the beginning of July, or in six months' time.

Hon. W. C. ANGWIN: I fail to see the bearing of the last speaker's argument. Owners of machinery will not be any further forward in six months if the Act is then proclaimed. Surely we can trust the Executive Council with the proclamation of an Act of Parliament. No action can be taken under the measure until it has been proclaimed. The Minister might require six months for the drafting of the necessary regulations. So why tie the hands of the Government as to proclamation, which is a purely discretionary matter?

Mr. Pickering: Could not the operation of the measure be suspended for six months?

Hon. W. C. ANGWIN: The result of that might be to allow a man possessed of machinery which he knows to be defective under this measure, to get rid of it to some poor fellow who knows nothing about this measure.

The MINISTER FOR WORKS: I regret that I did not notice this Bill before. Had I done so, I would have opposed it. It is a silly Bill.

Mr. O'Loughlen: It is a Government measure.

Question put and passed; the Council's amendment not agreed to.

No. 2.—Clause 2, definition of "Boiler," paragraph (a), after the word "any," in line 1, insert "closed"; paragraph (b), after the word "inch," in line 3, insert "and having a capacity exceeding five cubic feet";

The COLONIAL SECRETARY: I move—

That the amendment be agreed to.

The MINISTER FOR WORKS: The first part of the amendment is senseless, because it is impossible to generate steam above atmospheric pressure in an open boiler.

Mr. DAVIES: To put the word "closed" before "boiler" in this clause is utterly absurd.

Mr. Munsie: But under this Bill a kettle will be a boiler.

Mr. UNDERWOOD: In order to get pressure one must, of course, have a closed boiler. From a practical point of view the first part of the amendment is absolutely absurd.

The CHAIRMAN: I shall put the two parts of this amendment of the Council separately.

Question, "Clause 2, definition of 'boiler,' paragraph (a), after the word 'any,' in line 1, insert 'closed,'" put and negatived; the Council's amendment not agreed to.

Question, "Clause 2, after the word 'inch,' in line 3, insert 'and having a capacity exceeding five cubic feet,'" put and passed; the Council's amendment agreed to.

No. 3.—Definition of "Winding engine," in line 2 strike out "or material";

The COLONIAL SECRETARY: The object of this amendment is to exempt from the measure winding engines dealing with material. I move—

That the amendment be agreed to.

Mr. McCALLUM: It is impossible to say that men's lives are not endangered where material is being hauled. How often is a crane in a quarry lifting material over the heads of men working underneath!

Mr. Munsie: The Council's amendment would exempt a crane on the wharf.

Mr. McCALLUM: Yes; and that class of hauling might be more dangerous to men's lives than the hauling of the men themselves by a winding engine.

The Colonial Secretary: What about a machine exclusively hauling material?

Mr. McCALLUM: What about cranes on the Fremantle wharf and in quarries? In both instances men work under those cranes which often lift heavy loads and their safety is endangered.

Mr. Pickering: But what argument is there in favour of the amendment?

Mr. Munsie: I do not know what argument there is, except the exemption of the Fremantle wharf.

Mr. McCALLUM: There is just the same risk to human lives if men or materials are being hauled.

Mr. WILLCOCK: I hope the Committee will reject the amendment. Very often men are working in winzes and material will be hauled above the spot where they are working.

The Colonial Secretary: The engine-driver has to be certificated and there is the safeguard.

Hon. W. C. ANGWIN: I oppose the amendment. I am sorry that the Minister in another place did not stick to his Bill.

Mr. O'Loughlin: He cannot get any support there. Only four Labour members stand behind him.

Hon. W. C. ANGWIN: The Bill was arrived at as a result of a conference with representatives of the Chamber of Mines and some other people. They desire to exempt engines hauling material. When it was pointed out that such a provision would apply to a Holman hoist, they dropped that argument. The Minister, however, informed them that so long as they did not interfere with the principle of the Bill he did not mind what alterations they made. That is the reason why some of the clauses were altered.

The Colonial Secretary: The Minister was at the conference.

Hon. W. C. ANGWIN: Yes, and he later informed the House that the Bill was perfect, that it had been drawn up in conjunction with the Federal authorities so that there would be uniformity in this legislation throughout Australia. Then the Minister states that he does not care what is struck out so long as they do not interfere with the principle of the Bill. That being so, how can we expect uniformity? I do not understand why this amendment was agreed to in the Upper House.

Mr. Davies: It was only to restrict the operations of the Bill.

Hon. W. C. ANGWIN: This provision will apply not only to the Fremantle wharf but to cranes elsewhere.

The Minister for Works: Cranes are dealt with in another part of the Bill.

Hon. W. C. ANGWIN: But if they are hauling material, this will not apply. Accidents have occurred frequently where men have been working in the holds of ships, while cranes have been swinging loads of coal above their heads.

Mr. DAVIES: I hope the Committee will reject the amendment, because it is wrong to discriminate between engines. A winding engine is a winding engine whether it hauls men or material. There are many winding engines which, if the amendment is agreed to, will not be winding engines within the meaning of the Act.

Mr. HERON: I hope the Committee will reject the amendment. As an old miner

who has been at the bottom of a shaft, with material being hauled above him, I can emphasise the fact that it is necessary to afford protection as indicated by other hon. members. A mistake on the part of the driver in charge of the winding engine might result in a fatality. In such circumstances, the amendment should be rejected so as to make sure that the driver of a winding engine, when hauling material, must be certificated.

Mr. CHESSON: I hope the Committee will not agree to the amendment. Any man in charge of a winding engine should hold a certificate. Very often the lives of men working in a shaft depend upon the skill of the driver of the winding engine. Every protection should be afforded those men.

The COLONIAL SECRETARY: The reason for the deletion of the words "or material" is that they are not necessary. Every man who drives a lift—and a winding engine is a lift—must be certificated. In those circumstances, how can a man drive a winding engine, whether it is hauling men or material, unless he is certificated?

Mr. Munsie: Why accept the amendment if it is not necessary? If the amendment is agreed to, no protection will be afforded the workers.

The COLONIAL SECRETARY: That is not right, because no man can operate a winding engine for hauling material unless he has a winding engine driver's certificate.

Mr. HARRISON: I do not understand the necessity for the amendment, especially in view of the definition of a winding engine as set out in the Bill. The only circumstances which the hauling of material would not subject men to risks would be when there was water in the mine.

Mr. J. THOMSON: When shafts are sunk and winzes and drives put in, Holman hoists are worked in connection with the mine. These are operated by compressed air and can be worked by a boy. They do not require a certificate.

Mr. Munsie: Holman hoists do not come under the Bill.

Mr. J. THOMSON: I do not see why the Legislative Council made this amendment.

Mr. DAVIES: The words "or material" proposed to be struck out are very necessary to the interpretation. A winding engine can be nothing but a winding engine. There should be no discrimination, at all events not in the interpretation clause. If we strike out "or material," a winding engine hauling material will no longer be a winding engine. Moreover, if we amend the interpretation, very many succeeding clauses will require amendment.

Question put and negatived; the Council's amendment not agreed to.

No. 4.—Clause 4, add a subclause to stand as (7):—"or any machinery driven by oil or petrol of which the power is less than eight horse power."

The COLONIAL SECRETARY: I move—

That the Council's amendment be not agreed to.

If the amendment be agreed to, it will affect a very large number of engines used in various industries. In all districts except the Eastern goldfields, there are 2,668 oil engines of less than eight horse power. Used for agricultural purposes there are 2,469 such engines. Of engines up to six horse power, there are used in agriculture 2,207, the total used in all other industries being 199. The amendment would remove all those engines from the control of the inspectors. It must be remembered that the Bill is for the protection of those operating machinery.

Mr. Pickering: How many lives have been lost as the result of accidents with engines of under eight horse power?

[Mr. Munsie took the Chair.]

The COLONIAL SECRETARY: There have been many accidents, and a few lives have been lost. I have here a list of the accidents which have occurred since 1914.

Mr. Pickering: Evidently about one a year.

The COLONIAL SECRETARY: Many accidents have come under the notice of the department. There is danger attached to the driving of all those engines, and in consequence they should be subject to official inspection.

Mr. Mann: Why not include horse works, as well as engine works?

The COLONIAL SECRETARY: I will include them if it pleases the hon. member. As I say, the amendment will remove from the control of the department a very large number of engines, which I think would be altogether unwise.

Mr. PICKERING: The principle of the Bill appears to be to inflict serious inconvenience on farmers. From the figures quoted by the Minister, it seems that over 2,000 engines are engaged in agricultural work. In proportion to the number of engines employed, the list of accidents is not sufficient to justify enforced inspection.

The Colonial Secretary: I have given you the total number of agricultural engines which will be exempt, to say nothing of engines in other industries.

Mr. PICKERING: By far the greater number of engines affected by the amendment are employed in the agricultural industry. I have on my farm an engine of seven horse power.

Hon. W. C. Angwin: Then you are an interested party.

Mr. PICKERING: I knew nothing about machinery until I took on the handling of my own engine, yet I have never had an accident of any sort with it. Most of the internal combustion engines in use are automatic and, so to speak, fool-proof. Why should they be subject to inspection? We do not want so much of this molly-coddling legislation.

Mr. CHESSON: I hope the amendment will not be agreed to. All classes of machinery involving danger to the attendant should be inspected. Machinery on mines has to be not only inspected, but carefully fenced in, and in my opinion all machinery, including that on farms, ought to be at least subject to inspection.

Mr. DAVIES: I will support the Minister. In Subclause 6 of the same clause the Council allows machinery driven by a motor of one horse power to go without inspection, but when it comes to an oil engine they are prepared to exempt from inspection anything up to eight horse power. Obviously, another place has been inserting amendments from the point of view of the members suggesting them, regardless of the wide application of the Bill. That should be sufficient reason for rejecting the amendment.

Mr. SAMPSON: The rating of an ordinary Ford motor car is about 18 horse power, and it is competent for a lad of 18 to secure a certificate to drive it. An internal combustion engine is almost fool proof. It is different from a steam engine, which might explode if not kept up to standard. The amendment would impose a grave hardship, and we should admit that we acted without a full knowledge of the circumstances.

Mr. McCALLUM: There is no suggestion that a certificate should be required before a person could drive such an engine. The amendment applies only to inspection. Is there any reason why an engine driven by oil or petrol and under eight horse power should be exempt from inspection?

Mr. Sampson: What would inspection disclose?

Mr. McCALLUM: These engines are liable to explode and workers are just as likely to suffer injury from them as from a steam engine. This amendment would cover not only agricultural machinery, but machines in small enclosures such as shops and factories. Inspection would disclose weakness and faults.

Mr. HARRISON: It is unnecessary that a staff of inspectors should be employed to go through the extensive agricultural areas to inspect these machines, which are generally driven by the owner or his son. No keener inspection would be made by a Government official than by the owner. Most of the accidents referred to have been caused by contract chaff cutters, but all up-to-date chaff cutters are fitted with a safety bar. Inspections by officials will not tend to prevent accidents.

Hon. W. C. ANGWIN: Will this amendment apply only to those machines used by agriculturists?

The Colonial Secretary: No, to those used in all industries.

Hon. W. C. ANGWIN: Then the amendment should not be accepted. Members of the Country Party seem keenly anxious to secure exemption for the agricultural industry, irrespective of the danger to employees

from the non-inspection of machinery in other industries. Some civil servants are not really loyal to the Government. It is becoming a growing practice for members to suggest and get from an official approval for certain amendments to legislation introduced by the Government on that official's recommendation and passed by one House. I could understand a member going to the Solicitor General and asking him to draft an amendment to embody his wishes, but I have a decided objection to any member, whether belonging to this House or another place, going to the Inspector of Machinery, who was responsible for the drafting of this measure in the first place, and getting from him information or advice opposed to that official's original recommendation to the Government.

Mr. Pickering: Is that a reflection on any member of this House?

Hon. W. C. ANGWIN: Some of the amendments to this Bill were brought about in that way. When this Bill was being dealt with in another place, the Minister did not exercise much control. He voted largely as a certain member desired on the advice of the Inspector of Machinery, though the inspector had previously advised the Minister with regard to the provisions of the Bill. If more Ministers are required, let us have them, or if it is desired to make the Inspector of Machinery a Minister, let us appoint him; but an officer of the department should not recommend the Minister to introduce certain legislation, and then advise a member of another place differently. I have a very poor opinion of his expert knowledge when he does this sort of thing. If he is wrong in his advice regarding one clause, he may be wrong regarding a dozen clauses, and it might be well to get outside opinion on the Bill generally before it is finally passed.

THE MINISTER FOR WORKS: If the Committee agree to the amendment, the first three words should be struck out in order to make it read correctly. While it is desirable that every precaution should be taken to properly guard power driven machinery, we should be careful not to indulge in silly legislation. I have five engines on my farm. If I have to submit to the provisions of this measure, the farm will be unworkable. I have a chaff cutter which, under this measure, must be inspected, and I am to be told where it is to be used. Petrol-driven cross-cut saws are now coming into use in the South-West. According to this Bill every time one of these appliances is moved from one paddock to another it will be necessary to send a notice to an inspector in order that he may see it. If all the machinery on the ground has to be inspected in this way the only thing that will be left alone will be the hand chaff-cutter. I am astonished that windmills have not been dragged in. I know of many windmills which drive quite a lot of machinery in this State. I must apologise to my mates in the Ministry for not having gone through this Bill before. It is painful to me to have to say what I have

said, but I cannot bottle up what I feel about this Bill.

Mr. MONEY: I should like to know what accidents have occurred through the use of the type of machinery now under discussion. Why is it necessary to bring internal combustion engines under this Bill?

The Colonial Secretary: It is to provide for the inspection of machinery, no matter by what agency that machinery is driven.

Mr. MONEY: If I attach my motor car to my hand chaff-cutter, for the purpose of driving that chaff-cutter I must notify the inspector so that he may inspect it. The motor car would have an engine not exceeding 8-horse power, and therefore would not be exempt from inspection, and the hand chaff-cutter would thus become my machinery.

The Minister for Works: Yes, it refers to any machinery.

Mr. MONEY: Must I notify the inspector before I can use a hand chaff-cutter in this way?

Hon. W. C. Angwin: Why should it be exempt?

Mr. MONEY: Far more accidents have occurred in connection with horses, for instance, than have occurred through machinery of this type. Would it be expected that every person who had to do with a horse should be certificated by some Government official? No matter how often machinery is inspected, any accident that occurs invariably occurs afterwards through the negligence of those who have to do with the machinery.

Hon. W. C. Angwin: Why have any inspection at all?

Mr. MONEY: The clause ought to be further amended to meet the cases which have been brought before the Committee.

Mr. McCALLUM: Clause 42 provides that agricultural machinery need only be inspected once in two years, and the inspector is given the right to extend that period. After the original inspection this may go on so long as the owner certifies that the machinery is in decent order. It is unlikely that the inspections will be of frequent occurrence.

Mr. UNDERWOOD: If machinery can be left for two years without inspection the inspection is a farce. The owner will always say it is all right.

The Minister for Works: That throws the responsibility on the owner.

Mr. UNDERWOOD: It is always on the owner. What is the use of an inspection if the owner can say after two years that the machinery is all right?

Hon. W. C. ANGWIN: The framers of this Bill evidently thought it necessary to have the same inspection for one type of machinery as for another. If we pass this clause it will apply to all machinery. No one would put a motor car in a factory; it would not pay to do so.

Mr. Sampson: Old motor engines taken from launches, are used to operate pumps on farms.

Hon. W. C. ANGWIN: For the sake of inspection once in two or three years, exemption is not necessary.

The COLONIAL SECRETARY: Under Clause 42 an inspector can grant for machinery used purely for agricultural purposes and during not more than six months of the year a certificate remaining in force, at the discretion of the inspector, for any period up to two years. In the case of an extension of such a certificate being desired, a prescribed fee has to be paid. The engines here in question are used in chaff-cutting, for agricultural purposes generally, shearing, pumping, milking, corncrushing, firewood cutting, woodworking, flourmilling, and other purposes. The amendment therefore covers all industries, and not agriculture only.

Mr. PICKERING: The Act shows that it is considered unnecessary that farm machinery should be exempted, since certificates in respect of it may at the inspector's discretion be extended beyond two years. It would be better to throw out the exemption altogether, as otherwise the whole of the agricultural machinery in the State would be penalised.

The Colonial Secretary: A certificate is necessary now for a 4½-horse power engine.

Mr. PICKERING: I consider that the clause should be struck out.

The CHAIRMAN: That cannot be done now. The hon. member must vote either to agree or to disagree to the Council's amendment.

Mr. PICKERING: In the circumstances I support the Council's amendment. I regret that the Minister for Works, who has a great knowledge of the subject, was not able to give this measure his usual close attention. The hon. gentleman was laid up when the Bill was before this Chamber originally. That is why the measure was not more judiciously dealt with.

Mr. McCallum: What is this going to cost? Five shillings a year.

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

Ayes	..	..	..	21
Noes	..	..	..	15
Majority for	..	..	..	6

AYES.

Mr. Angwin	Mr. H. K. Maley
Mr. Boyland	Mr. McCallum
Mr. Brown	Sir James Mitchell
Mr. Carter	Mr. Mullany
Mr. Chesson	Mr. Simons
Mr. Corboy	Mr. J. M. Smith
Mr. Davies	Mr. Teesdale
Mr. Heron	Mr. Willcock
Mr. Lambert	Mr. Wilson
Mr. Lutey	Mr. O'Loughlin
Mr. C. C. Maley	(Teller.)

NOES.

Mrs. Cowan	Mr. Richardson
Mr. Denton	Mr. Sampson
Mr. Durack	Mr. J. H. Smith
Mr. George	Mr. Stubbs
Mr. Harrison	Mr. J. Thomson
Mr. Money	Mr. Underwood
Mr. Pickering	Mr. Johnston
Mr. Piesse	(Teller.)

Question thus passed; the Council's amendment not agreed to.

No. 5.—Clause (6), strike out "who is under the Public Service Act, 1904," and insert "who has given evidence as to his competency as provided by subclause three hereof":

No. 6.—Clause 15, Subclause 4, strike out "sixteen," in line 1, and insert "eighteen"; and strike out "allowed to be in charge," and insert "employed in the control":

No. 7.—Clause 19, line 6, after the word "person," insert "or where the ventilation of any engine-room where any steam or internal combustion engine is erected or used, is defective":

On motions by the Colonial Secretary, the foregoing amendments were agreed to.

No. 8.—Clause 22, Subclause 11, strike out this subclause:

The COLONIAL SECRETARY: This amendment was previously considered here. It relates to the installation of an intermediate stop cock between boilers. The Chief Inspector of Machinery informs me that it would impose unnecessary expense on those who already have boilers connected otherwise. No real danger is involved. Many boilers are not fitted with these appliances, and the appliances have not been found necessary. I move—

That the Council's amendment be agreed to.

Mr. PICKERING: Who was responsible for preparing the Bill?

The Premier: The Chief Inspector of Machinery.

Mr. PICKERING: It seems to me extraordinary that an officer should draft a subclause which the Minister now informs us is unnecessary. We should support the subclause which, it seems to me, is an important one. There should be an intermediate stop valve or cock between the blow-off cock and the main blow-off in every case where two or more boilers are connected to the same main blow-off pipe. The Minister informed the Committee that the subclause was unnecessary because it would entail great cost to the owners of machinery. The question of cost should not be taken into consideration by the Committee.

The Colonial Secretary: I also said it was unnecessary.

Mr. PICKERING: We are informed that the Bill was prepared by the Chief Inspector of Machinery. Now we are told that it is

unnecessary and that we can cut out what appears to me to be a vital subclause. I do not pretend to be an engineer, but in the matter of a stop cock, where two boilers are connected to the same main blow-off pipe, we should have some further explanation.

Mr. DAVIES: I support the amendment, because the subclause is not necessary. We are dealing with the blow-off of a boiler and that means the waste from the boiler. It is impossible for the waste from a boiler to re-enter the stop valve.

Hon. W. C. ANGWIN: How would that apply to the rest of the boilers?

Mr. DAVIES: The waste from the boilers is run into the main drain, notwithstanding that five or six boilers may be connected to that main pipe. It is impossible for the waste to return to the boiler. I have had experience regarding boilers and I know the subclause is unnecessary.

Hon. W. C. ANGWIN: The subclause deals with two or more boilers. As the matter has been explained to me, the provision affords safety to anybody employed in cleaning the boiler. The Chief Inspector was responsible for the inclusion of the subclause. If it means nothing more than what has been suggested, of what use is our Chief Inspector?

The Minister for Works: The same query might be put regarding a good many other inspectors.

Hon. W. C. ANGWIN: Where is his expert knowledge?

Mr. Pickering: That is the point! Why should the Committee be asked to waste so much time under such circumstances?

Hon. W. C. ANGWIN: When this matter was under discussion in another place, one of the members from the goldfields contended that the subclause was necessary, because it was possible that a valve connecting one boiler to another might be opened, in which case the steam from one boiler would enter the second boiler, which was being cleaned, and thus cause an accident.

The Minister for Works: It is possible for that to occur, but most improbable.

Hon. W. C. ANGWIN: As a matter of fact, there has been a meeting between the representatives of the Chamber of Mines and the Chamber of Manufacturers, and a few others as well, and they interviewed the Chief Inspector regarding the position. When the official's attention was drawn to it, he said that it did not make much difference if the subclause were struck out, because it had never been used in the past.

The Colonial Secretary: It will merely be an extra safeguard.

Mr. Davies: But it is not necessary.

Hon. W. C. ANGWIN: The Chief Inspector of Machinery who is the expert official to whom we look for guidance, has said that the subclause is necessary and now when his attention is drawn to it by some gentlemen, he forms the opinion that it is not necessary. No wonder the Minister for Works said that the Bill was a disgrace.

The Minister for Works: I did not say that.

Hon. W. C. ANGWIN: The Minister did not use those exact words, but I think that is what he meant. I am sorry that we cannot amend the Bill to the extent I should desire, because if we could do so, I would move to eliminate all reference to the Chief Inspector of Machinery and do away with him altogether. The work he performs could be done by another department.

Mr. Pickering: He has shown us evidence of his expert knowledge!

Hon. W. C. ANGWIN: He has given us his expert opinion and then finds out that the subclause he recommends is unnecessary. This is the way our Bills are drafted. What right has the Chief Inspector to discuss these matters with outsiders? If any hon. member desires to move an amendment to a Bill, he can go to the parliamentary draftsman and secure his assistance in framing the necessary amendment. These officials are not in their positions to advise any hon. member in opposition to a Bill introduced by a Minister. If the official has made an error, he should go to his Minister and indicate the fault and advise him to delete the provision. He should not go to any hon. member and inform him to that effect. I hope the Government will put a stop to this practice because if it goes on much further we will not know who is in charge of a measure.

The Minister for Works: I quite agree with you.

Hon. W. C. ANGWIN: If this goes on much longer, we will be fighting among ourselves like a lot of Kilkenny cats.

The MINISTER FOR WORKS: If the subclause is left in the Bill, it will mean that where there are two boilers or more, extra cocks will have to be put in. I consider that will be unnecessary. If it were considered that the provision outlined in the subclause was necessary, I do not think the mere question of cost would be advanced as a weighty argument. The only instance where the subclause might operate would be where some silly fool would interfere with the valves. Assuming a boiler was blown off and a man was working inside the boiler scaling it off, unless the valve were opened there would be no chance of the steam entering the boiler, even if there were half a dozen boilers in the nest of boilers. I do not know where this subclause came from and I cannot understand why it was inserted in the Bill by the Chief Inspector of Machinery.

Mr. HERON: I disagree with the member for Guildford regarding some of his contentions. It is all right, so long as nothing happens, but if there should be any defects, it is quite possible for an accident to occur in the event of cleaning operations being in progress in the boiler. Only a madman or a person absolutely unfitted to be in charge of boilers, would open a valve when a man was cleaning the inside of any such boiler. Even where a man has started clean-

ing out a boiler, a faulty valve might cause trouble and before it could be attended to, an accident might happen.

The Minister for Works: It would not happen once in a blue moon.

Mr. HERON: Still, it has happened. I have been in boilers myself.

The Minister for Works: It must have been some time ago.

Mr. HERON: No, I can still get in. Occasionally six or eight men are in a boiler, and of course, if anything were to happen, they could not possibly escape.

Mr. DAVIES: It is scarcely necessary to say I did not intend to lead the Committee to believe that boilers were blown off into an open drain. The purpose of the blow-off cock is to drain the boiler, and therefore it goes into one main drain pipe. It is mechanically impossible for the steam to blow back into the boiler because of a leaky cock. Such a cock would leak when the boiler was under steam, and it could not become defective because the boiler was not under steam. Through a one-way cock the steam cannot go back, because the valve automatically closes.

Mr. Heron: Unless it is faulty.

Mr. DAVIES: That is so. However, I cannot see how an accident could happen in that way. That the Bill has been loosely drafted is shown by the use of the words, "young person under 16 years of age," and in all probability the draftsman has mistaken the blow-off cock for the main steam pipe.

Question put and passed; the Council's amendment agreed to.

No. 9. Clause 45, Subclause (3), line 1.—Strike out "six" and insert "twelve":

The COLONIAL SECRETARY: I move—

That the Council's amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 10.—Clause 53, Subclause (1), line 3—Strike out "or of any crane or hoist."

The COLONIAL SECRETARY: I move—

That the Council's amendment be agreed to.

Mr. HERON: I hope the Committee will not agree to strike out these words. All our intermediate levels are sunk by the use of Holman hoists. Under existing conditions those in charge of Holman hoists overwinzes have to obtain certificates. For the safety of the men working underneath the hoists, we ought not to agree to the amendment.

Mr. MONEY: I should like to hear from the Minister his grounds for asking us to agree to the amendment.

The COLONIAL SECRETARY: The Chief Inspector of Machinery informs me that it is not necessary to have these words in the clause. We can all understand that there is not the same necessity for a certificated attendant of a crane or hoist as in the case of one driving a winding engine.

Mr. CHESSON: I hope the amendment will not be agreed to. Those attending Holman hoists have to pass an examination and qualify for the job.

Mr. PICKERING: I expect this provision would apply to the man working the crane on the top of the new post office building. Considerable skill and care are required for that operation, and it is very necessary that the man who works that crane should be fully qualified. Apparently when the Bill was framed the Chief Inspector of Machinery thought the words proposed to be struck out were necessary, although since then he appears to have changed his mind.

Hon. W. C. Angwin: He has not changed his mind. This is not his amendment.

Mr. PICKERING: Well, it passes understanding that we should have a Bill submitted to us in one form and then, when it is materially amended in another place, be told that the Chief Inspector does not object to the amendment.

[Mr. Stubbs resumed the Chair.]

Mr. MONEY: The provision appears to be loosely worded. We are not told whether a steam or an electric crane is intended.

Mr. Chesson: Yes we are. Why don't you read the clause?

Mr. MONEY: It is not as clear as it might be. The nature of the crane ought to be explicitly defined.

Mr. Pickering: If you cut out this, you will cut out steam cranes.

Mr. MONEY: The steam crane would be covered by the term "engine." The wording of the subclause is so loose that I will support the amendment.

Mr. Harrison: You might as well cut out the whole clause as cut out those words.

Question put and negatived; the Council's amendment not agreed to.

No. 11.—Clause 53, Subclause (2)—Strike out this subclause, and insert the following new subclause:—"Boiler attendants. (2.) If required by the Chief Inspector or his representative, and subject to section fifty-six, any person employed or acting as a boiler attendant in charge of a boiler or boilers used for generating steam shall hold a boiler attendant's certificate, unless he is already the holder of a steam engine-driver's certificate; provided that, in the case of a range of boilers, it shall only be necessary that the responsible fireman on each shift shall be the holder of such certificate."

The COLONIAL SECRETARY: I move—

That the amendment be agreed to.

Mr. McCALLUM: When the Minister for Mines moved the second reading of the Bill I think he said this was one of the clauses which was the outcome of an agreement between the State Governments and the organisations, and that each Government

had promised to introduce a Bill so that this legislation would be uniform. Would not the amendment result in breaking away from that arrangement?

The COLONIAL SECRETARY: The only difference which the amendment will make will be to give the Chief Inspector discretion to decide whether a certificate shall be required.

Question put and passed; the Council's amendment agreed to.

No. 12.—Clause 53, Subclause (3), paragraph (a).—In line 3, before the word "farm," insert "one," and strike out all the words after the word "purposes," in line 4.

The COLONIAL SECRETARY: This amendment will inflict a hardship on the agriculturist. It will mean that a farmer will be unable to lend his engine to a neighbour or, if he does lend it, the neighbour will have to register before he can use it. I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 13.—Clause 53, Subclause (3), paragraph (b).—Strike out "three" and insert "six."

The COLONIAL SECRETARY: This amendment will mean that anyone driving an engine of less than 6 h.p. need not obtain a certificate. There are very few steam engines of less than 6 h.p. I move—

That the amendment be agreed to.

Mr. DAVIES: It seems to me that, no matter what the Inspector of Machinery has recommended, another place has set out to double the exemption.

The Colonial Secretary: Are there any three horse power boilers?

Mr. DAVIES: I take it there must be, or the inspector would not have recommended three horse power in the first place. The police launch on the river would have a boiler probably not exceeding three horse power. What had the inspector to say about this amendment?

The COLONIAL SECRETARY: I asked the inspector, and he informed me that there are very few boilers of less than six horse power; so few that they were not worth worrying about.

Mr. CHESSON: I hope the amendment will not be agreed to. If there are so few under six horse power the expense will not be great. An explosion of a six horse power boiler would do damage just as well as a larger one.

Mr. DAVIES: If there are not many boilers under six horse power, why was three horse power specified in the first place? When the chief adviser of the Committee shifts his ground in this way, he should have a better explanation to give us. I think progress

should be reported to enable further inquiries to be made.

The Colonial Secretary: Do you know of any boilers under six horse power?

Mr. DAVIES: I know something about the practical side, and I know what is likely to happen with a six horse power boiler. I hope members will insist on having an adequate explanation as to why the inspector has shifted his ground.

Mr. MONEY: Some reason should be given as to the necessity for the amendment. Will there be more accidents from this class of boiler than from primus stoves? I support the amendment.

Mr. UNDERWOOD: It is as important to inspect three horse power as six horse power boilers. They are equally dangerous, though neither is much more dangerous than a primus stove. If a three horse power boiler exploded, the attendant would be as likely to go to kingdom come as if it were a six horse power boiler. If we are going to inspect boilers, we should inspect all of them. An examiner asked an applicant for a certificate what steps he would take if the boiler burst, and the reply was "Long and fast."

Hon. W. C. Angwin: Have you exempted the boiler in which clothes are boiled?

Mr. UNDERWOOD: That class of boiler is not closed in. The Minister stated that he wanted this Bill to enable him to collect revenue, and I cannot understand why he is willing to accept the amendment.

Question put and negatived; the Council's amendment not agreed to.

No. 14.—Clause 53, Subclause (3), paragraph (t).—Strike out "one hundred and fourteen" and insert "two hundred."

The COLONIAL SECRETARY: I move—

That the amendment be agreed to.

The inspector advises that 114 inches is rather on the small side, and that 200 inches may well be accepted.

Mr. Lambert: Is there any reason for it?

Question put and passed; the Council's amendment agreed to.

No. 15.—Clause 54, Subclause (4).—Strike out paragraph (f) (consequential to amendment No. 10):

The COLONIAL SECRETARY: I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 16.—Clause 55, line 4.—Strike out "or a crane or hoist driver's certificate" (consequential on amendment No. 10):

The COLONIAL SECRETARY: I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 17.—Clause 55, paragraph (a), line 4.—Strike out "one hundred and fourteen," and insert "two hundred":

The COLONIAL SECRETARY: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 18—Clause 55, paragraph (c).—Strike out this paragraph:

The COLONIAL SECRETARY: I move—

That the amendment be not agreed to.

Hon. W. C. ANGWIN: When this clause was under discussion in this Chamber it was pointed out that it would have an effect upon wharf workers. It is difficult for a wharf worker to do one year's continuous work out of two years in the driving of an electric hoist or crane.

The Colonial Secretary: This clause does not mean that the driving shall be continuous over two years.

The Minister for Works: I doubt if any man has ever been called upon to do that.

Hon. W. C. ANGWIN: Instead of disagreeing with the Council's amendment and retaining the paragraph as it is, I think it should be amended. I therefore move an amendment—

That the Council's amendment be modified as follows:—That in line 2 the word "continuously" be struck out, and in line 5 the word "two" be struck out and "five" inserted in lieu.

The COLONIAL SECRETARY: I do not see anything wrong with the amendment.

Amendment put and passed; the Council's amendment, as modified, agreed to.

No. 19—Clause 56, Subclause (1).—Add the following at the end: "but the holder of an unrestricted first-class certificate granted under any Act in force before the commencement of this Act shall be entitled to drive any engine other than a locomotive or traction engine":

The COLONIAL SECRETARY: I move—

That the amendment be agreed to.

Mr. LAMBERT: This shows the stupidity of novices trying to deal with questions of which they have not the slightest knowledge, and also shows the necessity that has existed for the Bill being dealt with by a select committee of experienced men. The amendment made by the Council is ridiculous. The holder of an engine-driver's first class certificate of competency is fully able to drive a traction engine, and for the matter of that a locomotive too. The ordinary driver of our locomotives is an ignoramus in the use and practice of engines and boilers. I move—

That the Council's amendment be modified by striking out the words "or traction engine."

Amendment put and passed; the Council's amendment, as modified, agreed to.

No. 20.—Clause 56, Subclause 6, strike out the subclause:

On motion by the Colonial Secretary, the Council's amendment not agreed to.

No. 21.—Clause 56, Subclause 7, strike out "solely," in line 1, and "materials," in line 2:

The COLONIAL SECRETARY: The word "solely" is unnecessary, but the word "materials" must remain. I move—

That the amendment be modified by striking out the words "and 'materials,' in line 2."

Amendment put and passed; the Council's amendment, as modified, agreed to.

No. 22.—Clause 56, insert the following to stand as Subclause 8:—"Notwithstanding anything contained in this section to the contrary, the holder of an unrestricted first or second class steam engine-driver's certificate granted under any Act in operation at any time before the commencement of this Act may, by virtue of such certificate, drive and have charge of any engine to which, except for this Act, such certificate would have applied, including an internal combustion engine other than a locomotive or traction engine."

The COLONIAL SECRETARY: I move—

That the amendment be modified by striking out the words "or traction engine."

Amendment put and passed; the Council's amendment, as modified, agreed to.

No. 23.—Clause 62, Subclause 2, strike out this subclause:

Hon. W. C. ANGWIN: I move—

That the amendment be modified by striking out the words "this subclause," and inserting in lieu the words "the word 'two' and inserting 'five' in lieu."

Amendment put and passed; the Council's amendment, as modified, agreed to.

No. 24.—Clause 62, add at the end the following:—"Notwithstanding anything contained in this section to the contrary, the holder of an unrestricted first or second class steam engine-driver's certificate granted under any Act in operation at any time before the commencement of this Act, may, by virtue of such certificate, drive and have charge of any engine to which except for this Act such certificate would have applied including an internal combustion engine, other than a locomotive or traction engine":

The COLONIAL SECRETARY: The object of this amendment is to preserve existing rights of holders of certificates. I move, consequently—

That the amendment be modified by striking out the words "or traction engine."

Amendment put and passed; the Council's amendment, as modified, agreed to.

No. 25.—Clause 64, Subclause 4, line 4, after the word "inquiry" insert "without reasonable excuse":

On motion by the Colonial Secretary, the Council's amendment agreed to.

No. 26.—Clause 65, Subclause 1, line 2, strike out "crane or hoist":

On motion by the Colonial Secretary, the Council's amendment not agreed to.

No. 27. Clause 79, strike out this clause:

The COLONIAL SECRETARY: I move—

That the amendment be not agreed to.

This clause is for the protection of inspectors from liability. A similar provision appears in the existing Act, and in the Acts of the Eastern States. It is only reasonable that an inspector should have a certain measure of protection. It is not likely that an inspector would punch holes in a boiler, or knock it about with a hammer, to find out whether it was serviceable or not; and similarly in the case of machinery. The Government appoint as inspectors men who are qualified for the work. If in making an inspection the inspector did anything detrimental to the interests of the owner of machinery, he would be liable irrespective of Clause 79, and damages could be claimed.

Question put and passed; the Council's amendment not agreed to.

No. 28. Clause 82, Subclause (5).—Strike out this subclause, and insert:—" (5.) Prescribing how and under what circumstances certain engines and boilers may be in charge of uncertificated persons.

The COLONIAL SECRETARY: I move—

That the amendment be agreed to.

Mr. PICKERING: Can the Committee strike out words and put back other words in the amendment?

The CHAIRMAN: The amendment is quite in order.

Mr. Lambert: There seems to be more in the amendment than appears on the surface.

The COLONIAL SECRETARY: The amendment is quite necessary, because one cannot drive a boiler. We can only have someone in charge of it.

Question put and passed, the Council's amendment agreed to.

No. 29. Second Schedule, line 1.—After "machinery," insert "except such as is specially exempted by this Act":

On motion by Colonial Secretary, the Council's amendment agreed to.

Resolutions reported.

BILL—CLOSER SETTLEMENT.

In Committee.

Resumed from an earlier stage of the sitting; Mr. Stubbs in the Chair, the Premier in charge of the Bill.

Clause 3—Inquiries of board:

Hon. W. C. ANGWIN: I move an amendment—

That in lines 2 and 3 of Subclause 1 the words "in fee simple" be struck out.

The Premier: You want to sell yesterday and claim to-day.

Hon. W. C. ANGWIN: I do not see why freehold land should be dealt with in a different way to leasehold properties. Some land taken up under grazing leases is equal to what is now regarded as first class land. Land taken up under conditional purchase lease provisions may be partly utilised and made productive. Why should not the board have the same power over such land as they have over land held in fee simple? A person may have two areas one of which may be improved, and the other allowed to stand idle. If the board consider it in the best interests of the State that the idle land should be acquired under the provisions of the Act for closer settlement purposes, I see no reason why it should not be put into operation. Regarding the man who has paid for his land and the man who has only partly bought his property, the only difference would be that in acquiring the latter property, the Government would have to pay half as much. The Premier has informed the House that all the wheat lands have been taken up. If so, large areas have been alienated but not utilised. Why should not those lands be brought into cultivation? Again, one man who, having paid rent on his land for 16 years, has confined his improvements to one part of it, need not fear resumption, even though he could spare sufficient land to accommodate another settler. On the other hand, the rich man who has bought and paid for his land outright, and who has improved only a portion of it, may be called upon to render up the balance of his holding. The question is whether the Bill should be restricted to land in fee simple or be made to apply to all land. In my opinion all should be put on the same basis. I cannot see why one man should be treated differently from another.

The PREMIER: I hope the Committee will not strike out these words. The Bill ought not to apply to land held under contract with the Crown.

Hon. W. C. Angwin: All land is held on those terms. The King owns all land.

The PREMIER: The argument is too subtle. If a man fulfils the conditions under which he has taken up the land, that ought to be sufficient.

Mr. McCALLUM: I hope the Premier will give reasons why he is willing to take the land in fee simple, while he will not take land granted on lease.

The Premier: If we were to do that, no man would take land on lease again.

Mr. McCALLUM: But the man with the fee simple land ought to have greater security than the man with leasehold land. How often

has the Premier argued against the Labour policy of leasehold?

The Premier: That is a totally different thing.

Mr. McCALLUM: Surely if there is one part of the State which, more than another, lends itself to closer settlement it is the Murchison, with its enormous pastoral areas.

The Premier: The Bill does not apply to that part of the State.

Mr. Johnston: It applies only to lands within 12 miles of a railway.

Mr. McCALLUM: Well, we require to alter that. There is room for hundreds of settlers in the pastoral areas. Apparently the Premier has no intention of applying the Bill to those lands. It is only one section of the community, namely the agriculturists, to whom the Bill is to apply. Surely it would be better to put new settlers on pastoral lands in the Murchison, where quicker returns could be secured, than in the wheat areas. Pastoralists have been particularly favoured in the matter of the extension of their leases and now they are to be further favoured by exemption from this measure. Why should the Bill be confined to land within 12 miles of a railway? Is there any reason why the Midland Company's lands should be exempt?

Mr. Johnston: We will deal with them presently.

Mr. McCALLUM: The scope of the Bill should not be restricted to the agricultural areas, and the distance from a railway should be increased considerably. Surely it is the function of the Government to cater for closer settlement in all portions of the State.

Hon. W. C. ANGWIN: I cannot understand the Premier's argument. He will not break a contract with one section of landholders, but he does not mind breaking contracts with freeholders. The Premier has said on more than one occasion that action should not be taken against the owners of freehold land who settled here in the early days and who have borne the burden of much of the pioneering work.

Mr. Pickering: But this is reasonable action.

Hon. W. C. ANGWIN: The fact remains that there is a contract.

Mr. Pickering: The Government cannot enforce improvement conditions against freehold land, but they can against conditional purchase land.

Hon. W. C. ANGWIN: It is well known that there are many people holding such large areas that it will be impossible for them to improve them during their lifetime.

Mr. Pickering: I am one of them.

Hon. W. C. ANGWIN: I am referring to the wheat areas rather than the South-West. We have millions of acres of wheat land; yet we are producing only a little more wheat than is required to feed our 330,000 people, and we are told there is no more wheat land available.

The Minister for Agriculture: We produce more wheat per head of population than any other State of the Commonwealth.

Hon. W. C. ANGWIN: These lands are lying idle and there is no prospect of them being utilised. Along the Mullewa line there are thousands of acres of wheat land held but unutilised.

Mr. Piesse: That has only recently been selected.

Hon. W. C. ANGWIN: It was selected some years ago.

Mr. Johnston: Nine years ago.

The Minister for Agriculture: Why is it unutilised?

Hon. W. C. ANGWIN: Because some of the holders have more land than they can work.

The Minister for Agriculture: That is not the reason.

Hon. W. C. ANGWIN: The explanation is that the Government allow a man to take up 2,000 acres for himself, 2,000 for his wife, and 2,000 for every child over 16.

The Premier: That is not right.

Hon. W. C. ANGWIN: Yes, it is, and the Premier knows it is done.

The Minister for Agriculture: That is the mistaken policy of the past.

Hon. W. C. ANGWIN: And sometimes it is taken up for a child who cannot be found. The Minister for Agriculture has been farming for years but, if he had more land than he was using, it could be taken from him.

The Minister for Agriculture: I am using all of mine.

Hon. W. C. ANGWIN: I do not deny that. The point is that another man might take up land years afterwards and not use it, and the Bill would not touch him.

The Premier: His land would be forfeited under the Land Act.

Hon. W. C. ANGWIN: A few acres may have been forfeited lately, but often a holder is permitted to make the improvements on one area and leave another area unimproved.

The Minister for Agriculture: That is not so.

Hon. W. C. ANGWIN: Yes, it is. I have seen many files containing permission for holders to effect improvements to one area. The conditions granted in the past are still operating. If the land were being put to use, I would be the last one to suggest resuming it. I do not mind what area is held so long as it is being worked.

The Minister for Works: You would give the holder time to work it?

Hon. W. C. ANGWIN: Yes, this Bill imposes no time limit. I want to see every person put on the same footing, irrespective of whether he holds grazing leases or other land. Thousands of acres of grazing leases were taken up in 1904 at prices ranging from 2s. 6d. to 6s. 6d. A good deal of this land has since then been found to be first class land. The Bill, however, will not apply to those lands until they become fully paid, but it will

have the effect of holding over the owners of it the threat that they will have to make full use of it.

[Mr. Angelo took the Chair.]

Mr. WILLCOCK: I am in favour of the amendment. People have taken up grazing areas, upon which no rent need be paid for five years, without any intention of using it. In the early days large tracts of excellent land were taken up on the Murchison. To-day the Murchison is being held back to a certain extent by the size of these holdings. They would be much more valuable to the State if they were subdivided into smaller areas. There are many returned soldiers who are anxious to get land there, but have no opportunity of doing so. Now is the time to bring land such as this within the scope of this legislation. It is necessary from the railway point of view that there should be closer settlement up there than appertains to-day. The areas might be cut into lots of 30,000 to 50,000 acres, say, those within 25 miles of the railway, and this would afford an opportunity to a greater number of people to make use of it. Gold mines are not usually long lived, and there must be some other industry to take the place of the mining industry in these localities. A man faces a drought with far more confidence if he has 3,000 or 4,000 sheep to look after, than if he has thirty or forty thousand; and 3,000 to 4,000 sheep represent a very fair living in this country. I hope the amendment will be carried. If it is, I shall probably move the substitution of 25 miles for 12 miles as the limit.

Mr. LUTEY: Perhaps the Premier will report progress. I do not feel like stopping here all night. The amendment has my support. The 12-mile limit should be extended. I know of returned soldiers who have expressed themselves as anxious to settle on the Murchison. The Premier should not put all his eggs in the one basket of the South-West. The climate of the South-West would not be congenial to miners, for example, who prefer drier conditions.

Hon. W. C. ANGWIN called attention to the state of the Committee.

[Bells rung: a quorum formed.]

Mr. LUTEY: I am glad to see more members in their seats to consider this important Bill. The measure deserves closer attention than hon. members are able to give it at this late hour, after a strenuous week. A wider range of selection of land should be permitted under the Bill.

Hon. W. C. ANGWIN: The purpose of this Bill is best shown by a reference to Subclause 2 of this clause—

Land shall be deemed unutilised and unproductive within the meaning of this Act, notwithstanding that such land is partially utilised or productive, if in the opinion of the board the land is not put to reasonable use, and its retention by the owner is a

hindrance to closer settlement, and cannot be justified.

A person who is holding such land in an unutilised and unproductive condition as to be, in fact, a hindrance to the State, can be brought under the operations of the measure, for Subclause 2 clearly shows the intention of the Government.

The Premier: You do not object to that.

Hon. W. C. ANGWIN: I want the Government to put it into operation.

Mr. Pickering: There is not much land of that description within 12 miles of a railway.

Hon. W. C. ANGWIN: There are some large estates.

Mr. Pickering: If it is held in fee simple, it will come under the Bill.

Hon. W. C. ANGWIN: Of course it will, but when it comes to a matter of arbitration, it will be dealt with under the Public Works Act. Thousands of acres of first class country have been taken up as grazing leases. They secured that land for very little, yet to-day the land is selling for over £1 an acre. The Labour Party made a mistake when they reduced the price of land in Western Australia.

Mr. Piesse: That was an act of justice.

Hon. W. C. ANGWIN: It was an act of injustice to the State. The Premier has converted me on that point. Why should it be regarded as an act of injustice to people owning leases if we bring them within the scope of the Bill, as it is proposed to bring people who own land in fee simple, seeing that the latter have paid the full value for their proposition. The man who desires to keep his land should be entitled to retain his property equally with the man who is only paying for it.

Mr. Piesse: If he is not utilising his land—

Hon. W. C. ANGWIN: If he is utilising his land, it will come under the Bill, especially if the board considers he is holding the property to the detriment of the State. No matter how much land a man may hold, if it is producing, and the holding of that land is not hindering the development of the State, it would be an injustice to the individual to compel him to sell. If he is not holding the land under such conditions, where does the injustice come in? If I had land I wanted to sell, I would jump at the opportunity to come under the Bill and let the Government take it. I want to see all people dealt with similarly under the measure.

Mr. Mann: Is there not a provision regarding conditional purchase leases, that if a man is not developing his property, it can be taken from him?

Hon. W. C. ANGWIN: Under present conditions a man may hold more than one block, and the improvements can all be carried out on one block, while the others are allowed to stand. If the land is improved, the measure does not apply, given certain conditions.

Mr. Money: The land may be improved but not used.

Hon. W. C. ANGWIN: But the point is that although certain improvements may have been made, that land can be put to better use, and it is in cases where the retention of the land cannot be justified, that the measure will apply.

The PREMIER: I hope hon. members will not view too lightly the responsibility of the State under the contracts governing conditional purchase holdings. We are continually forfeiting land because the improvements have not been carried out in accordance with the contract; on the other hand, if the prescribed improvements are made, the settler should be left in peaceful possession of his block. During the war considerable latitude was shown in the matter of improvements, but since the war the conditions have been tightened up again. It must be remembered that conditional purchase settlers do not possess the land they hold, that it is still Crown land held under contract. How can we fairly go back on a contract and refuse to honour the lease?

Mr. Lutey: You propose to do that under the Licensing Bill.

The PREMIER: That is very difficult, because compensation is provided for then. In the case under consideration it is unthinkable that we should break the contracts entered into with conditional purchase holders. As for pastoral leases, I do not think we ought to discuss them under the Bill.

Mr. CHESSON: I hope the amendment will be carried, and that the Bill will be made to extend to pastoral leases. There is on the Murchison a great deal of pastoral land which could be subdivided into smaller holdings to the great benefit of new settlers. Along the Murchison railway lies some 300 miles of well watered pastoral country. Up there several holders of 25,000 acres each are making good livings. I do not advocate blocks of 25,000 acres, for I think they should be not less than 50,000 acres. During the drought experienced up there a couple of years ago, the small men pulled through without difficulty, whereas the men with big holdings had to shift their sheep. If that land were cut up into reasonably sized blocks, closer settlement would follow, and the provision of educational facilities would become practicable. I have lived in the district since 1894, and I know the carrying capacity of the Murchison. If the country were cut up into smaller holdings it would accommodate a very much larger number of sheep. I know one pastoralist with 16,000 acres and he is making a good living.

The Premier: Is there a common near him?

Mr. CHESSON: Yes, but care is taken that he does not use it. I could mention many other pastoralists who are doing well on areas of less than 25,000 acres.

Mr. LAMBERT: I cannot see why the Premier objects to the amendment. If a man holds land in fee simple, the Premier is prepared to apply the provisions of the measure to him, but where a man has held a conditional purchase lease for five years or 10 years and has failed to carry out the improvement conditions, it will not apply.

The Premier: In that case we will forfeit.

Mr. LAMBERT: Very seldom are these leases forfeited.

The Minister for Agriculture: Very many have been forfeited since the war.

Mr. LAMBERT: If it is right to apply the provisions of the Bill at all, they should be applied to land acquired under conditional purchase conditions as well as to Crown grants and freeholds. Surely if there is any question of breaking a contract, it applies to the owners of land in fee simple. To ensure the widest possible application of the measure, the amendment should be accepted. In Queensland some time ago there was a bombardment of the Government by all the newspapers—

The Premier: That was not on this clause.

Mr. LAMBERT: Practically so; the acquiring provisions there were not so rigid, and yet a newspaper propaganda was carried on throughout the Commonwealth and a delegation was sent to England to emphasise the repudiatory action of the Government. If the Premier cannot rely upon the fairness of the board, he should drop the Bill. I think the board will exercise their powers with the utmost discretion. I stand for the development of our lands alongside existing railways, and would not hold any land sacred that has not been properly utilised. I hope the Premier will see the necessity for striking out these unnecessary words.

Mr. JOHNSTON: The finances of the Government are limited, and any money the Government have to spend in resumptions should be spent where it will do most good. They will get the best results by resuming freehold land first. The Bill should not apply to C.P. leases just now, because these are only granted in limited areas of first class land. On the other hand, there are large tracts of freehold land which are unimproved. The C.P. land is held under compulsory conditions of improvement as well as under resident conditions, in many cases and for the most part it is being put to good use. If the conditions are not complied with, the Government can forfeit them.

The Minister for Agriculture: That is their policy.

Mr. JOHNSTON: Pastoral leases come into a different category to C.P. leases. If the scope of the measure were extended to include undeveloped pastoral country, it would be a good thing. I am opposed to pastoral lands being held without improvements being made to them. If these areas could be better utilised in smaller lots, it would be a good thing. C.P. lands become freehold after a certain number of years, and they

would then come under this Bill. I have no desire to take from the pastoralists of the North leases upon which they have made extensive improvements.

Hon. W. C. Angwin: You would take them from the Southern owners.

Mr. JOHNSTON: The worst cases could be dealt with first, those are the freehold areas alongside existing railways. I do not believe in excluding from the Bill land along the Midland Railway. It should not be regarded as an alien province, for a good deal of the best land in the State is there. Especially in view of the limited funds at the Government's disposal, I would like to see some of that Midland country dealt with rather than C.P. holders interfered with during the currency of their leases.

Hon. W. C. ANGWIN: Reading this clause, one would at first think that it meant the compulsory taking of land. So long as people reside on their pastoral or C.P. holdings, they are all right. No board would take away land that is being utilised. However, these clauses deal merely with the making of inquiries. If all land is being used productively, why inquire at all? The board are to report to the Governor in Council, and only after that can action be taken. I see now why this Bill has been kept back almost to the last day of the session. The object of the measure is to conserve the interests of a few, who say, "Rob whom you like, so long as you let us alone." That is practically what the member for Williams-Narrogin has just been urging. Many thousands of acres sold by the Government as second and third class land could now be sold as first class. I refer especially to grazing land taken up at an average of about 3s. 6d. per acre. In everyday language, the Bill is not worth a damn.

Mr. Teesdale: You have been asking for this Bill for years, and now you have got it, it is wrong.

Hon. W. C. ANGWIN: The people asked for a Bill of this kind under certain conditions, but not these conditions.

Mr. Teesdale: Surely the Bill is better than nothing.

Hon. W. C. ANGWIN: Not in my opinion. For that opinion I gave reasons last night. Under the provisions for closer settlement, the Government will have to pay more for the resumed land than they will be able to realise for it.

Mr. Teesdale: Make the resumption price, plus 10 per cent. on the taxable value.

Hon. W. C. ANGWIN: If the hon. member would do that, I would be with him at once. I believe the hon. member has always voted for serving all persons alike. All I am asking is that everyone shall be served alike. The Government are afraid there may be a change in the Ministry, in which case there would be a possibility of the Governor-in-Council inserting a provision in this legislation making it apply everywhere. That is what the Government are afraid of; otherwise they would agree to the proposal.

Mr. Mann: Who do you anticipate will go into power?

Hon. W. C. ANGWIN: You wait awhile!

The CHAIRMAN: Order! There is nothing in the clause dealing with parties going into power.

Hon. W. C. ANGWIN: It is a case of "all power" under the Bill. I believe it is only right to strike out the provision as suggested in the amendment.

Mr. LAMBERT: The provisions of the clause should apply to all land. If land is held under the leasehold system—

The Minister for Agriculture: It can be forfeited, unless certain conditions are carried out. That is the point.

Mr. LAMBERT: It is not the point. The Government will be justified in acquiring land if the public policy dictates its resumption. It is imperative that we should increase production to provide freight for the railways, hence the necessity for utilising the idle lands alongside the railways. It is only drawing a red herring across the track, for the Government to differentiate between leasehold and freehold. If the land is required for closer settlement purposes, it should be acquired, more particularly seeing that it is brought within the scope of the measure if it is not being worked or utilised. Nothing could be fairer.

The Premier: Very well, I will leave it to the House.

Hon. W. C. Angwin: You have already fixed it up in caucuses.

Mr. LAMBERT: We would not be advocating so strenuously the course suggested, were it not for the fact that we consider this course should be adopted in the best interests of the State. This is no circus that we should be stressing this point at such an early hour of the morning.

Mr. Simons: You are quite wrong. It is a circus.

Mr. LAMBERT: Perhaps if the hon. member were in bed, he would be serving the country better.

Mr. Simons: I object to all this gas.

Mr. LAMBERT: Naturally, seeing that the hon. member is so adept in that respect himself.

The CHAIRMAN: Order! These interjections are most unseemly. Will the hon. member confine his attention to the clause.

Mr. LAMBERT: The Premier will admit that the criticism offered by the Opposition has been constructive and in good faith.

The Premier: I can honestly say you have done your duty.

Hon. W. C. Angwin: We would be neglecting our duty if we let this provision go through.

Mr. LAMBERT: The provisions of the Bill will make or mar the railway system of the State. The Premier is wrong in differentiating between freehold land and land held under conditional purchase lease.

The Premier: I am sorry I cannot see this as you do. I cannot accept the amendment.

Mr. LAMBERT: But why hesitate about this? No young country was ever saved by a policy of hesitation.

The Minister for Agriculture: The amendment will not bring into use the idle lands along the goldfields railway system.

Mr. LAMBERT: If it could be done by any means at all, I would support the most stringent measures to bring those lands into use. The Premier knows that the financial position of the railways cannot be remedied until we bring more land into production. Having all the safeguards there are in the Bill, why hesitate; why should we not be bold and courageous? How can we people the lands along our railways without a measure that will give the Government the fullest power to utilise every acre of idle land along the railway whether freehold, leasehold, or any other form of tenancy?

Mr. LUTEY: The Bill will be of great service to the State if only we are allowed to work it into reasonable shape. The board should be empowered to inquire into conditional purchase lands as well as freehold. It is a most important question. Some of the land transactions of the past in this State have been scandalous, especially those in respect of pastoral country. Some 25 years ago, with the idea of taking up pastoral land, I made investigations and found instances of the rent being paid seven years in advance, presumably with a view to obscuring the fact that the conditions were not being carried out. Vast areas of land were held by the Western Australian bank and Dalgety's and others, locked up against the bona fide settler. The distance of 12 miles from a railway should be increased; otherwise the Government, by resuming such land, will be forcing up the values of land immediately outside that limit. I appeal to members to do justice to the State by supporting the amendment.

Amendment put and a division taken with the following result:—

Ayes	..	..	..	12
Noes	..	..	..	15

Majority against .. 3

AYES.

Mr. Angwin	Mr. McCallum
Mr. Chesson	Mr. Munste
Mr. Corboy	Mr. Simons
Mr. Heron	Mr. Willcock
Mr. Lambert	Mr. Wilson
Mr. Lutey	Mr. O'Loghlin

(Teller.)

NOES.

Mr. Broun	Mr. Money
Mr. Carter	Mr. Pickering
Mrs. Cowan	Mr. Piesse
Mr. Durack	Mr. Stubbs
Mr. Johnston	Mr. Teesdale
Mr. H. K. Maley	Mr. Underwood
Mr. Mann	Mr. Mullany
Sir James Mitchell	

(Teller.)

Amendment thus negatived.

Mr. McCALLUM: Though great objection has been raised to the inclusion of conditional purchase leases, no argument has been advanced for excluding pastoral lands. I move an amendment—

That after "simple," in line 3, the words "or held under pastoral lease from the Crown" be inserted.

I hope the Premier will accept the amendment and agree to increase the distance from the railway to 25 miles.

Mr. WILLCOCK: I support the amendment. Not very large areas are held within 12 miles of a railway. In the Murchison district there are many areas which could be cut up for closer settlement. Some of them are ten times too big. There can be no reasonable argument against the proposal. On several occasions I have endeavoured to get the House to take action regarding these areas. On one occasion I presented a petition signed by 1,000 people, of whom at least 100 were returned soldiers. The fact of such a large number having signed the petition showed that the people were alive to the necessity for closer settlement in those areas. Now is presented an opportunity to give favourable consideration to their prayer. I should like to have seen land within 20 miles of a water front embraced by this Bill, but that may come on later. It will certainly be for the benefit of the State if these lands are cut up in the manner proposed. I am absolutely sincere in my support of this amendment, just as the people of the Murchison are sincere in their desire to take up these areas.

Mr. CORBOY: I am genuine in my anxiety to see more people on the land.

Hon. W. C. Angwin: We are all genuine on this side, which is more than they are on the other side of the Chamber.

Mr. CORBOY: I support the amendment. One of the finest opportunities we have for settlement is afforded by the pastoral areas, which at present are only supporting a few people. Kendenup is a splendid example of what can be done by means of closer settlement. In the Phillips River district there is also some magnificent country. I do not see why there should be any distinction between leasehold, conditional purchase lands, and freehold land. If any landholder is not putting his land to the best use, the State should replace him by someone else. I see no provision in the Bill for ensuring that our alienated lands are made more productive. The man who does not put his land to proper use is not worthy of consideration. He is a traitor to the country. It is a mistake to offer such people compensation for getting out of their properties.

Mr. Johnston: It may be due to lack of finance on their part.

Mr. CORBOY: They can always get finance from the Government, if from no one else.

[Hon. G. Taylor took the Chair.]

Mr. PICKERING: I hope the Committee will not agree to the proposition. The system of bringing all land within 25 miles of a railway under the Bill would prove unworkable in the South-West. Parliament has laid it down that 12 miles from a railway is the limit of successful farming.

Mr. LAMBERT: I agree with the member for North-East Fremantle as to the impossibility of farming profitably at a distance of more than 12 miles from the railway. The Premier cannot go far wrong in agreeing to this proposal. Pastoral leases should be included.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	16

Majority against .. 4

AYES

Mr. Angwin	Mr. McCallum
Mr. Chesson	Mr. Munsie
Mr. Corboy	Mr. Simons
Mr. Heron	Mr. Willcock
Mr. Lambert	Mr. Wilson
Mr. Lutey	Mr. O'Loghlin

(Teller.)

NOES

Mr. Angelo	Mr. James Mitchell
Mr. Brown	Mr. Money
Mr. Carter	Mr. Pickering
Mrs. Cowan	Mr. Plesse
Mr. Durack	Mr. Stubbs
Mr. Johnston	Mr. Teesdale
Mr. H. K. Maley	Mr. Underwood
Mr. Mann	Mr. Mullany

(Teller.)

Amendment thus negatived.

Mr. McCALLUM: I move an amendment—

That in Subclause 1 the words "owned by the State" be struck out.

The carrying of the amendment will bring within the scope of the measure the rich land along the Midland line.

The Premier: We want our own railway lines to pay.

Mr. McCALLUM: The matter is entirely one for the Government to decide, the board being restricted to recommending. There are extensive areas along the Midland railway held up. Surely that is not right.

The Premier: Parliament will be asked to vote a certain sum of money.

Mr. McCALLUM: But the Premier must realise that the railway traffic is not the only means through which the settler contributes to the revenue. The whole admission by the Premier is that this is playing with the proposition.

The Premier: Not at all.

Mr. McCALLUM: That is the position; nothing more nor less.

The Premier: If you can satisfy the Committee on that point, you can strike it out, but I do not agree with the suggestion.

Mr. McCALLUM: We want the support of the Premier, because we honestly desire to improve the measure. The Bill should provide the Government with an opportunity to deal with the Midland areas should it be necessary.

Mr. WILLCOCK: The Bill is not of a temporary nature and I hope that within the next four or five years, there will be such an influx of population that such a measure will be all the more necessary.

The CHAIRMAN: The Bill will only continue in operation until 1923.

Mr. Johnston: The Committee may decide otherwise!

Mr. WILLCOCK: A lot of land in the Midland areas has gone out of cultivation during recent years.

Mr. Teesdale: It is evident that it did not pay to grow wheat.

Mr. WILLCOCK: That was not the point. At that time, the price of wool went up so high that the farmers realised that they could make more money out of wool and thus rid themselves of the gamble in wheat which might be affected by drought or rust. I hope the Bill will not be restricted but that, should the Government require land, and should money be available, they will deal with the lands held by the Midland Company, after dealing with the areas alongside the State railway.

Mr. JOHNSTON: I trust the Government will accept the amendment because, from the point of view of land settlement, most of the good freehold land held, but not used, is to be found in the Midland country. Throughout the Great Southern districts, most of the land is reasonably well occupied. I admit that the Premier's first duty will be to deal with the large holdings adjacent to the Government railways. The Committee, however, should not legislate in the direction of telling the Government that, irrespective of conditions, they must deal only with lands alongside the Government line.

Hon. W. C. Angwin: You voted against my amendment and tied the hands of the Government!

Mr. JOHNSTON: That was regarding conditional purchase leases. Even if the amendment be accepted by the Government the administration of the Act will still be in their hands.

The Premier: Then you do not want this to mean anything?

Mr. JOHNSTON: Yes, I do: I say the Government should put it into operation wherever good lands are lying idle. The Government can reasonably accept the amendment.

Mr. LAMBERT: To exclude land adjacent to the Midland railway line is to lay down a most dangerous precedent. It is altogether wrong.

Mr. Lutey drew attention to the state of the House.

[Bells rung; a quorum formed.]

Mr. LAMBERT: It would be highly dangerous to exempt the lands along the Midland Company's line.

The PREMIER: Nothing would suit the Midland Railway Company better than to have the Bill put into operation along their line. They have sold their land.

Mr. LAMBERT: We have had considerable trouble with the Midland Railway Company in the past, and if we exempt their lands from the operation of the Bill they will say that for all time they are to be immune from the State's land settlement policy. In its practical application to closer settlement the Bill is mere humbug. We should not convey the impression that we grant to the Midland Railway Company immunity from the application of any closer settlement policy.

The CHAIRMAN: The hon. member cannot discuss the Midland railway.

Hon. W. C. ANGWIN: On a point of order. The Midland railway runs through agricultural areas. Why cannot we discuss the lands adjacent to that railway.

The CHAIRMAN: The hon. member can give reasons for his attitude towards the Bill, but he cannot discuss the Midland Railway Company.

Mr. LAMBERT: The proposal to exempt the Midland Railway Company from the operation of the Bill is highly dangerous.

The CHAIRMAN: It would be better if the hon. member did not confuse his remarks to this railway.

Mr. LAMBERT: There is no other railway for it to apply to unless you get one on a string and haul it into the State. The Midland railway—

The CHAIRMAN: The hon. member must not keep on repeating his references to the Midland railway, he must deal with lands adjacent to railways.

Mr. LAMBERT: Very well, then; I shall speak of the dozens of other railways in the State. Everyone knows that the country is grid-ironed with private railways. There is the 15-mile railway between Coolgardie and Kurrawang. Why should that be immune?

Mr. Teesdale: On a point of order, the hon. member has repeated four times the remark about granting immunity.

The CHAIRMAN: I recognise that he is repeating himself, but I think he will soon be exhausted.

Mr. LAMBERT: If there is one problem in Australia—

The CHAIRMAN: The hon. member cannot wander all over Australia; he must confine his remarks to the amendment.

Mr. LAMBERT: I desire to show the necessity for making this measure broad and comprehensive so that it will apply to all land in the State. I have every right to point out the necessity for closer settlement. Yet, under this measure, the Midland Company will be immune for all time.

The PREMIER: The Midland Railway Company would welcome the striking out of these words, because they do not now own the land adjacent to their line. If the Government spent money in bringing such land into use, it would redound to the benefit of the company and not against them. The member for Coolgardie has been speaking as if the land were still held by the company, whereas they have sold it and it is now held by other people. We cannot afford to spend money for the development of land adjacent to their line when our lines are so short of traffic.

Mr. Lambert: But probably in a few years, when we want the closer settlement policy applied to their lands, they will argue that they were specially excluded.

The PREMIER: The hon. member has lost sight of the fact that this land does not now belong to the company. The land belonging to the company and adjacent to the Wongan Hills-Mullewa line will come under this measure. These words should not be struck out for the reasons advanced by the hon. member, though I do not mind if they are struck out for other reasons. The Midland Company would never urge that their land is at stake, because they do not own the land which would be affected.

Mr. Johnston: Surely they own some within 12 miles of the railway.

The PREMIER: Yes, but not very much first class land.

Mr. Lambert: I know of some for which they want 12s. an acre for the mineral rights.

Mr. Lutey: I cannot see why any objection should be raised to the amendment.

The PREMIER: I have already said that I do not mind if the words are struck out.

Amendment put and passed; the clause, as amended, agreed to.

Clause 4—agreed to.

Clause 5—Land may be declared subject to this Act:

Hon. W. C. ANGWIN: The report of the board may deal with several areas. Does this clause mean that the Governor may declare the whole of the land subject to the Act?

The Premier: No, only the land which we are advised to take.

Clause put and passed.

Clause 6—agreed to.

Hon. W. C. Angwin: Clause 6 is the most important clause in the Bill, and we have had no opportunity of dealing with it.

The Premier: I suggest that it be put again.

The CHAIRMAN: I put the clause and do not think I did so too rapidly. The Premier can recommit the Bill. I am not putting the clauses too quickly.

The Premier: I will recommit the Bill.

Clause 7—Acquisition of land:

Mr. McCALLUM: The owner of land that may be resumed has the option of paying a Federal tax or cutting it up, while the Government have only one option, that of resuming it. There is plenty of land in the State to which this legislation would apply, but the Government may not be able to afford to resume it. There should be some means whereby the Government can declare that certain land shall be developed, and can compel the owner to pay the Federal tax or cut it up without the Government being forced to resume it. The power to resume is limited to the amount of money the Government can find. The Government should, therefore, take power to enable them to apply paragraph (b) of Subclause 2 of the preceding clause to any land they think fit, without being compelled to resume it.

The CHAIRMAN: There is nothing in this clause dealing with a triple tax.

Mr. McCALLUM: I want to insert a provision to this effect.

The Premier: You want the Government to take power to instruct the owner what to do with his property?

Mr. McCALLUM: That is one of the purposes of the Bill; at any rate, I want to insert a provision to cover that. I move an amendment—

That after the word "settlement" the following words be added:—"Or that paragraph (b) of Subclause 2 of Clause 6 shall apply to such lands, whereupon the owner shall forthwith be liable for the payment of such tax.

The PREMIER: I hope the Committee will not listen to this proposal, the effect of which is that if the Government are not prepared to repurchase a man's land, they shall tell him what he is to do with it. The proposal is really monstrous.

Mr. McCallum: Is it monstrous to impose taxation?

The PREMIER: The suggested differentiation would be monstrous.

Mr. McCallum: The whole Bill differentiates.

The PREMIER: Not in that way. The amendment amounts to saying to some people here and there, "You must pay extra taxation." This is not a taxation measure, but a measure for the acquisition of land.

Hon. W. C. Angwin: The best thing is to knock the whole clause out.

Mr. PICKERING: We may be forced into doing something of that kind. The operation of the Bill depends upon the Government having sufficient money to make land owners such offers for their land as they would be inclined to accept. I do not wish the Bill to go through in an unenforceable form.

The Premier: If the owner fails to make an election of the two factors, then the Government are entitled to tell him he must pay extra taxation.

Mr. McCallum: The Bill is quite unenforceable.

Mr. PICKERING: Where the Government are wrong, it is quite certain, was in giving the owner the option of two courses.

The Premier: That is quite right; there is nothing new in that.

Hon. W. C. ANGWIN: I am not altogether in favour of the amendment moved by the member for South Fremantle, but would prefer to strike out the clause. The clause gives the owner of the land the option of doing one of two things. The first option is ridiculous because we know a man will not subdivide his land. However, we cannot discuss that clause because it was rushed through before we had an opportunity of dealing with it.

The Premier: I have already informed the hon. member that I will give him an opportunity of discussing that clause. I will recommit the Bill.

Hon. W. C. ANGWIN: If he does not do that, he has to pay the treble tax, but there is no provision which makes it compulsory for him to pay.

The Premier: I say there is.

Hon. W. C. ANGWIN: The Premier has failed to show us where that is so. The whole intention of the provision is to afford the Government an opportunity of buying land outside the scope of the Lands Purchase Act.

The Premier: That is not the object, and you have no right to say it is.

Hon. W. C. ANGWIN: That is the object and the Government have no right to override that Act. Under the Bill, land can be acquired by means of arbitration under the Public Works Act, 1902. Under the Lands Purchase Act there is no question of arbitration; it is a matter as between the buyer and the seller. If the landholder will not accept the money offered, the deal is off. A man would be as mad as a hatter to take an offer from the Government under the clause when he could go to the Supreme Court and get perhaps 20 per cent. or 30 per cent. for disturbance.

The Premier: I do not think you are right in saying that.

Hon. W. C. ANGWIN: We can only go on experience and a knowledge of what we have paid in the past. There are only two provisions; first, the land owner may sell, and, secondly, if he does not do so within a certain period, he has to pay a very stiff tax. There is no provision for that tax, but there is almost compulsory provision for the Government to pay.

Mr. Pickering: That is the only penalty clause in the Bill, if it can be construed as such.

The Minister for Agriculture: Land owners are already subdividing their properties in anticipation of the Bill.

Hon. W. C. ANGWIN: That is an entirely different proposition. They are subdividing and making their own terms. Under the Bill, the board would have a say in the matter.

The Premier: The board would not object if the subdivisions were reasonable.

Hon. W. C. ANGWIN: The man is free to do as he likes to-day, but under the Bill it will be different. Any man would be a fool to part with his land until the measure is passed, because the Bill will enable him to get more for his land.

The Premier: It is very easy to say that.

Hon. W. C. ANGWIN: This is a dangerous clause.

The Premier: Well, suggest some alteration.

Hon. W. C. ANGWIN: I suggest that it be deleted.

The Premier: We will provide for the tax.

Hon. W. C. ANGWIN: The clause is drafted in such a way that it is a farce.

The Premier: I do not agree with that. It is so very easy to make statements like that.

Hon. W. C. ANGWIN: There can be no doubt that the clause will prove a dangerous one to the State. I support the amendment because it is a step in the right direction.

Mr. LAMBERT: I move—

That progress be reported.

Motion put and a division taken with the following result:—

Ayes	..	..	..	11
Noes	..	..	..	16
Majority against				5

AYES.	
Mr. Angwin	Mr. McCallum
Mr. Chesson	Mr. Munsie
Mr. Corboy	Mr. Willcock
Mr. Heron	Mr. Wilson
Mr. Lambert	Mr. O'Loghlin
Mr. Lutey	(Teller.)

NOES.	
Mr. Angelo	Mr. Mann
Mr. Broun	Sir James Mitchell
Mr. Carter	Mr. Money
Mrs. Cowan	Mr. Pickering
Mr. Durack	Mr. Piesse
Mr. Johnston	Mr. Teesdale
Mr. C. C. Maley	Mr. Underwood
Mr. H. K. Maley	Mr. Mullany
	(Teller.)

Motion thus negatived.

Mr. McCALLUM: I cannot understand how the Premier argues that my provision singles people out for taxation any more than does his. The owner either subdivides his land or improves it. The principle is the same in both instances. The whole system of land taxation is based on that principle; if a man wants to escape taxation he improves his property. But under the clause, if a man neglects to notify the Government that he elects either to subdivide or to pay the additional tax, the Government have no power to enforce the tax, and so the land owner will simply wait until the Government come along and buy his property. How much settle-

ment can we expect to get by methods such as that? The clause is useless.

Amendment put and a division taken with the following result:—

Ayes	..	..	..	10
Noes	..	..	..	16

Majority against .. 6

AYES.	
Mr. Angwin	Mr. McCallum
Mr. Chesson	Mr. Munsie
Mr. Heron	Mr. Willcock
Mr. Lambert	Mr. Wilson
Mr. Lutey	Mr. O'Loghlin
	(Teller.)

NOES.	
Mr. Angelo	Mr. Mann
Mr. Broun	Sir James Mitchell
Mr. Carter	Mr. Money
Mrs. Cowan	Mr. Pickering
Mr. Durack	Mr. Piesse
Mr. Johnston	Mr. Teesdale
Mr. C. C. Maley	Mr. Underwood
Mr. H. K. Maley	Mr. Mullany
	(Teller.)

Amendment thus negatived

[Mr. Stubbs resumed the Chair.]

Hon. W. C. ANGWIN: Regarding Sub-clause 3, I do not agree with the provision for fixing the compensation by arbitration. All owners value their land for taxation purposes. Further, there are assessors appointed by the State and Commonwealth Taxation Departments to value the land. Without taking into consideration the valuation of the local authority, we thus have three independent valuations. Therefore we know the value of land fairly well. I maintain that the section of the New Zealand Act should be adopted.

The Premier: They have taken only one estate under their Act.

Hon. W. C. ANGWIN: Either because they were able to buy the land at a fair and reasonable price or because the tax has forced the land into use. This is the only clause in the Bill under which land can be brought under closer settlement. If the Bill is passed with the clause as printed, I believe that not an acre of land can possibly be made available for closer settlement unless the price is first written down considerably. No one could afford to take up land and make a profitable proposition of it under the conditions laid down. Doubtless in the resuming of land, sentiment will play a part. A clause should be drafted to provide that the valuation the owner places upon his lands shall be accepted. If a man places too low a value upon it for taxation purposes, he is robbing the State.

Mr. MUNSIE: I hope the Premier will agree to some alteration in the method of payment for the resumption of land. The State has never had a fair deal in these matters.

The board should value the improvements on a property, and the owner should be paid for every penny that he has put into improvements. With regard to unimproved land, there cannot be a fairer system to employ than to accept the valuation placed upon it by the owner, plus 10 per cent. This method would bring in more revenue to the State.

The PREMIER: When resumptions are made under the Public Works Act the price that is paid may often be too great. I think the Supreme Court may be able to fix a fair value upon land. I should like to hear what hon. members have to say on this question. To the unimproved value there would have to be added the value given to the land by the improvements made upon it. I take it that is the object of hon. members. I should like to hear the matter further discussed.

Mr. McCALLUM: The owner returns for taxation purposes the unimproved value as well as the improved value. There should be no fictitious value placed on the property by him. If this measure is applied to a landowner, that fact in itself is proof that he has not done a fair thing by the State. Certainly, such an owner should not be given anything extra. I move—

That in Subclause 3 all words after "be," line 1, be struck out, and the following inserted in lieu:—"the value plus 10 per cent. of the property as assessed by the Commissioner of Taxation for taxation under the Land and Income Tax Act, 1907."

The amendment is based upon New Zealand legislation; and the Premier's statement that very few estates have been resumed in New Zealand is proof of the effectiveness of that legislation.

The CHAIRMAN: The amendment makes no provision for the valuation of improvements.

Mr. McCALLUM: I take it the amendment would include the improvements, which would be valued.

Mr. MONEY: My experience of these valuations leads me to think that as regards unimproved value there will not be much difficulty in my district, where the unimproved land values do not vary by more than 10s. per acre all round. In filling up taxation papers, the trouble is that the improvements are oftener than not ignored. Eventually, an "improved value" is reached, when the owner is taxed at the halfpenny rate. The unimproved value of land shown in the taxation returns is immaterial. In my district the people often say that their land has no unimproved value. I doubt whether the unimproved value could be arrived at, except by arbitration.

The PREMIER: I hope the amendment will not be pressed. The improved value is not disclosed on the taxation returns, and cannot be so disclosed. When the stage is reached at which the improvements are sufficient to warrant the payment of taxation, they do not trouble any more.

Hon. W. C. Angwin: The unimproved value is not disclosed?

The PREMIER: It is, but not the improvements. If it costs £200 more to build a house than was the case six or seven years ago, and a person is turned out of his home now, he is entitled to be compensated. All we want to get from the incoming owner, is the value of the property and that is all that can be expected. It would be futile to take the amount of improvements from the amount shown in the taxation returns. In New Zealand, the valuations are made by the board and not the owner, and there the Commissioner may have the valuations reduced or the owner may apply to have the valuations increased. That is a totally different proposition.

Mr. MUNSIE: I do not know that the amendment moved by the member for South Fremantle covers the whole of the New Zealand conditions. I am inclined to think that it does not. I will support the amendment, however, rather than the clause. The best way of arriving at the unimproved value is to take the owner's valuation placed upon it for taxation purposes. I erected my home on land which I bought for 30s. a foot. Since then other houses have gone up. The third year after I bought the block, I valued it for taxation purposes at £3 a foot. The Commissioner of Taxation refused to accept the valuation, contending that the land was worth more than I had indicated. The Commissioner later showed me the record of a sale of land in a street close to my property, but in a hollow, and the price was greater than the valuation I had placed upon my block. I offered to sell my land to the Commissioner at £3 a foot if he would give me the value of the improvements. I told the Commissioner that I would not put in a higher valuation and that amount has since been accepted. I have paid on that amount ever since. I do not want to have to accept the Commissioner's valuation. I prefer to accept the owner's valuation plus 10 per cent. for disturbance. If an owner does not put a sufficiently high valuation on his land, he must be prepared to have the land resumed.

The PREMIER: I repeat that the principle expounded by the hon. member is wrong. Still, I am prepared to accept the views in respect of values expressed by members on both sides of the House. I will postpone the clause.

Amendment by leave withdrawn.

Clause postponed.

Clause 8—Default by owner after election to subdivide:

Hon. W. C. ANGWIN: This is not very clear. The owner has the option of subdividing his land or of paying the tax, if there be any tax to pay. If he fails to adopt paragraph (a) of Clause 6 the board can notify him that he will be taxed under paragraph (b); but it is not clear that he is compelled to pay under paragraph (b), because the Government can then resume.

The Premier: He must either pay or subdivide.

Hon. W. C. ANGWIN: Well, it is not made clear. The provision is merely that the Governor "may" take the land, not that he "shall." I am only seeking for information.

Mr. Pickering: It is a good clause; it has a bit of backbone in it.

Hon. W. C. ANGWIN: It does not seem very clear to me.

The Premier: I should not expect it to, at this hour of the morning.

Clause put and passed.

Clauses 9 to 12—agreed to.

Clause 13—Exemption of contracts from Constitution Act Amendment Act:

Mr. PICKERING: Will the Premier explain this clause. It seems to be an evasion of the Constitution Act Amendment Act.

The PREMIER: If the board decides that the land of a member of Parliament should be taken, it will be taken. Under existing conditions, of course, a member of Parliament could not sell to the Crown. I should think that more than one-half of the members of both Houses hold land, and it is not right that they should escape.

Hon. W. C. ANGWIN: I agree with the clause. A member of Parliament should not be placed in a different position from anyone else, so long as he is dealt with fairly. This clause seeks to amend the Constitution Act, and I think the Premier will require 26 members to support it.

Mr. Pickering: We have not voted on this.

Hon. W. C. ANGWIN: Yes, we have; on the second reading.

The CHAIRMAN: I have yet to be convinced that this is an amendment of the Constitution.

Hon. W. C. ANGWIN: I am not raising the point at this stage. A section of the Press thought this clause should be struck out. I cannot see why a member of Parliament should be debarred from dealing honestly with the Government.

The PREMIER: He will not be able to deal with the Government. This clause will only make it possible for the board to resume his land if the land should be required.

Clause put and passed.

Clauses 14 to 17—agreed to.

Progress reported.

BILL—AUCTIONEERS.

Council's Amendments.

Schedule of six amendments made by the Council now considered.

In Committee.

Mr. Stubbs in the Chair; the Premier in charge of the Bill.

No. 1.—Clause 4, Subclause (2) strike out "City of Perth, and the Municipal District of Fremantle," and insert "Metropolitan Area"; also strike out "said city and municipal district," and insert "Metropolitan Area."

The PREMIER: I promised to look into this matter and see if an alteration could be made. Meanwhile the Bill was sent to another place and the clause was there amended in accordance with the wishes of members here. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 2.—Clause 4, add a subclause to stand as No. (3):—"Metropolitan Area" means that portion of the State which is within the Metropolitan, the Metropolitan-Suburban, and the West Provinces.

On motion by the Premier, the foregoing amendment was agreed to.

No. 3.—Clause 11, after the word "company," in line four, insert the words "or wool included and described in a catalogue issued prior to and for the purpose of the sale of such wool."

The PREMIER: It is customary to sell wool at night, and provision had to be made for that. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 4.—Strike out Clause 19.

The PREMIER: This has to do with the application of trust money. I do not think the clause is necessary. In a good many cases the money is paid over before it is collected. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 5.—Schedule E, Nos (2) and (3), District License, strike out the words "City of Perth or the Municipal District of Fremantle," and insert the words "Metropolitan Area."

The PREMIER: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

New Clause.—Add the following clause, to stand as No. 19:—Licenses may be issued for the benefit of firms or companies.—19. (1.) Any person applying for a license under this Act may in his application state that he is applying for the benefit of a particular firm of or in which he is an employee or partner, or of a particular company of which he is an employee; but the Clerk of the Magistrate shall not receive such application unless he is satisfied that the firm or company has by writing signed on its behalf con-

sented thereto. (2.) The firm or company may be represented at the hearing and shall be liable to pay and may be awarded costs, as if such firm or company were the applicant. (3.) The Magistrate may refuse the application on the ground of want of fitness in the firm or company. (4.) The certificate of the licensee, if granted, shall state that the license is to be used for the benefit of the firm or company, and the license when issued shall contain the like statement and shall be exercised for the benefit of the firm or company and not otherwise. (5.) Two or more such licenses may be granted in favour of the same firm or company. (6.) Neither the licensee nor his legal personal representative shall be competent, except with the consent of the firm or company, to agree to transfer such license, but a transfer of any such license as aforesaid may be made to any person to whom the firm or company has agreed to transfer the same, and the consent of any such licensee, being the employee of the firm or company, or of his representative, shall not be necessary. (7.) A temporary license shall be granted in respect of such license as aforesaid except with the consent of the firm or company. The liability imposed by subsection four of section fourteen shall in the case of a temporary license granted by virtue hereof, attach to the firm or company and not to the licensed auctioneer. (8.) A firm or company for whose benefit and such license has been issued shall not be entitled, by virtue thereof, to act as auctioneer; but, with this exception, the provisions of section twelve of this Act shall not, within the limits to which the license extends, apply to such firm or company so long as the license remains in force and any business done under the license may be transacted in the name of the firm or company. (9.) If during the currency of any such license as aforesaid the firm or company desires to transfer the benefit of the license to any firm or company, the transfer may on the application of the proposed transferor and transferee be made by the resident magistrate of the district in which the license was granted, but the provisions of section ten shall (subject to such modifications as may be prescribed) apply to and in respect of such application and the proceedings thereon as if the application were for a transfer of a license. After the transfer, the license shall be held and exercised for the benefit of the transferee as if it had been granted for that purpose. (10.) For the purpose of this section "firm" means a firm consisting of two or more persons registered under the Registration of Firms Act, 1897, and "company" means any incorporated body of persons which but for this Act would be competent in law to transact or engage in auctioneering business.

The PREMIER: The amendment is a fair one. At present a firm may pay for a license for one of their employees, and he may leave them and take his license away with him. There is only one licensed auctioneer for one

license fee, and only one seller can sell under one license.

Mr. Pickering: Is not the license transferable to another employee?

The PREMIER: Yes, the individual licensed, and not the firm. It is transferable if the court approves. There will be provision for transfers. I move—

That the amendment be agreed to.

Question put and passed; the Council amendment agreed to.

Resolutions reported, the report adopted and a Message accordingly returned to the Council.

House adjourned at 3.30 a.m. (Saturday

Legislative Council,

Tuesday, 13th December, 1921.

Select Committee Wyndham Meat Works and State Shipping Service, final report	23
Standing Orders Suspension. Close of Session	23
Sitting Day Additional	23
Bills: Constitution further Amendment, 2r.	23
Auctioneers, Assembly's Message	23
Workers' Homes Act Amendment, 1r.	23
Grain, Com.	23
Stamp, Assembly's Message	23
Health Act Amendment, 2r.	23
North Fremantle Rates Validation, 2r., Com report	23

The PRESIDENT took the Chair at 4 p.m., and read prayers.

SELECT COMMITTEE—WYNDHAM MEAT WORKS AND STATE SHIPPING SERVICE.

Final report presented.

Hon. J. J. Holmes brought up the final report of the select committee referring the State Shipping Service.

Report received and read.

Hon. J. J. HOLMES (North) [5.8]: chairman of the select committee I move—

That the report and the evidence be printed, and that the consideration of the report be made an Order of the Day for Tuesday next.

I trust that those responsible for the printing of the evidence will expedite matters as much as possible, and I wish to request the Leader of the House to accord the co-