

## AYES.

Mr. Angwin  
Mr. Collier  
Mr. Durack  
Mr. Heron  
Mr. Hughes  
Mr. Lambert  
Mr. Latham  
Mr. Lutey  
Mr. Mann

Mr. Marshall  
Mr. McCallum  
Mr. Munsie  
Mr. Piesse  
Mr. Teasdale  
Mr. A. Thomson  
Mr. Underwood  
Mr. Willcock  
Mr. Corboy  
(Teller.)

## NOES.

Mr. Carter  
Mr. George  
Mr. Gibson  
Mr. Harrison  
Mr. Johnston

Mr. C. C. Maley  
Sir James Mitchell  
Mr. Sampson  
Mr. Scaddan  
Mr. Mullany  
(Teller.)

Motion thus passed.

Progress reported.

*House adjourned at 10.50 p.m.*

## Legislative Council,

*Tuesday, 5th December, 1922.*

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Dairy Cattle Improvement, 3R.	1956
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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

### SELECT COMMITTEE—FISHING INDUSTRY.

#### Extension of time.

On motion by Hon. F. A. Baglin, the time for bringing up the report was extended until December 12th.

### QUESTION—LAND SETTLEMENT.

#### *Surveyor Lefroy's Report.*

Hon. A. J. H. SAW asked the Minister for Education: Will he lay on the Table of the House the report of the District Surveyor, Mr. J. H. M. Lefroy, dealing with land adjacent to railways in the agricultural areas?

The MINISTER FOR EDUCATION replied: Yes; files and illustrated plans herewith.

### ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the undermentioned Bills:—

- 1, Light and Air Act Amendment.
- 2, Nurses Registration Act Amendment.

### BILL—JARNADUP-DENMARK RAILWAY.

Received from the Assembly, and read a first time.

### BILL—LICENSING ACT AMENDMENT.

Read a third time, and returned to the Assembly with amendments.

### BILL—DAIRY CATTLE IMPROVEMENT.

Read a third time, and returned to the Assembly with amendments.

### BILL—SUPPLY (No. 3), £1,040,000.

#### Second reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.40] in moving the second reading said: I had hoped there would be no necessity for a third Supply Bill this session, and that we would have had before us instead the Appropriation Bill. The Estimates have not yet been passed by another place, and consequently it is necessary for the Government to ask for Supply for November, which has expired, and for the present month. The whole of the Estimates have now been submitted to the Legislative Assembly, and I trust we shall have an opportunity of considering the Appropriation Bill with the Estimates next week. In the meantime the Supply now asked for is based on last year's expenditure, and covers the requirements for November and December. I move—

That the Bill be now read a second time.

Hon. J. CORNELL (South) [4.41]: I must compliment the Minister upon the brevity of his remarks, and his evident anxiety to get through the second reading

of this Bill. I should like to know if it is possible that the estimated deficit for the current financial year will be realised. The first five months of the year have gone, and the estimated deficit is practically exceeded already.

The Minister for Education: That has always been the case.

Hon. J. CORNELL: Is this always going to be the case? If so, I suppose we must rest content. Some inquiry into the position is necessary, and we should have some explanation of it. I wish to enter my emphatic protest against the continual drift, and the lack of realisation on the part of those responsible as to what the deficit at the end of the year is likely to be.

The Minister for Education: The first five months of the year creates the deficit and the rest of the year pays for itself. You cannot get in the revenue for the first five months.

Hon. J. CORNELL: This deficit began with the Scaddan Government, and ever since then we have been faced with an estimated and actual deficit. To-day, after seven or eight years of deficits, instead of beginning to pay our way and meeting our obligations, we have gone behind to the extent of £6,000,000. If we are to continue this state of affairs, let the Government be honest and say so, and do not let them declare that the deficit will be so much, only for us to find it always exceeded. No one knows better than the Minister that when he says that during the first five months we always go down in our financial position, at the end of the next seven months we always exceed the deficit. The Minister has put forward a plea that the Bill should be passed without discussion because we will have the Appropriation Bill before us shortly. I ask hon. members to take that statement with a grain of salt. I am now in my eleventh session as a member of this Chamber and I know of no session when the Appropriation Bill was not brought down until the dying hours. That has been a matter for continual protest by this Chamber and we have always had the same story that it will be down earlier next year. Last session it was not a matter of expediency but a deliberate attempt on the part of this House to keep the Government up to a sense of their responsibilities when we took action which, had it not been for the casting vote of the then President, would have delayed consideration of the Appropriation Bill. We took that course as a protest against the attitude of the Government in bringing down the Appropriation Bill at the last minute. If we are to pass Supply without question, in view of the present state of affairs, we shall deserve the worst the people can say about us.

Hon. G. W. MILES (North) [4.48]: If we are to grant Supply to the Government—I suppose most of it is already spent—I wish to protest against the way Ministers are running the country. In addition to the

deficit there are losses on the State trading concerns, which have to be added, and on top of that the Government are continuing the day labour policy, instead of carrying out works by contract. Capital expenditure is going on and there is no trace of it whatever. Further, the Government are paying for renovations and repairs to public buildings out of loan funds instead of out of revenue. I understand that now two-thirds of the expenditure is taken from loan funds instead of, as was the case 20 years ago, when practically the whole of this work was done out of revenue. It is like a man painting his house and adding the charge for it to the capital cost of the house. It is time the Government were brought to their senses and forced to endeavour to remedy the position confronting the State. The Government were returned as opposed to the day labour system and yet it goes on.

Hon. A. Lovekin: And State trading goes on too.

Hon. G. W. MILES: And the Government are opposed to that principle as well. We will have an opportunity to debate these matters at a later stage. I wish to draw the attention of the House to these four points at the present juncture.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

## BILL—PEARLING ACT AMENDMENT.

Assembly's Message.

The Assembly having disagreed to the amendment made by the Council, the reason for the disagreement now considered.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

THE MINISTER FOR EDUCATION: I move—

That the amendment be not insisted upon.

We cannot regard the amendment as a matter of first-class importance. It was inserted in this Chamber and provided that if any person had culture pearls in his possession, custody or control, he was to be deemed to have such pearls for the purpose of selling or otherwise dealing in them, unless he could prove to the contrary. The opinion expressed in the Assembly was that the Bill as it stands will afford sufficient protection. If it is found later on that the Bill does not afford that protection, it will be necessary for a further amendment to be made. The amendment was certainly rather drastic and apparently another place was not prepared to accept it. As I explained at another

stage of the proceedings, it is very important that the Act shall be passed as soon as possible because we are at the period when new licenses are issued. The amendment is not worth taking up a lot of time contending with another place and, in those circumstances, we need not insist upon it.

Question put and passed, the Council's amendment not insisted upon. Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

## BILL—COMPANIES ACT AMENDMENT.

Assembly's Amendment.

Amendment made by the Assembly now considered.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 2—Add the following proviso: Provided also that any shareholder who has before the passing of this Act made application in writing for dividends in cash instead of bonus shares, shall receive the amount of such dividend due to such shareholder in cash:

The MINISTER FOR EDUCATION: I move—

That the amendment be agreed to.

If anyone has bona fide made an application in writing, it is only fair that he should be paid his dividends in cash.

Hon. A. BURVILL: I move an amendment—

That after "has," in line 2 of the Assembly's proviso, the words "three months" be inserted.

That will be a reasonable safeguard. It will enable anybody who has made the application three months before the passing of the Act to be paid as suggested in the proviso.

Amendment put and negatived.

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

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

## BILL—WESTERN AUSTRALIAN BANK ACT AMENDMENT (PRIVATE).

Second Reading.

Hon. R. J. LYNN (West) [4.58] in moving the second reading said: It does not require many words from me to commend the Bill to hon. members. In Western Australia, banks are not allowed by law to operate under the Companies Act. That is, perhaps, a wise precaution, but it does not apply in the Eastern States, and to-day we have several banks registered under Companies Acts in other States competing against our local institutions. That cannot be objected to, but it does handicap the local institutions,

because they cannot alter their deeds of settlements, which are equivalent to the articles of association, as other banks can do by getting the consent of the shareholders. The result is that a local institution must go to the State Parliament for permission to make any alteration in connection with its deed of settlement. The present Bill is to authorise two alterations in the deed of settlement. The measure which was introduced as a private Bill in another place, was referred to a select committee, and subsequently passed through all its stages in the Assembly. It now becomes a public Bill in this Chamber. It is a very simple measure which does not request any concession. It is first desired that the £10 shares may be split into £1 shares. The shares to-day are quoted on the market at approximately £30, and the directors are desirous of making the institution more popular. The advantages of thus splitting the shares will be obvious. It is intended to issue fresh capital and the shareholders have unanimously approved of the proposition. There are, of course, many precedents for splitting shares. One advantage is that there will be more transactions, the institution will become more popular and there will be greater revenue as a result of the transfer fees. The Bill provides for the distribution of £50,000 from reserve in the shape of bonus shares. This reserve belongs to the shareholders. The bank, having been built up on a conservative basis since 1841, has a very big reserve account, and this has been of great advantage to the State. The shareholders present at the meeting agreed, and those unable to be present consented in writing, to the £50,000 being distributed in bonus shares, the holder of every £10 share to receive two bonus share in addition. The reserve of the bank to-day is £750,000, but the issue of this £50,000 in bonus shares will not impair that. The shares will be issued, and the money representing them will remain with the bank. The reserve account has been built up as the result of years of operations in connection with the trading account. The reserve will still remain exactly as it is, but the amount mentioned will take the form of additional capital. This, I think, will improve the position both as regards the institution and the general shareholder. The shares, being worth £30 to-day, are rather high to become popular scrip. If the smaller people of the community could obtain shares, it would add to the prosperity of the institution and of the people.

Member: Are present shareholders desirous of getting out?

Hon. R. J. LYNN: I do not think so.

Hon. F. E. S. Willmott: You could not dig them out.

Hon. R. J. LYNN: The Bill asks for nothing more than permission to effect these two small alterations. It should not be necessary to stress the advantages which have accrued to the State by virtue of having this local bank. Members know that the bank is controlled by a board of directors within the

State, and that it is one of the financial institutions that have done so much for the development and prosperity of mining and of the State generally. Many influential firms, and many who are in affluence to-day, owe their position to the assistance rendered by this bank. The Western Australian Bank is an institution of which we are all very proud. It is the intention of the directors at a later date to issue additional shares, and have additional capital subscribed. When this additional capital is subscribed, it will assist considerably in the development of the State. We are fortunate in having such a local institution, and I feel sure members will unanimously support this measure to facilitate the operations of the Western Australian Bank, especially as other banks in competition with it have the power to make such alterations without appealing to Parliament. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

## BILL—CLOSER SETTLEMENT (No. 2).

Second reading.

Debate resumed from the 30th November.

Hon. H. STEWART (South-East) [5.8]: Although I spoke on a similar measure some days ago, I did not by any means exhaust the subject. I sought on that occasion to explain to the House the legislation in one of the States particularly instanced by the Leader of the House when he gave that as one of a few very flimsy reasons for introducing the Bill. The Minister stated that no member of either House would gainsay the necessity for such a measure, but he took no steps to convince us that the necessity existed. One of the reasons he advanced in justification of the Bill was that almost every State of the Commonwealth and New Zealand had legislation of a similar kind. The Minister touched lightly on the Acts of Queensland, Victoria and New Zealand, and the legislation which it was sought to introduce in New South Wales. He did not offer much detail, but he did bring home to the House the fact that in every other State closer settlement legislation was of a far less drastic nature, and made concessions extremely generous and equitable as compared with this measure. The Minister urged the state of the railway finances as indicating the necessity for this measure. He said the state of the railway finances was due in a large measure to the great area of land within reach of railways and not put to full use. The Government appointed a Royal Commission to inquire into the railways, and the Commissioner advised the Government what should be done. But it looks as if the Government do not intend to take any ap-

preciable notice of his report, which contained some very far-reaching recommendations.

Hon. T. Moore: And many mistakes.

Hon. H. STEWART: That is possible, but we have not yet received proof of it. The railways as run under pre-war conditions were showing a substantial surplus, and it is partly owing to the abnormal conditions arising from the war that they are not paying to-day. But there is a widespread belief that the railways are not now being managed in such a way as to make them remunerative, and the Government do not seem inclined to take any steps which would make for economy in the administration. The plea for non-paying railways was a totally inadequate reason for introducing the Closer Settlement Bill. If the employees on the railways worked as do the people settled on the land, there would be no railway deficit. Representatives of the agriculturists who have spoken on the Bill have not supported the idea, which prevails in some quarters, that there are large areas of unutilised land unobtainable by the Government. We contend that any unutilised areas can easily be obtained on equitable terms by the Government. We have Acts on the statute-book which require to be only slightly amended in order to give the Government the necessary power to acquire them. Speaking on closer settlement, the Minister made a statement which gave the impression that he interpreted the conclusions of the select committee to be that no doubt the Bill was necessary with regard to freehold land, but that they could not see their way to consider it satisfactory, because it did not include conditional purchase land. The select committee did not arrive at those conclusions according to my reading of their report. I do not consider that they committed themselves to that extent. However, those are the interpretations which the Minister put on the letter of the chairman of the select committee, the third paragraph of which reads:—

It was stated, in the second reading discussion, that the object of the Bill was to enable the Government to acquire land in close proximity to Government railways, but especially in the South-West for closer settlement, it being admitted that thousands of acres of good land are at present lying idle and uncultivated in close proximity to the railways.

The evidence does not show that.

The undersigned members of the committee have arrived at the unanimous conclusion that the Bill as submitted to Parliament did not attain the objects which the Government have in view, inasmuch as it deals with freehold land only, whereas it is admitted that more than half of the land which it is sought to acquire and bring into cultivation is held under conditional purchase lease, and consists of the surplus land held by the lessees who have improved a small portion of their land and failed to improve the balance, either through not having the capital to enable them to do so, or because they are able to make a living

upon the improved portion of their holdings.

Hon. J. Duffell: We still hold that conviction.

Hon. H. STEWART: I am not questioning the views of the select committee. I say there are probably a dozen additional reasons why this Bill is not a suitable measure. I quote the letter of the chairman of the select committee as bearing on one reason. Those reasons which were advanced by the Leader of the House in support of the measure are puny and inadequate.

Hon. T. Moore: The select committee inquired of only one man.

Hon. H. STEWART: The select committee got correct information, backed up by files, from a man who spoke with authority. The files are on the Table here. The witness in question is the Premier's right hand man in connection with land settlement throughout the State. Had the Premier been asked for a witness to give evidence in favour of the Bill, he would have chosen Mr. McLarty.

Hon. J. Duffell: But Mr. McLarty went right against the Bill.

Hon. H. STEWART: Exactly.

Hon. J. Duffell: He gave his own opinion.

Hon. H. STEWART: There is almost no end to the objections against such a Bill as this. The Minister said there was necessity for the measure, and he gave figures of considerable general interest with regard to land held, alienated and in process of alienation. Such land, he said, totalled 24 million acres. I think he said that five million acres of that area was grazing lease, and 19 million acres conditional purchase and freehold. He estimated that probably 14 million acres represented arable land. Of that area he said seven million acres were cleared or in process of being cleared. He concluded that there existed approximately seven million acres of uncleared arable land. The Minister talks of conditional purchase land being included, but he knows very well that a man cannot clear the whole of his conditional purchase area right off the reel. A farm must be gradually cleared, in the same way as a business like Foy & Gibson's is gradually built up.

Hon. T. Moore: But the holder of conditional purchase land has 20 years to clear it.

Hon. H. STEWART: The Leader of the House finds himself in a curious, illogical, position. At one time he argued that conditional purchase land must not be touched because it is in process of being alienated under a contract with the Government. In another connection he informed us that land in respect of which all the obligations had been carried out, must be seized.

Hon. J. Nicholson: Suppose a man buys a freehold which is not very well cleared; that may be seized.

Hon. H. STEWART: Yes. Reverting to the figures given by the Minister, I believe he said that probably the Midland Railway Company's nine million acres were included in the 19 million acres he reckoned to be alienated or in process of alienation, excluding grazing leases. I am only giving the impres-

sion obtained by me while listening in this Chamber. Allowing for the nine million acres held by the Midland Railway Company, that leaves for other firms and individuals in the State only ten million acres alienated or in process of alienation. I am not in a position to say how much of that ten million acres is included in the 14 million acres of arable land. When we examine the position, taking the Midland Railway Company into consideration, we arrive at such complications that there can be no arguing on the Minister's figures. He has given us no figures enabling us to determine the correctness of his estimate of seven million acres of land which is arable and should be cleared. He gave figures of the enormous loans granted by the Government, through the Agricultural Bank, for clearing; and he assumed that those advances were on conditional purchase holdings. But he had no reason to make that assumption. If he wanted to be fair, there was no reason why he should not have given us, by way of comparison, the advances made by the Associated Banks.

The Minister for Education: How could I?

Hon. H. STEWART: The Minister has not got that information, I know. But his argument is one-sided.

The Minister for Education: The hon. member said there was no reason why I should not have given the figures, and he now says he knows I could not get them.

Hon. H. STEWART: I did not wish to attribute any motives to the Leader of the House. Possibly the figures could be obtained, especially by one holding the high and distinguished position of Leader of this House. We should have had those figures in order that we might obtain a more complete grasp of the position. I have not studied the effect of such a measure as this on the Midland Railway Company, or on existing and past agreements in that connection. I hope that hon. members, before voting for the Bill, will fully consider the position, and reflect whether they will be doing the right thing in supporting a measure with such far-reaching effects on the Midland Railway Company. I say that without knowing what the Midland concession is, and without desiring personally to enter on that phase of the discussion. Later I shall deal with the question of whether this is really closer settlement legislation. I think it is closer settlement legislation only in name. When voting for the Bill members will be voting merely for the name of closer settlement. The Minister said that similar legislation exists in all of the other States. In that connection let me draw attention to the question of the railways. The Government, after appointing a Royal Commissioner to inquire into the Railway Department, have done nothing whatever to carry out his recommendations for improvements in the working of the department. At all events, they have done very little indeed during the months which have elapsed since the Royal Commissioner reported. The Minister did not give us any information to show the necessity for the Bill in respect of

freehold land. I am glad the report of Mr. Surveyor Lefroy has been laid on the Table. It ought to have been printed and distributed. A fortnight ago I tried to get a copy from the Lands Department, but they said there was no copy in existence. The Government had power to resume a large area of the lands dealt with by Mr. Lefroy. The Minister denied that 12 months ago, but he was not correct in his denial. There is no real necessity for the Bill. The freehold title has always been regarded as absolutely secure. Yet the Government bring in a Bill to seize freehold, and the Leader of the House says that conditional purchase land is not included because it has been parted with under contract, and so should be sacrosanct. The Minister said that only one of the other States, namely Victoria, had a measure which dealt with conditional purchase land. The Bill does not allow the exemption of one acre to the man with a freehold title. The Victorian Act, dealing with conditional purchase land, allows a minimum of £6,000 value as exemption before there can be any compulsory acquisition, and a judge of the Supreme Court can raise that exemption to £10,000. Moreover, there can be no resumption of land, though it be only conditional purchase land, until the resumption has received the approval by resolution of both Houses of Parliament. This shows the necessity for safeguarding the security of tenure.

Hon. G. W. Miles: Is that the key to the position?

Hon. H. STEWART: The security of land tenure is the base upon which rests the security and wellbeing of the State. In New Zealand there is a minimum of a thousand acres which cannot be resumed from the holder of land; and land in New Zealand is of an enormously greater value than land in Australia. In Queensland, where they sought to interfere with the security of land titles—a delegation had to be sent to England to hold up some of the Labour land legislation—even in Queensland there is a provision under which a man cannot be interfered with on a holding up to the value of £20,000 of freehold land. The New South Wales legislation is similar. People do not realise that not all land will grow crops or prove suitable for closer settlement. The inadequate reason given by the Minister for the Bill tended to confirm me in the opinion that the Bill is the result of an agitation set afoot by the "West Australian" for the utilisation of unutilised land alongside existing railways. I do not think the Government have any real belief that the Bill is necessary or that it will meet the position.

Hon. J. Ewing: Then why should they bring it down?

Hon. H. STEWART: Because they live mainly on sufferance, from the interpretations of their actions given to the public by the "West Australian."

Hon. J. Duffell: Then the "West Australian" has a lot to answer for.

Hon. H. STEWART: Mr. Rose said he knew in his electorate many men who were doing well on 40 acres. He did not give any instance of estates of more than 1,000 or 2,000 acres. He piously hoped the Bill would be amended in Committee. I was struck by the touching faith which led Mr. Rose to think the Leader of the House would accept any serious amendments to the Bill. I have a keen appreciation of the power of the Minister over the House, and of the results which he can get. I wish to quote part of Mr. McLarty's evidence before the select committee, as follows:—

By the Chairman: Can you give the committee an idea of the number of acres alienated in fee simple, and now unutilised and unproductive, within 12 miles of the South-Western railway and the Avon Valley railway?—I have no idea. I suggest you get that information from the Under Secretary for Lands.

There would be a large area of unutilised conditional purchase land along those railways?—Yes; within a distance of 12 miles; more conditional purchase than alienated land. That is especially so along the new lines. South of Bridgetown, for instance, the holdings would be practically all leaseholds. There would be very few large estates in those districts. Most of the land is held in small areas of 1,000 or 2,000 acres, though even those areas are more than a man would require for intense culture in that country. I suppose there are a few large estates a little to the south of Bridgetown.

Do you think it would be desirable for the Government to acquire such leasehold lands from the present lessees?—I certainly think the Government should have power to acquire such land if it is wanted; that is to say, land within 12 miles of a railway and not being utilised. There would be no injustice at all as long as the interests of the owners were safeguarded. I fail to see why a man with a large area of leasehold land unutilised should not be subject to the same conditions as the freeholder.

There would be no injustice at all so long as the interests of the owners were safeguarded. I fail to see why a man with a large area of leasehold unutilised should not be subject to the same conditions as the freeholder.

The Government's idea is that C.P. land and other land held under contracts unfulfilled shall not be touched, but that in regard to freehold land, where the contract has been completed, they are morally bound to take it. Here are some queries by Mr. Willmott, which were replied to by Mr. McLarty:—

You are largely interested in land yourself?—Yes, I have interest in land.

Nevertheless, you say you think it advisable that the Government should have power to compulsorily purchase all lands?—Yes. I have no objection whatever to that.

Personally you have no fear of any Government, whether Liberal, Labour, or Country Party, doing an act of injustice to any particular land holder?—No, so long as the measure gives the owner the usual protection in the way of appeal, or provides that in the case of dispute arbitrators shall be appointed.

If a man elects to subdivide his land and goes to some expense in doing so, and then it is not purchased from him, he has no redress; there is no appeal for him. I would suggest to Mr. Rose even at this late hour, that he give the matter further consideration, and join with me and others whose desire it is to see if possible a consolidating Bill introduced. The time is ripe for the introduction of an equitable system of land valuation as well as a proper system for controlling the land. If there be an equitable system of valuation, you can base all your taxation valuations on that. At the present time the system of valuation is haphazard and piecemeal. Under the New Zealand system you can have it so equitable that a man practically pledges himself in connection with it, to buy the property, or if the Government are prepared to accept what is a fair value, then they will be prepared to buy it. If they do not buy at a price that is fair and equitable, they have to base taxation on that price.

Hon. F. E. S. Willmott: Is Mr. Rose satisfied with the present system of valuations?

Hon. H. STEWART: I do not know. When we are at this stage of legislation, land valuation becomes a fundamental matter.

Hon. J. E. Dodd interjected.

Hon. H. STEWART: With a proper system every owner would be on the valuation roll, and in the case of any resumption a man would know exactly what he was to get and thus could not fail to secure fair treatment. There are several members in this Chamber who intend to vote for this measure—Dr. Saw is one of them—because of the principle involved. I do not know what that principle is. To me the Bill is unprincipled. The name is "Closer Settlement." I do not know whether it has mesmerised Mr. Miles, because he wants closer settlement. We want to see the land occupied by people who will be able to work it and make a living out of it. We also want the Government to be able to acquire any land, the unimproved value of which is over £5,000—a lower reserve than that existing in any other State of the Commonwealth. The Government can acquire that class of land for any discharged British soldier, and I challenge the Minister to show that there is any weakness in my argument. It is possible for the Government to resume land for any British soldier or his dependants under the Discharged Soldiers Settlement Act. The only people who cannot be settled on the land at the present time are civilians.

Hon. T. Moore: And they have a right.

Hon. H. STEWART: Yes, and there is no reason why the Government should not amend the Discharged Soldiers Settlement Act in the direction of making it apply to civilians, or to those who are now old enough to take up land, but who, while the war was in progress, were too young to enlist. We might even extend the privilege to immigrants arriving here. I opposed the Bill when it was before us last session because, as I pointed out then, we already had sufficient power to enable us to resume land. Since the Minister told the House that my statement was not correct, I have not scrupled to repeat that statement throughout the country, quoting the legislation of 1918 in support. I challenge the Minister now to say that I am not correct. I declare the Government have the power to resume any estate on which to settle any British soldier or his dependants, the value of which estate is over £5,000, after deducting the cost of improvements.

Hon. T. Moore: How is the value arrived at?

Hon. H. STEWART: The whole thing is provided for under the existing Act. Not a single acre has been resumed by the Government under the powers they possess. They had more land offered to them than they wanted, and at a fair price too, and as I have already pointed out, they could have resumed the land when they had a credit balance of over 1,000 soldiers, all of whom possessed the required qualifications. What greater powers do the Government want? The Bill provides for the subdivision of certain holdings which are not used for purposes of production in a way considered most suitable by a majority of the board. This board is to be composed of civil servants. Let me turn again to the evidence given by Mr. McLarty. Here is a question he was asked, and the answer he gave:—

Clause 3 of the Bill deals with the class of land which you have just mentioned?

—Yes. It is a very good idea to take power to acquire land which is not used to the fullest advantage.

That is not done in any other State in the Commonwealth, and I doubt whether it is done in any other country of the world unless it be Russia. Mr. McLarty continues:—

I think there will be considerable difference of opinion as to what constitutes the full use of land. Many people have the idea that every acre of land they see along the railway lines ought to be growing crops; but anyone who knows the business is aware that a great proportion of that land is not suitable for cropping and would not pay to crop. Frequently it has only a grazing value.

Anyone who is familiar with the lands of this State is aware that a fair proportion of it when cleared will be found to be rocky, and of a different quality from what it was thought to be at first. Then of course the percentage of that which is good is reduced

considerably. I have already instanced that the Bill imposes an obligation, as well as expense, with regard to subdivision and survey, on certain persons, and the alternative is that they must put up with further taxation. If this is a closer settlement Bill, it seems to me that it is only such a Bill so far as the title is concerned. The principles of the Bill may be summarised as follows: 1, an arbitrary board; 2, this board has power to tell a person to do something it thinks right; 3, that person is likely to incur considerable expense because of the arbitrary board. We have no reason to anticipate that the Government will acquire one acre, seeing that for four years they have had power to do away with all the large areas in the Avon Valley district, referred to in Mr. Lefroy's report, and restrict any estate there to not more than 2,000 acres of first-class land worth £2 10s. per acre. This power has not been exercised. What likelihood is there that they will avail themselves of the power contained in this Bill?

Hon. T. Moore: Do you not trust the Government?

Hon. H. STEWART: I trust them not to acquire any land under this Bill, because they have not done so under existing legislation. All the powers the Government require for British soldiers and their dependants they already have; it is only for civilians that any further powers are needed. The Government can have all the land they need at equitable prices, and more than they can deal with. They have not made use of their opportunities in the past, even to the extent of settling those soldiers who already hold their certificates. The Agricultural Lands Purchase Act Amendment Act passed in 1918 drastically altered the method of land acquisition by the Government. Many people do not understand this difference. Some say that the land has first to be offered to the Government, but that is not so. The Acts that were passed in the time of the Lefroy Government, in 1919, when the soldiers were beginning to return, have been available to the Government ever since. The legislation was well done at the time, and the Government were given extensive powers. Had the Lefroy Administration remained in office, I believe the Acts would have been put into operation, and that land would have been acquired in accordance with the provisions on the statute-book. Section 5 of the Act, to which I have just referred, repeals the limitations regarding the purchase of agricultural land. Before land could be acquired, the following conditions had to be complied with: there had to be a demand for the land in the locality; there had to be a probability of the land being immediately selected if it were resumed. I would instance the Yandanooka and the Avondale estates. So great was the need for the acquisition of these properties that after several years the land had to be written down when it was disposed of to returned soldiers. Furthermore, there had to be a sufficient absence of Crown lands. The amending Act removed

these restrictions. The Government now do not have to wait for people to offer them land, but under Section 12 the Government have power to go to any man who holds an estate which, without improvements, exceeds £5,000 in value and say, "We are going to resume your land, over and above that which is worth £5,000, for soldier settlement."

Hon. G. W. Miles: How do they arrive at the value?

Hon. H. STEWART: The method is set out in the Act. Mr. Miles was a member at the time it was passed. As he has not made himself conversant with it, I will tell him what the provisions were. The Act was passed at a time when the struggle for freedom was so great, and the eyes of the people were upon all measures of this kind, that it was unlikely anything would be placed on the statute-book that would prejudicially affect the rights, tenures, interests and securities of the public.

The PRESIDENT: I think Mr. Miles will be satisfied with your assurance.

Hon. H. STEWART: Then I shall not be required to turn up the particular section of the Act. Section 8 of the Act of 1918 amended Section 15 of the principal Act, referring to insufficiency of Crown land. My object in going fully into this matter is to make new members acquainted with the position, and to show that the Bill is not adequate for the position as set forth by the Government. This may prevent new members from having an incomplete knowledge of the position in regard to the compulsory acquisition of land, and forewarn them.

Hon. T. Moore: If the Act has not been put into operation, it may have been a failure.

Hon. H. STEWART: It passed through both Houses. It was of a drastic nature, and even provided that pastoral leases could be resumed for the settlement of returned soldiers.

Hon. T. Moore: At a price.

Hon. H. STEWART: I am not prepared to admit that the Act was a failure until it has been tried. A great deal of trouble was taken with it when it was before this Chamber. We should not be asked to pass this Bill when there are already on the statute-book Acts such as the one I have mentioned, and the Discharged Soldiers Settlement Act, which have not been put into operation in a single case. Section 12 of the Agricultural Lands Purchase Act Amendment Act says—

The Governor may, subject as hereinafter provided, compulsorily acquire private land for the settlement of discharged soldiers or their dependants, under the provisions of the Discharged Soldiers Settlement Act, 1918; provided that the compulsory provisions of this Act shall only apply where the private land proposed to be acquired exceeds five thousand pounds in value, exclusive of improvements, unless in the opinion of the Minister it is necessary for the better and more economical subdivision of any Crown land, including land acquired



under the principal Act, to acquire adjoining private land.

This also covers the acquisition of a small piece of land that may be required to round off an estate. The section continues—

In this and the following sections of this Act the term "private land" means land alienated by the Crown for an estate in fee simple, other than land granted to trustees by way of endowment, or as a reserve for any public purpose; and the term "owner" means any person owning private land in fee simple, and includes any person who, as trustee, executor, administrator, life tenant, mortgagee, or otherwise howsoever, possesses the legal power of sale of private land in fee simple, whether with or without the consent of the Supreme Court or of any person having any estate or interest in the land.

In the "West Australian" of the 24th April last "Politicus" publishes an interview he had with the Prime Minister, Mr. Hughes, when he was inspecting the Premier's group settlement scheme. This writer is a great advocate of the utilisation of land along our railways. Mr. Hughes is looked upon as a great extremist, and one could hardly expect to see him in the role outlined in this interview. I refer particularly to the following portion:—

"You are at the end of a railway at Pemberton, Mr. Hughes," I said to him. "Do you know that north to Perth whence we came are tens of thousands of acres close to the railway which are undeveloped in an agricultural sense?"

"The Commonwealth Government," he replied, "as one of the conditions of its assistance to development here demands the land shall be owned by the Crown. But," he continued slowly, that his words might sink in, "we will not make it a condition that it shall never have been alienated. Don't take men off holdings to put others in their place. That would be folly. But where men cannot, or will not, work their land, buy it from them."

Hon. G. W. Miles: That is what this Bill provides.

Hon. H. STEWART: It does not provide for the purchase of a single acre of land. When the Bill reaches the Committee stage, if it ever does, we can rely upon Mr. Miles to move an amendment to alter the word "may" to "shall," wherever that refers to the Government.

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

Hon. H. STEWART: Before the tea adjournment I was quoting from the report of an interview with the Prime Minister published at the time he was visiting Western Australia to inquire into the Government's closer settlement and group settlement schemes, in connection with which assistance was sought from the Commonwealth. Continuing from where I left off, the Prime Minister was reported as saying—

Be fair to them, but do not forget to be fair to the State. You know, perhaps better than I, how far public sentiment here is prepared for this. I would not dictate to the State, by suggesting methods, for I may be suspect—I have a past.

When we consider that statement and the political history of the Prime Minister, it is significant. No doubt he had been well posted as to what had taken place here and had been informed that a Closer Settlement Bill had been brought forward. The Prime Minister suggested caution and that in the steps taken, the Government should be fair to the land owners. He said that if we wanted land we should buy it from the owners because land had to be owned by the Crown before Commonwealth assistance could be rendered for land settlement. The Prime Minister, therefore, urged the Government to buy land where necessary, but to be fair in doing so. The Agricultural Lands Purchase Act of 1918, from which I read Section 12, which gives the Government power to compulsorily purchase lands, could, by a slight alteration be made to extend those powers so that the Government could acquire sufficient land to settle any other people who want land in addition to discharged soldiers and their dependants. I can also point to two sections in the Land Act as amended in 1906, where the Government have equally drastic powers of resumption, even apart from the limitation of the £5,000 unimproved value which, however, is lower than is the case anywhere else in the Commonwealth. I do not know whether the Government recognise that that is the position. If hon. members look at Mr. McLarty's report, they may ask themselves what the unimproved value of £5,000 means if our lands are so valuable, particularly if there are such lands available close to the railways in the South-West where those areas have not been put to use. If those lands are worth £20 an acre on the unimproved value, it means about 250 acres, and any surplus above that on the holding can be resumed by the Government. If we have regard to the provisions of the Agricultural Lands Purchase Act and the suggestion I make, we will recognise that, in addition, safeguards were included in the legislation when the matter was before Parliament. That legislation was comprehensive and well considered, whereas the Bill before us is a mere skeleton. There is nothing statesman-like about it. If we take that section which has been incorporated in the Discharged Soldiers Settlement Act and amend it as I suggest, it will read as follows—

The Government may, subject as hereinafter provided, compulsorily acquire private land for settlement.

That would mean the deletion of the limitation imposed by the words "of discharged soldiers and their dependants." It would give the Government full power so that they could compulsorily acquire land from the individual. Mr. Miles interjected during the debate with a request to know on what basis the land would be acquired. That basis is

laid down in the Bill, and it is on the unimproved value plus 10 per cent. and the improvements in accordance with the terms laid down, with the right of appeal to the court. Hon. members seem to think that the Government are out to acquire land. The Bill does not provide for any land being acquired. It merely says that the Government may acquire some but they seek to impose certain restrictions, with the intention possibly of putting the land on the market or allowing other people to purchase the properties. There is plenty of land offering at fair prices and it is obvious that the Government, in order to get assistance from the Commonwealth and the British Governments, must own land themselves. That contention is in accordance with the Prime Minister's statement. Of course that statement was made in April last and there may have been some modification in the terms since, but I should hardly think that was so. In the Land Act of 1898 there are Section 9 and Section 39, which give certain powers of resumption to the Government and these are incorporated in the Discharged Soldiers Settlement Act of 1918, Section 10, Subsection 4, which reads—

The power of resumption conferred on the Governor by Section 4 of the Land Act Amendment Act, 1906, may be exercised to enable the land so resumed to be disposed of to discharged soldiers for agricultural, grazing, or pastoral purposes, whereupon the pastoral lessee shall be entitled to compensation for loss or damage sustained thereby.

Turning to the Land Act of 1898, which was amended by the Act of 1906, Section 9 reads—

The Governor may, by proclamation, resume, for any of the purposes specified in Section 39 of this Act, any portion of land held as a homestead farm, or timber lease, as special lease, or leased by the Crown with a right of purchase, if in the public interest he shall deem it necessary; and the owner of such land, upon making claim as required by the Lands Resumption Act, 1894, or any Act passed in that behalf in case he shall be entitled to compensation under this Act, shall be compensated for such resumption, either by a grant of land, subject to the same conditions and equal in area to that resumed, or, at the option of the owner, by a refund of the proportion of purchase money paid on the resumed portion, with interest at the rate of 10 per cent. added; and in the event of any improvements having been made on the resumed portion, he shall be entitled to compensation from the Crown, to be assessed in the manner prescribed in Section 148 of this Act, as if the land were held under a pastoral lease and the Crown were the selector.

That section gives the Government power to acquire any land except freehold land. In quoting those sections, I wish to show the trend of legislation. In all countries where a man has acquired certain rights, as suggested by the Leader of the House, the security of tenure is regarded as fundamental

for the financial stability of the State. Yet every other form of land alienation from the Crown is by that section, open to be resumed with compensation. If the Legislature deem that freehold should be acquired, it is only right and proper that Parliament should decide such a question; it should be on a fair and equitable basis, and not under some inequitable method by imposing indirect hardships on the owner of that freehold land. Such owners should not be penalised, owing to the arbitrary decision of any board, in any further action taken. There is no liability cast upon the Government to acquire it. There has been no tendency exhibited on the part of the Government to acquire land during the past four years. Although freehold is exempted, I quote that section to show what has been the attitude of Parliament. Every other form of tenure has been subject to resumption. The Bill under discussion particularises freehold and allows every other form of alienation or partial alienation of land to be free from such drastic action as is proposed in the Bill. Section 39 is the other section which was incorporated in the Discharged Soldier Settlement Act and it gives the Government extended power under the Agricultural Lands Purchase Act Amendment Act, 1918. Under Section 9 the Government could resume land held under any tenure except freehold. Under the Soldier Settlement Act reserves can be allotted, and many have been allotted. If the existing Acts were slightly amended, there would be power and scope for settling people other than discharged soldiers. Section 39 of the Land Act reads—

The Governor is hereby authorised, subject to such conditions and limitations as he may think fit, to except from sale, and either to reserve to Her Majesty, her heirs and successors, or to dispose of in such other manner as for the public interest may seem best, any lands vested in the Crown that may be required for the following objects and purposes:—

The objects and purposes include all kinds of reserves in connection with mines, cemeteries, commons, public health, safety, utility and convenience. Another paragraph could be inserted providing for closer settlement or settlement.

THE PRESIDENT: I ask the hon. member to confine himself to the Bill as much as possible. He is explaining the provisions of another Act.

HON. H. STEWART: I am explaining that the powers sought under this Bill are already available to the Government under existing legislation, and that a slight modification would permit of all classes of settlers being dealt with. If powers were taken in this way, the Government would be proceeding more in accordance with the land tenure practice of the State than they will be under the Bill now before us. I have been compelled to refer to these other Acts because last session, when I said the Government possessed comprehensive powers and had not made use of them, the Minister simply denied the statement. Therefore the least to be expected was that

I should cite the grounds for my statement at that time. The value of statements made in the course of debate depends upon their accuracy, and it has always been my object to substantiate by quoting chapter and verse any statement of mine which might be queried. When one has established a reputation for accuracy, his remarks carry more weight than those of a member proved to have been erroneous. We see, therefore, that any form of tenure excepting freehold was liable to resumption by the Government with compensation. Under the Bill there is provision that certain landholders, at the decision of a board, shall conduct their business in a certain way, or elect to suffer certain penalties. If Parliament gives authority to such a board to lay down that freehold land shall be worked in a certain way, is it not equally right to say that timber leases, grazing leases, or conditional purchase land shall be similarly regulated by the same or a similar board and not in accordance with the conditions under which such land was taken up?

Hon. T. Moore: Timber leases have to be worked or forfeited.

Hon. H. STEWART: But I have yet to learn that there is a board of two civil servants and a Government nominee to say that timber leases shall be worked in a specified way or subjected to extra taxation or forfeiture. Section 10 of the Discharged Soldiers Settlement Act gives powers of resumption under the Land Act in connection with various kinds of leases and homesteads. Section 13 provides for conducting the whole of the work now being carried out for group settlement, in preparing land for settlement prior to disposing of and allotting it, giving power to clear, drain, sow, plough, work, and generally prepare it for occupation and to provide buildings. Section 19 lays down the guiding principles for group settlement. These principles were laid down before the Mitchell Government came into power. Section 22 provides for the purchase of any alienated land, including pastoral leases, for discharged soldiers holding a land qualification certificate. Of these there are about 1,000.

Hon. T. Moore: And they cannot get the land.

Hon. H. STEWART: The Government have the power to resume the land and are not resuming it. Mr. McLarty said that plenty of land had been offered and the prices had been eminently reasonable. In many cases land offered at reasonable prices has been turned down, and within a week has been sold to private individuals at a price much higher than that for which it was offered for soldier settlement.

Hon. T. Moore: Many cases?

Hon. H. STEWART: Yes. The board is to consist of a representative of the Agricultural Bank, a representative of the Department of Lands and Surveys, and a third Government nominee unspecified. This is not a reasonable board, which one would expect to have a knowledge of the proper utilisation of land. The first person who would have such a

knowledge would be an officer of the Department of Agriculture conversant with the conditions prevailing in the district under consideration. There is no necessity to have two civil servants, except on the score of expense. The efficiency of the board, however, should be of greater importance than the expense.

Hon. T. Moore: Nominated by the Primary Producers' Association?

Hon. H. STEWART: Not necessarily.

Hon. V. Hamersley: It would not be a bad idea.

Hon. H. STEWART: Mr. Rose indicated that it would be advisable to have a practical farmer conversant with operations in the district in which the land was situated.

The Minister for Education: I will support you in an amendment to that effect.

Hon. H. STEWART: Instead of having a representative of the Agricultural Bank, it would be better to get a representative of one of the associated banks. The higher members of the staffs of the associated banks generally have acquired a wide knowledge of the country before coming to the city. They understand the conditions thoroughly, and are conversant with the capabilities of the land as well as the financial aspect. All the officers of the Agricultural Bank and the Industries Assistance Board are not of the calibre of the officers of the Associated Banks. No doubt many of the Government officials are capable, but instances have come under my notice among them of men who are not sufficiently competent as agriculturists to make their own properties pay, but prefer to spend a great deal of their time on an itinerant class of work, inspecting and advising and reporting in return for moderate salaries. They are young men, who are not sufficiently successful to remain out of Government employ. With regard to the personnel of the board, I say that the proposed body would not be a proper one to decide the questions to be put before it. Clause 3 provides—

The board may inquire into the suitability and requirement for closer settlement of any land held in fee simple but unutilised and unproductive.

With Mr. Willmott and other members, I say that to bring freehold land under a measure like this is to commit a moral breach. The board, moreover, will not wait to be directed by a Minister, as is the case with almost every other board in this State, before proceeding to act. The board under this measure will be empowered, without restriction, to travel the State for the purpose of carrying out the purposes indicated. Section 13 of the Agricultural Lands Purchase Act Amendment Act of 1913 provides that the board shall "at the request of the Minister" inquire and report. That is the difference. Even if the board under this Bill were constituted in the best and fairest way, they would still have a latitude which can only be described as extremely wide. It may be contended that the presence of an officer of the Lands Department on the board is essential; but those of us who have had experi-

ence of the Lands Department know that a great deal of the land of this State has been valued on its appearance, and that the land, when utilised for growing produce, has been acknowledged even by experts as not yielding the results which would be expected from its appearance. I can quote cases in point: the wodgill lands, the Enlin mallee lands, the Kukerin lands, and the Ongerup lands. People who went on those lands with capital of their own have been ruined. In that connection I do not blame the officers of the Lands Department one iota. This is only a new country, a country just in the pioneering stage as regards agriculture. For instance, we do not yet know the best way to utilise the land along the Great Southern railway. However, some of the best men in the State are experimenting to discover its most profitable use. Settlers working under the guidance of the Agricultural Bank and under the direction of technical experts have simply gone back on the four peculiar districts just mentioned. It has not yet been decided what is to be done with those people, who have lost their all, and moreover have lost years of their lives. It might be thought that a Lands Department officer was the best person to fix the value of the land, but I think a more unprejudiced and more reliable opinion would be obtained from a board comprising a practical farmer and also a representative of the Associated Banks who was conversant with the particular locality. It would not do to have one representative of the Associated Banks for the whole of the State, because local knowledge is essential, the conditions being so different in the various districts. When the board under this Bill have decided that land is unutilised and unproductive, the owner is given two alternatives. The first is to subdivide his property, submit the scheme of subdivision to the Government and have prices fixed by them, offer the subdivided land for sale, and possibly get no bid. Thus his work is disorganised and his production stopped, and the Government merely "may" resume the property. With all the power the Government already have to resume, I cannot believe they have any intention of resuming. The owner's other alternative is to pay increased taxation. I have read the statement of the Prime Minister that land for settlement with Commonwealth assistance must be either original Crown land or resumed Crown land. This penal clause is, therefore, designed either to secure increased taxation or else to force into sale land already held and largely available for private purchase. Indeed, as regards private purchase there is more land offering than there are purchasers coming along. More than one instance has been brought under my notice of people from the Old Country coming here with capital and finding no Government organisation to assist such people to get any land, Crown or otherwise. I have heard it stated on good authority that the Premier's opinion is that if we get people

who have no money they cannot get off. If that is the Premier's argument, it is a pretty weak one, because such people, when they have obtained all the credit they can get and remain unsuccessful, can leave just as easily as if they had come here with capital, and the general taxpayer would have to bear the burden. For years I have been stressing one particular point with regard to conditional purchase land. With regard to such land the Leader of the House says that there is a contract with conditions to be observed. Some time ago a report of the Commissioner of Taxation showed that a great deal of conditional purchase land was not being improved in accordance with the Land Act, that the obligations with respect to it were not being fulfilled. The land was not being utilised, because, if conditional purchase land is utilised, the owner pays a tax of only 1/4d. in the pound. On the other hand, if the land is not being utilised, the tax is at the rate of 1d. in the pound; and a few years ago there resulted from this tax of 1d. in the pound on unutilised conditional purchase land a sum of £13,000. Under the Bill the man who has fulfilled his obligations will have to pay three times the amount of land tax which is paid by the very man who is not fulfilling his obligations. The man who refuses to fulfil his obligations in respect of conditional purchase land ought to have to pay six times the tax.

The Minister for Education: His land ought to be forfeited.

Hon. H. STEWART: Yes, but at present he has to pay only the usual land tax. The Bill is merely tinkering with land tenure. No person wants to hold up land to no purpose. Surely the Government could find a basis of acquisition which would be equitable and would not interfere with the security of tenure! If the Government would bring forward a measure which would put on a sound basis land valuation, taxation and resumption, they would have my support, but to bring in a Bill like this, entirely without principle, is to alienate all sympathy. What is required is a basis of comprehensive land valuation. If we got that, the lands would either come into operation or, alternatively, could be resumed by the Government without any interference with the security of tenure.

Hon. J. EWING (South-West) [8.20]: Evidently the hon. member who has just resumed his seat has paid very great attention not only to our land laws, but to the land laws of all the States of the Commonwealth. It is difficult to understand the opposition to the Bill. All know of the great development scheme which is going on, and we are all aware that land will have to be acquired for the purposes of that scheme. Surely we have already affirmed the principle of closer settlement! If for no other reason, I will support the Bill. Possibly I could find it easier to criticise the Bill than to support it, but I thoroughly believe in the principle of closer

settlement, and I believe also there is unutilised land which should be resumed. Consequently I must support the Bill. On the second reading of the Bill of last session, I said I thought the Government had ample power to resume land for closer settlement. Since listening to the hon. member this evening, I am inclined to change my mind. He has quoted from the Land Act Amendment Bill 1919, which gives the Government the right to secure for the purposes of soldier settlement estates exceeding the value of £5,000 after deduction of improvements. That value is altogether too high. Land values here are much lower than those in the Eastern States. It will be necessary to greatly reduce that minimum, because thousands of acres suitable for resumption are held in 100-acre blocks.

Hon. H. Stewart: It has a value.

Hon. J. EWING: The question of values is of great importance, but I am not going to discuss it here. The hon. member quoted practically the whole of the evidence taken before the select committee. It is regrettable that the Government did not agree to the conversion of that select committee into a Royal Commission. It is very difficult to get all the information one requires in order to properly appraise the position. If that select committee had been converted into a Royal Commission, they could have pursued their inquiries and eventually placed before us a most valuable report, completely removing all doubt as to whether unutilised land is to be found in a sufficiently large aggregate area to warrant resumption.

Hon. J. Duffell: If the select committee had been able to continue their investigations, the Bill could have been put through two months ago.

Hon. J. EWING: As it is, we cannot get all the information we require concerning the Bill. I notice that in his evidence before the select committee Mr. McLarty said he was in favour of conditional purchase land being brought under the Bill. I, too, am in favour of that. In respect of freehold land, all obligations have been carried out, whereas undoubtedly there is a contract in respect of conditional purchase land. Nevertheless there are large areas of unutilised conditional purchase land held in small blocks. We require a Bill which will apply to conditional purchase land as well as to freehold. As for all this talk about the sanctity of title, I regard it as a reflection on the Government. Sir James Mitchell knows the land, and certainly is not likely to do anything which will injure any freeholder.

Hon. H. Boan: What about succeeding Governments?

Hon. J. EWING: They will have precedent to go by, and if they attempt to do anything unfair, they will be held in check by Parliament. Conditional purchase lands have been secured under less strenuous conditions than those which applied to land now held in fee simple. The early pioneers had far greater difficulties to overcome than have settlers of to-day. It is clearly laid down by authorities that land cannot be exempt from taxation,

and that no man can hold land to the detriment of the people. However, in resuming land, good reasons should be given for taking it. Moreover it must be resumed at a price which will pay the man deprived of it for the years of work he has spent in improving it. It is exceedingly difficult to arrive at the true value of land. Mr. Willmott, the other night, declared that the Bill should apply to all lands, conditional purchase, freehold, pastoral and even city land. So far as pastoral lands are concerned, the Government have the right to resume them for agricultural purposes, in any part of the State. There is nothing to prevent a person taking up a selection in a pastoral area. The man who should be taxed is the holder of unoccupied town lands. He is the man who, as Mr. Dodd has pointed out, should be compelled to pay, and not the farmer. I was surprised to hear the Minister's statement regarding the advances made by the Agricultural Bank on conditional purchase lands. He told us that during 16 weeks from the 21st July last, the amount advanced for clearing totalled £265,000. The sum for improvements was £174,000, which comes to £27,000 per week. That is a great deal. Then he went on to amplify that by saying that in 11 weeks, from the 21st July, there had been advanced no less a sum than £215,000 for clearing, and for other purposes £121,000, or at the rate of £30,000 a week, or £1,520,000 per annum. We must come to the conclusion that the conditional purchase and other lands in this State are being cleared in an extensive manner. That must be apparent to everyone, and it must also be clear that there must in the future be great advancement in Western Australia. The expenditure of these huge sums of money cannot but make for the advancement of the State. Mr. Stewart, who has spoken twice on this measure—that is an opportunity that no one else is likely to have—made reference to the board. He declared that the board which would be appointed would travel through the State to see where the unimproved lands were. So soon as they are appointed their first duty will be to see and to prove whether the land does or does not exist in an unimproved state. Many members say that there is practically no land available which will come within the four corners of the Bill. The duty of the board will be to travel within a reasonable distance of the railway line—

Hon. H. Stewart: The Bill does not provide any restriction.

Hon. J. EWING: That will be their first duty. If I were the Minister I would say to the members of the board—

Hon. H. Stewart: There is no need for the Minister to say anything.

Hon. J. EWING: That is quite right. Having found out whether or not the land exists, they report to the Government and then action is taken. Everything will depend on the personnel of the board. Some hon. members have stated that they are not satisfied regarding the suggested personnel of the board. When there are lands to survey, a man who

knows his business will know the value of the land. It is necessary to have someone on the board to represent the institution which is spending such a large sum of money. Then what better provision can the Government make to place another man on the board, possessing a knowledge of the district? If there is that safeguard—a man who knows the values in a particular district—I fail to see where there can be any danger. The report of the board will be valuable, and upon it the Government will be able to act. It will not be a question of what will be wrong with the board; it will be just a matter of what will be wrong with the Government if they do not appoint the right man. But we take that risk with every Government. Surely the Government will have discernment and knowledge enough to enable them to make a wise choice. I cannot see any possibility of danger arising. My opinion is that the board will be a satisfactory one. The final decision in regard to resumptions will not rest with the board. The board must report to the Minister and the responsibility will be that of the Government.

Hon. H. Stewart: Where is that provided for?

Hon. J. EWING: In the Bill. After the board have carried out their work, they will report to the Government, and it will be for the Government to decide whether they will or will not act. The matter rests entirely with the Government and not with the board, and that is a material point which Mr. Stewart omitted to mention.

Hon. H. Stewart: Not at all.

Hon. J. EWING: It is not right that a member should give only half truths. But I exonerate the hon. member from doing that intentionally. He did, however, declare that the board would be absolutely supreme.

Hon. H. Stewart: Absolutely, so far as it goes.

Hon. J. EWING: The hon. member will notice that all the board has to do is to find the land and report to the Government. The onus and responsibility then rests with the Government and finally with Parliament. The Government must report to Parliament, and if the Government do wrong in acquiring properties that are not valuable, properties that will not be useful for settlement, then they should get their quietus on the assembling of Parliament. It seems to be much easier for some members to condemn this Bill than to support it.

Hon. H. Stewart: You are quite right there.

Hon. J. EWING: I am such a believer in the principle of closer settlement, and a supporter of the present Government, that I shall not do anything that will deter any work the Government may have in hand.

Hon. V. Hamersley: No matter how much you rob the other man.

Hon. J. EWING: I have as much consideration for the other man as has the hon. member, and I acknowledge with him the great work that has been done in this State by the pioneers. I do not believe in injustice

being done to any section of the community, and I do not fear that any injustice will be done if the Bill be passed. An owner will be called upon to subdivide his land or, as an alternative, to pay a special tax. If we call upon a man to subdivide an area that he has, and we put him to the expense of making that subdivision, and then placing the land on the market, and finding no buyer, we should reimburse him for his expenditure. Either that or there should be a clause in the Bill to compel the Government to purchase at the price fixed.

Hon. G. W. Miles: That is the intention.

Hon. J. EWING: Those hon. members who are opposing the Bill are not opposed to the principle of closer settlement. Let them analyse the Bill carefully and suggest amendments which can be placed on the Notice Paper. Thus it may be possible to make a workable Bill of it.

Hon. T. Moore: They cannot do that; they have their orders.

Hon. J. EWING: I do not think hon. members in this House accept orders, except from you, Mr. President. We pride ourselves on the fact that we do what we think is best in the interests of the State. As to the tax, I think very little of it, because if a man has a large area of land and he desires to hold it, the question of 3d. or 6d. in the pound will not prevent him from holding it. There are many people who are enamoured of land, and they prefer it to having a substantial balance in the bank.

Hon. G. W. Miles: And that has kept a lot of them poor.

Hon. J. EWING: Probably; but lots of people who now object to the Bill would be better off if a part of their land were taken from them. There are men in the State, who are land hungry, and their sole object in life is to acquire as much land as they can. Of course, if there should happen to be a family of sons, some provision must be made by which sufficient land can be set aside for the requirements of those sons. I do not expect the Government to go to a man holding a 5,000 acre property in the South-West and catechise him as to what he is going to do with it. He may say, "I have a boy of 18 whom I wish to put on a portion of this land." If the bona fides of the man are proved, the Government should not resume the land.

Hon. J. Nicholson: They can do so.

Hon. J. EWING: We must trust the Government to a certain extent. If, however, they would do a thing like that they would not be worthy of office. I have considerable confidence in some members of the Government.

Hon. F. E. S. Willmott: Why do you not say, present company excepted?

Hon. J. EWING: That is always understood. I have sufficient confidence in them to know that a fair and just deal will be done.

Hon. J. Nicholson: Give them an open cheque.

Hon. J. EWING: I would be prepared to give the hon. member one. I do not like that portion of the Bill which deals with compensation. It should be set out in a different way. The prima facie evidence as to the value of land is the valuation set out in the Land and Income Tax Assessment Act. If there is nothing to cause a man to put a higher price upon his land, he will always put down the lower price.

Hon. G. W. Miles: He has the option.

Hon. J. EWING: No one can blame the owner if the assessment he makes is not objected to by the Taxation Department.

Hon. H. Stewart: You want a system of land values.

Hon. J. EWING: When it comes to the question of land values, of which we know so little, something should be done to establish a better basis for those who own land. That, however, can be done in Committee. If a man has a property worth £5 an acre, and the Government would take it at £3 an acre, he should be permitted to value it at that amount. It is difficult for the owner to arrive at the real value of his land. His property may be taken from him at an unfair price. We should do something to obviate that.

Hon. F. E. S. Willmott: Values rise and fall, according to the demand.

Hon. J. EWING: No doubt there will be a consultation between the owner and the purchaser, and an equitable basis of the unimproved value arrived at before the improvements are taken into consideration. It is also difficult to arrive at what the improvements are. A man may have cleared his land and fertilised it for 20 years, but would not get back what he put into it. This shows how necessary it is to have engaged on this work of resumption a man well versed in what is going on in the district, and one who has lived there for many years. In that way there would be a better chance of arriving at a fair and equitable basis of values.

Hon. F. E. S. Willmott: Take the eradication of bracken in the South-West.

Hon. A. Burvill: The visible improvements are hard to get at.

Hon. J. EWING: Yes. I am sure the Minister does not wish to rush this Bill through, and that he desires the fairest possible measure to leave this Chamber. Let us put the Bill in order here. When it is in order, another place can take the responsibility if it does not think our amendments are fair. I would not be one to ask any member to pass the Bill.

Hon. H. Stewart: As it is?

Hon. J. EWING: No. But I would vote for the second reading myself. It is our duty in Committee to make it such a Bill as we think it ought to be.

Hon. H. Stewart: That is the farthest any supporter of this Bill would go.

Hon. J. EWING: I believe in the principle of closer settlement. Mr. Willmott, who is opposing the Bill on reasonable grounds, knows the South-West well, and has been acquainted with it for many years. I agree

with him that no hardship or injustice should be meted out to the settlers there, but I appeal to him to vote for the second reading, in the hope that in Committee we can make this a good and workable Bill.

Hon. H. Stewart: Unfortunately we shall not have your help in Committee.

Hon. J. EWING: Perhaps others will support the hon. member. The Government are honest and straightforward in their determination to bring into use the lands of the State, and utilise them to the best interests of the people. If that is their policy, they will not do an injury to anyone. Where is the land that will come under the operations of this Bill? The Minister has placed on the Table the report of the district surveyor, Mr. Lefroy. He is a competent and thorough man, and I worked with him for many years. Anything he puts down in black and white is good enough for me. I have not seen the papers, but from Mr. Lefroy's report published 18 months ago, it appears that there is plenty of land available. Leaving out the South-Western part of the State, a classification survey was made of the Avon valley 18 months ago. This embraced 2,300,000 acres. For seven miles on either side of the railways and for a length of 370 miles there are 2,300,000 acres of land classified.

Hon. J. Cornell: It is 480 miles to Kalgoorlie.

Hon. J. EWING: There are several railways included. Within that area 600,000 acres of land is undeveloped and unimproved.

Hon. V. Hamersley: Is it freehold?

Hon. J. EWING: Freehold and C.P.

Hon. V. Hamersley: How much is freehold?

Hon. J. EWING: I do not know. I am in favour of including C.P. The greater proportion is freehold.

Hon. H. Stewart: How much is arable land?

Hon. J. EWING: It is first class land. This area was classified by competent men.

Hon. H. Stewart: Are there any estates over 2,000 acres?

Hon. J. EWING: I have not gone into that question. The land is there and undeveloped.

Hon. H. Stewart: The Government have not bought any for soldiers.

Hon. J. EWING: I do not think the Government have done as much as they could in that direction. They could have acquired more land than they have under the present legislation. This Bill will perhaps help to a greater extent than the hon. member realises. The figures I have quoted astonished me.

Hon. J. Cornell: They are almost as fabulous as the deficit.

THE PRESIDENT: The hon. member had perhaps better allow Mr. Ewing to proceed.

Hon. J. EWING: There are 1,400 miles of railway running through the Wheat Belt. I suppose they are intersecting one with the other. If we worked it out we would find an enormous area of unimproved land available in the wheat district. I have had many

years of experience of the Midland Railway Company. I understand from interjections that the lands owned by this company will come within the purview of the Bill. A large area of the original concession has been sold. Since I have known the Midland Railway Company and been connected with them, for the past 16 years, they have never stopped for one moment developing this land, but they have never paid any dividends. The 4 per cent. debenture holders are the only people who have had anything.

The Minister for Education: What about the concessionaires and the promoters?

Hon. J. EWING: Those who hold shares have never had a dividend. Something should be done to protect their interests provided the company pursues its present policy. Every time they sell land they have a big subdivision. They have subdivided a long way ahead of requirements. The land is valued at a reasonable price, and the company are carrying out the intentions embodied in this Bill. In the circumstances they should not be unduly interfered with. The most important question in Western Australia in regard to agriculture arises in the South-West. There are estates beyond Bunbury which no doubt will be investigated by the board. There is probably a considerable area of land there which could be acquired. The land to the south of the Peel estate, which has been so successfully developed by the Government, is for the most part very valuable. The opening up of the Peel estate has revolutionised the prospect of land of this type. The work done by the Government stands greatly to their credit, and it is also to the credit of the engineers. The land is good and the results are excellent.

Hon. V. Hamersley: What did it cost?

Hon. G. W. Miles: £150,000?

Hon. J. EWING: The swamp land would be worth that.

Hon. J. Nicholson: I think £130,000.

Hon. J. EWING: I am satisfied the settlers will make good. I have had the pleasure of looking at the map prepared by the Premier. It is an excellent production and shows the land from Rockingham to Bunbury. It is astonishing to see how much first class land there is, how much swamp land, how much second class land, and how little third class land. When the swamp land is properly drained and developed, it will be the best in the State for dairying and root crops. Wonderful results can be obtained from our swamp lands when they are opened up and sweetened. Between the points I have mentioned there must be from 30,000 to 50,000 acres of swamp land. The land towards the hills is also good. A great deal of it is first class, and a lot of it is second class land. It is limestone country, and with a comprehensive drainage scheme, such as has never been taken in hand by any Government, it should be a paradise in years to come. There are between 200,000 and 300,000 acres of land within that area. My remarks could equally well be applied to

Busselton, but I will not weary hon. members by taking them any further to-night. There is a 40-inch rainfall, and there is a good decline from the hills to the coast. Half of these waterways, however, are choked up and the water cannot get to the estuaries. All this land is inundated during the winter months and much is unprofitable during the whole year. Unless the Government embark upon this scheme, they will lose a great deal. I was gratified to see some mention of this by the Premier and the fact that he is looking into this matter is satisfactory.

Hon. G. W. Miles: He is going on with it, is he not?

Hon. J. EWING: I understand so. We have six or seven months of wet weather and during the rest of the year it is dry.

Hon. G. W. Miles: I have heard that what is called third-class land will grow good subterranean clover.

Hon. J. EWING: That is so. I have been surprised at seeing the enormous amount of production from what are regarded as third-class areas.

Hon. G. W. Miles: How high above sea-level is this land?

Hon. J. EWING: It is all well above sea-level, the hon. member can see that with a proper system of drainage and a proper impounding of water much can be done. Not only can electricity be generated to a certain extent, but the swamps can be drained and, in time, we could have a regular Garden of Eden in that part of the country. We have a number of rivers and brooks in that part of the State. We have the Serpentine River, the Murray River, Drakesbrook River, Sampson's Brook, Banallo Brook, Logue's Brook, Harvey River, Wokalup River, Brunswick River, and the Collie River. The Collie and Brunswick rivers are beautiful, while the Harvey River is not as good a proposition as the Murray River. I do not suppose we could get any better conditions in any part of the world than exist in this part of the State. Most of these rivers and brooks in their steep descent lose their natural course and inundate the flat country. Therefore, it will be necessary to make provision for the waters from these rivers to go to the coast, or through their natural channels. If that is done, another great stretch of country will be opened up. We should go in for conservation of water on the ranges and this is possible in all these cases. To show the magnitude of the possibilities in that part of the country, I would remind hon. members that the capacity of the Mundaring Weir is four and a half thousand million gallons. In the case of both the Collie and the Murray rivers, enormous quantities of water could be impounded. I had the figures but, unfortunately, have mislaid them for the moment. It is sufficient to say, however, that in connection with the Murray River a quantity something like the capacity of Mundaring Reservoir could be retained in scheme Nos. 1, 2 and 3 along that waterway.



If that were done, it would open up magnificent prospects in that part for irrigation.

Hon. J. Cornell: Does the Minister for Water Supply know about that matter?

Hon. J. EWING: I do not know, but I know about it, and surely the hon. member does not doubt my word! In connection with the Collie River, with a weir 100 feet high we could impound forty thousand million gallons. That would give a back water of 15 miles with a maximum width of one and a half miles. In connection with the scheme, irrigation water would be available for 100,000 acres, and we could generate electricity up to 5,000 h.p. That would transform the whole of the country and assist the State materially. It is one of the enormous propositions before the Government at the present time.

Hon. H. Stewart: Are they considering it like they are considering the North-West scheme?

Hon. J. EWING: I do not know. Hon. members must remember that in pointing out these matters as they affect this particular area, there is, in my opinion, enough good land there to meet our requirements for a long time to come. If the Government spent £1,000,000 or £1,500,000 in that locality they could concentrate with every chance of complete success, with a quick return.

Hon. J. Mills: Is there Crown land there or is it freehold?

Hon. J. EWING: There is a large amount of conditional purchase land there. It is held in small areas up to 1,000 acres or so. This Bill should be amended to apply to conditional purchase land so that it can be resumed. Very little is being done there. The people who have the land have not the money to improve it.

Hon. F. E. S. Willmott: You cannot drain one portion of the country merely to pour the water into another man's property.

Hon. J. EWING: Quite so. The officers of the department have been asking for this to be done for years past. This task should not be undertaken piecemeal and most decidedly we should not drain the water from one man's land on to that of another. To do that would be useless. It should be undertaken in a systematic manner and if that were done, we would have one of the finest districts procurable in any part of the world. I hope the Government will give consideration to this matter. I know the Government are considering it. For my part, I hope to see the interests of all portions of the State conserved. I desire to support the Government in any steps they see fit to take in that direction. I will support them in their railway proposal from Pemberton southwards, but, at the same time, I want to point out that the provisions of the Closer Settlement Bill should be applied to these lands I have referred to.

Hon. A. Lovekin: What head of water would you get there?

Hon. J. EWING: A very big head indeed, with plenty of fall. The land could be

drained and a certain amount of electric current could be generated for use in those localities. Farming in these circumstances could be carried out under ideal conditions. It only requires the brains we have at present to give effect to the scheme. A perusal of the file dealing with the Collie scheme, which the Minister has made available to-day, will demonstrate to hon. members that a good deal of what I have mentioned has already been dealt with there. These matters have come under my notice in a way that was satisfactory to me, and I hope the House will assist the Government to do their part. I support the second reading of the Bill in the earnest hope that those hon. members who have so strenuously opposed it will realise that it is necessary to support the Government of the day in developing these schemes. If they believe in closer settlement, they should assist in the passage of the Bill, thereby affirming the principle. If hon. members desire amendments to be made in directions which will be of advantage to Western Australia, there is an opportunity to do so when we are in Committee. Do not let us discourage Sir James Mitchell or his Government in the great work they are undertaking at the present time. We should do everything possible to assist them to get the State out of its present difficulties by the development of our agricultural lands.

Hon. T. MOORE (Central) [9.10]: I have listened with great interest to hon. members who have spoken to the Bill, and I am in a quandary as to whether I should support the measure. Mr. Stewart has strenuously opposed the Bill in quite a long speech, but it did not seem to me that he gave us much in the way of facts. He said much of what could be done in other parts of the world, but he did not show us how those things could be applied here. He did not say whether it was possible to settle more people on the land.

Hon. H. Stewart: That is axiomatic. Everyone knows that.

Hon. T. MOORE: There are a thousand soldiers who cannot be settled on the land to-day. That shows there must be something wrong with the existing system. One would have thought that Mr. Stewart would have considered that aspect and suggested some scheme under which those men could be placed on the land. Mr. Stewart did not go on to say whether there are large estates to be purchased. He certainly said that some estates had been offered to the Government and that the price had been low. The price may have seemed low to him, but we have to take into consideration that if the Government are desirous of purchasing estates, they must foot the bill. The Government cannot get men to come along and take the purchased estates off their hands. At any rate, they have not been able to do so to date. The Government have to borrow the money to purchase the land and pay seven per cent. We have to ask ourselves whether it is possible for men to carry on under those conditions. In my opinion, it is a very doubtful proposition to put men on land,

which they have to clear and on which they have to make good before they can get a return, and yet pay interest charges amounting to seven per cent. from the outset.

Hon. J. Ewing: It is impossible.

Hon. T. MOORE: But that is what is done to-day.

Hon. J. Ewing: Surely not.

Hon. T. MOORE: The question has been raised before. While the Premier came back from London to the tunes of a band at the station, and told us that he had effected a wonderful stroke of statesmanship, this is what the people got! He informed us that he had secured money at 4 per cent. for five years, but the people who use it, have to pay 7 per cent. This is not idle talk; it is a fact. If the Government secured money at 4 per cent. for five years, the people who use it have to develop their holdings in the country, should have their loads lightened in that respect. They should not be asked to pay 7 per cent. if the Government have secured the money for five years at 4 per cent. We should consider what it costs to start a farm to-day and what it cost before the war. In pre-war days, although money was procurable at 5 per cent., many men failed to succeed in farming operations. To-day it costs twice as much, and yet they have to pay increased percentage on the money borrowed. It means that whereas £500 or £600 was necessary to start a farm in pre-war days, it takes £1,000 or £1,200 to do that work to-day. Whereas people had to pay 5 per cent. on £500 or £600 to get a start in the earlier period, to-day they have to spend £1,000 or more and pay 7 per cent.

Hon. J. Ewing: It cannot be done.

Hon. T. MOORE: No one denies that, but the fact remains that to-day the State is carrying on farming operations. The Government have started on a large scheme, finding the men and getting the money necessary to start them on the land. They are carrying the individual settler.

Hon. J. Ewing: The settler has to pay the money back.

Hon. T. MOORE: I am afraid the taxpayers in many cases will pay back a lot of it. As to the Bill itself, I am concerned as to what the Government really intend to do. I have read the measure carefully and have heard the opinions expressed by hon. members. Yet I do not know whether the Government really think they will achieve much closer settlement in these areas, or whether the measure simply means the Government are out to get more taxation. We see what can be done. Under the Bill the board can set out and find that a man in part of the South-West has a certain amount of land which can be taken. On that score alone I could vote against the Bill, because everything brought forward concerns the development of the South-West.

Hon. G. W. Miles: Not at all.

Hon. T. MOORE: Certainly I could. I consider that the whole country should be legislated for.

Hon. J. Ewing: Everyone agrees with that.

Hon. F. E. S. Willmott: Do not forget that with all this scheme, there is still six times as much spent in the wheat belt as in the South-West.

Hon. T. MOORE: I have heard that stated on several occasions, but I have not seen any facts to back up that statement.

Hon. F. E. S. Willmott: The Premier says so; he ought to know.

Hon. T. MOORE: I want facts.

Hon. J. W. Hickey: The Premier says lots of things.

Hon. T. MOORE: I want facts before I am prepared to believe even the Premier. If the board decide that a man has a certain area of land which is not being utilised the land may be taxed at from 1½d. to 3d. The owner, if he so desires, may pay the tax; it will be infinitesimal. It would not worry a land owner if he thought land values were going to increase in the next five or six years. If he did not wish to pay the tax, the land owner could subdivide the land and sell it. He could sell it to the Government at his own valuation plus 10 per cent. A man can value his land to suit himself. When members talk of this measure being drastic and savouring of confiscation, they have a poor argument and are using very strong terms. The land owner has the right to value his land, and the Government will give him 10 per cent. on top of that and pay for improvements. That is rather good.

Hon. G. W. Miles: Too good.

Hon. T. MOORE: Yes; the owner may decide to pay the tax for the first year or two, and meanwhile utilise the land and thereby obviate any further proceedings. Yet this is termed a drastic and confiscatory measure by members who I thought were sent here to represent people who worked their land instead of holding it up for speculative purposes. Members who I thought were supposed to look after the interests of one class at all events well, while looking after the interests of the whole of the State, seek to bolster up the large land holder who is not utilising his land. Why should such persons be represented by the Country Party? I have been in the Dalwallinu district since Thursday last and I have heard practical farmers speaking about this measure, men who are working their lands and asking why other men are not working theirs. They say, "When is so and so going to be made to do something with his land so that he shall produce freights for the railways and help to lighten our load?" That is the attitude of the practical farmer, but not of his representative in this Chamber.

Hon. H. Stewart: We want an equitable measure.

Hon. T. MOORE: After having listened to the hon. member for two hours, I cannot understand what he wants. That is the attitude of the man in the country who is tilling the soil and working hard and honestly. Seeing the land owner can do any one of the

things I have mentioned, can it be said that we are treating harshly an individual holding up his lands? There are large estates which could and should be broken up, but I doubt whether the Government should foot the bill all the time; especially when the men who take over the land have to pay 7 per cent. for the money, it is a doubtful policy. In the Geraldton area alone which by the way is seldom mentioned—

Hon. J. Ewing: I mentioned it.

Hon. T. MOORE: I am glad the hon. member did. Those who know it, know its worth.

Hon. J. Ewing: I appreciate it.

Hon. T. MOORE: In that area there is country not being utilised which could be made available for dairying purposes. We have recently started a butter and bacon factory at Geraldton, and we realise that the only way to make the industry go ahead is to insist upon the land being cut up, so that there shall be more people settled in and around Geraldton. There are large areas running only a few sheep, some of them uncleared, good York gum country on the Greenough flats, and some action is necessary to bring those areas into occupation, but under this Bill, according to a statement made in another place, it is not proposed to cut up any of those estates.

Hon. J. Ewing: Why not?

Hon. H. Stewart: The Bill does not say so.

Hon. T. MOORE: The Minister in charge of the Bill intimated that.

Hon. H. Stewart: It will rest with the board.

Hon. T. MOORE: Members have argued that more railways are necessary. It is an indictment against the lands of Western Australia if we require more railways to carry our present population. We shall not overcome our difficulties by building more railways. On the Notice Paper to-day appears another railway Bill, and I suppose it will be passed. It cannot be expected that we shall get out of our financial difficulties by building more railways when, along the existing lines, despite all that has been said, there are large tracts of good cultivable land that are not being utilised. The suggestion was thrown out by Mr. Stewart that we might do some injustice to the Midland Company if their lands were brought under this measure. I took the trouble a few weeks ago to ascertain how the concession was acquired by the Midland Company. Mr. Stewart said he had not taken the trouble to find out how the company were treated. I understood that every member had received a letter from the Midland Company asking him to look after their interests.

Hon. H. Stewart: A letter from one party does not satisfy me.

Hon. T. MOORE: That letter set out how the Bill will affect the company. The concession was granted to the Midland Company, provided they did a certain thing, and they soon broke their agreement. They undertook to do one of the things considered necessary

when large parcels of land are handed over to such companies. In Canada, when certain areas were given over, they carried an obligation to settle people on the land. That is a good workable proposition. The Midland Company proposed to introduce 5,000 immigrants in seven years, but did not do so. They very soon repudiated the agreement.

Hon. G. W. Miles: Why?

Hon. H. Stewart: How many did they bring in?

Hon. T. MOORE: I understand the Government waived this portion of the agreement some years afterwards. Had the company carried out the agreement, the Midland country would have been much further advanced than it is to-day. We gave them the right to build the railway. It has been pointed out that the company have not paid any dividends. I am not interested in that at all. That was their particular business. They knew what they were doing. If they have failed, it is their concern. The things they were supposed to do, they did not do. We allowed them to evade their responsibilities. If they failed to settle the land, who was to blame?

Hon. J. Ewing: They have done well in the last 19 years.

Hon. V. Hamersley: On a point of order, on behalf of the Midland Company it is only right to protest against the remarks of the hon. member. There was a very good reason why the Midland Company did not carry out their obligation. They obtained a right from the Crown in consideration for something the Government stated had to be cut out of the contract. At the same time, that obligation was also waived.

The PRESIDENT: Has the hon. member spoken on the Bill?

Hon. V. Hamersley: Yes; but I wanted to direct the attention of the hon. member to the statement he was making. There was no breach of contract on the part of the Midland Railway Company.

Hon. T. MOORE: I have the facts before me. The company were to bring out a certain number of immigrants, and I was proceeding to show that the State would have been in a better position if this additional population had been brought out. That is good reasoning. I do not see how the point of order arises, even though it was raised by a member acting on behalf of the Midland Company.

Hon. V. Hamersley: I am not acting on behalf of the Midland Company.

The PRESIDENT: I think the hon. member should withdraw that statement.

Hon. T. MOORE: I understood the hon. member said, "on behalf of the Midland Company." If that is not so, I stand corrected.

The PRESIDENT: I do not think he is acting on behalf of the Midland Company. The hon. member may proceed.

Hon. T. MOORE: The hon. member has intimated that I made a mis-statement. I am referring to the answers given to questions in this House during the last six weeks.

The hon. member's statement might be understandable to himself, but not to the House.

Hon. J. Ewing: What you have said is quite true.

Hon. T. MOORE: I believe the Government have this in mind—

Hon. G. W. Miles: That half a loaf is better than no bread?

Hon. T. MOORE: In the past men holding large areas of country may have been putting in low assessments, and it may be the desire of the Government to compel them to put in correct assessments. The Minister for Education smiles. Perhaps I am on the right track this time. If this is so, the Bill will do some good. If land owners are evading their responsibilities, perhaps the measure, while having an appearance of innocence, may achieve something in that direction. Having considered the details of the Bill and knowing how land settlement is being carried on and the difficulties associated with it, the great work the Government have to do and the fact that the State is called upon to find the money when estates are repurchased, we should review with the greatest of care any Bill providing for closer settlement. If we could be sure that, having acquired lands from persons now holding large tracts of unutilised country, people would come here and take them up, we would see more clearly how to act. Mr. Stewart said that if we interfered with the good old right of private enterprise people would leave the State and one wonders exactly how we stand in that regard. I am not at all worried about private enterprise being interfered with, especially as we claim the right to tax the land. The root of the Bill is really that we have the right to tax.

Hon. J. Ewing: Absolutely.

Hon. T. MOORE: We know we have that right. We can always tax the land. Yet members make extravagant statements when all that can happen is that we can tax the land and, under this Bill, tax it only lightly. It is a poor Bill and not at all up to date. It is brought in probably to allay the feelings of those who think something ought to be done. I think something ought to be done, but something of a much more drastic nature than is proposed for those who are holding up the lands we wish to use so much, the lands on which we could settle many people if we could only get those lands at a fair valuation. Some Bill is necessary, and I find myself in the position of having to support even this measure.

Hon. H. SEDDON (South-East) [9.30]: As a new member, may I extend my thanks to Mr. Stewart for the very efficient manner in which he has gone into the whole question, and placed before this House the land legislation in force in other parts of Australia, and in New Zealand. Whilst Mr. Stewart made out an excellent case for amending the Bill, I do not think he made out a good one for discarding it. I shall be glad to see the hon. member bring forward amendments during the Committee stage, when I assure

him he shall have my cordial support. The argument has been advanced that it would be better to discard the Bill than to amend it. I cannot agree with that view, because, after all, we are here to consider measures brought before the House, and if necessary, to amend them. The management of our railways has been called in question. A very large proportion of the cost of running railways is represented by overhead charges, which the management cannot alter. If overhead charges are found to be too heavy, that difficulty can be met only by increased traffic. We know that the greater part of our recently constructed railways, through agricultural districts, are not paying.

Hon. H. Stewart: A good many of them are. Give specific instances and we will see.

Hon. H. SEDDON: We have statements to that effect in the reports of the Commissioner for Railways. The mileage figures for last year show that wheat was carried at under the average cost per ton-mile of operating the railways. Had the crop been double what it was, the wheat, if carried at the same rate, would have shown a profit to the Railway Department, because the overhead charges would have remained the same. I do not wish to raise an argument as to railway management, but merely to show how important it is to have measures introduced that will compel higher production from our agricultural lands. If the present Bill will achieve that object, the Government are quite justified in bringing it forward. I contend that the measure will have the effect of forcing certain idle lands into profitable use. It will tend to establish a rural population, and so to increase the traffic on our railways. I am completely in accord with Mr. Stewart's contention as to the constitution of the board. The proposal in the Bill does not afford the best standard for dealing with the very important questions concerned. The board's powers will be very wide, and their responsibilities very serious. Therefore we should secure the best available talent for the board. I support Mr. Stewart's suggestions as regards the personnel.

Hon. J. Ewing: As regards the associated banks?

Hon. H. SEDDON: Yes; and with the proposal to have an agricultural expert on the board. Mr. Ewing pointed out that certain lands which a little while ago he had regarded as absolutely useless are now proving very valuable. Therefore a man with State-wide experience might be able to introduce new methods from other districts, and thus raise the estimation in which certain of our lands are now held. If schedule prices for the land were arranged, the whole position would be made clear, and farmers would know just what was required of them by the board. Moreover, the issuing of such schedules would obviate the necessity for the board to travel here and there picking out this piece of land as unutilised, and the other piece as utilised. If the principle of such a

schedule were applied to all lands, it would be a very good thing. After all, why should the board go into a district and say, "This man is using his land, but this man is not!" It is giving too much arbitrary power to the board to allow them to do that. With the schedules suggested, we would know exactly what to expect.

Hon. H. Stewart: In the very same locality individual farmers have different soils, and must of necessity produce different classes of stuff.

Hon. H. SEDDON: That is so, but it would be possible to establish a standard for different classes of soil.

Hon. H. Stewart: No, because climatic conditions come in and make a difference. The soils in the districts vary.

Hon. H. SEDDON: I take it the Agricultural Department have experts who can place the matter on a working basis.

Hon. H. Stewart: That appears from the very statement I made here.

The PRESIDENT: The hon. Mr. Seddon is speaking.

Hon. H. SEDDON: One point which occurs to me in connection with the Bill is the position of the man who has land but not sufficient capital to work it. In certain parts of the State agricultural bank assistance is not made available. Therefore hardship might result under this measure to a landholder in such districts. The Bill should provide protection to such a man. The aspect of confiscation has been dealt with by other members, but in passing I may say that I do not think the argument as to confiscation applies. A man has the opportunity of utilising his land, and so long as he does that the board will let him go on. The great advantage of this Bill will be the moral effect. People holding up land with a view to securing unearned increment will know that legislation has been enacted to deal with their case. They would feel impelled either to utilise their land, or to sell it to people who would make use of it. Therefore I support the Bill, believing that it will operate beneficially to the State.

Hon. J. MACFARLANE (Metropolitan) [9.40]: The strenuous opposition which has been offered to the Bill, and the very half-hearted support which has been accorded to the measure, must make the Leader of the House feel uneasy as to the result of the second reading. I personally feel deeply indebted to Mr. Stewart for his endeavour to place before new members, such as myself, the position of other countries with regard to this subject. I am grateful to the hon. member also for the guidance he has afforded us towards giving an intelligent vote in the matter. I am sure his advice was tendered in the most honest and most sincere way. I have also to bear in mind that the Premier has put before this community the only scheme ever introduced for the adequate advancement and full development of the country. Before I was elected

to this Chamber, I frequently conversed with people on the subject of closer settlement; and during the election campaign my views on the question were frequently the subject of inquiry. In my then absolute ignorance of the whole position, I made a promise that I would support the Premier. Tonight, speaking like other indifferent supporters of the measure, I am prepared to support the Bill; and I hope that those hon. members who oppose it will amend it in such a way as to make it an enactment with which in the end we can all feel pleased. I am surprised to know that alongside the 3,500 odd miles of railway we have in Western Australia, no land is to be found suitable for the settlement of immigrants. Travelling over our railway system, one is struck by the fact that much of the land adjacent to the lines appears unutilised and unproductive. Surely the people now placed on those areas do not represent the limit of their capacity. I for my part cannot think so. I shall support the Bill in the belief that it must have some beneficial effect, and that the proposed board will discover some means of utilising unoccupied lands, more especially with a view to quick returns. The importance of quick returns must be recognised in view of the fact that within five years of starting the immigration scheme this State will have the full burden of the interest bill to carry. In placing people on the land it is necessary, therefore, to pay regard to their becoming producers in the shortest possible time, so that they may assist in bearing the burden that will fall upon other citizens of this State. I know that many of our so-called dry lands can be utilised for mixed farming, and can be made to yield good returns in other directions than that of wheat growing. That, however, is largely a question of soil chemistry, a matter which I have no doubt will receive more attention in the future than has been given to it so far. The burden of taxation we have to bear, and the increase in the deficit, are due largely to the loss on our railway system, which in turn is due to shortage of goods and passenger traffic and also of back loading. If we had more settlement in the country districts, we would not only have their produce to bring down, but also more back loading, and as a result the operating costs of our railway system would be considerably lower. It has been said that the Government could, with slight alterations, make the Agricultural Lands Purchase Act and the Discharged Soldiers Settlement Act serve the purposes of this Bill. The Leader of the House must have had ample time to look into that aspect of the matter, and I am quite sure he would take the shortest route to his objective. As no move has been made in that direction, I feel that the Government regard the Bill as the quickest method of arriving at their desires. After all, the Bill is in the nature of an experiment to expire in 1924, so not much harm can be done even if the Bill prove unsatisfactory. Clause 10 provides that if the Government propose to take a portion only of an estate the owner can insist

upon the whole being taken. To that extent the owner is protected. The critics of the Bill should be able to draft amendments which will make of the Bill a thoroughly satisfactory measure. I regret that the Bill does not apply to all classes of land, for the Government should have the right to take all lands which will help them in their big scheme. If any member wishes to strengthen the Bill in this way he can be sure of my support. I hope the Bill will pass the second reading.

Hon. J. DUFFELL (Metropolitan-Suburban) [9.47]: This is the most extraordinary Bill that has been brought down to Parliament since I have been a member. The Bill originated last session. Because of the hurried manner in which it was brought before us, and because of the very few remarks offered by the Leader of the House in moving the second reading, I then suggested that the Bill should be referred to a select committee. That was done. Unfortunately the select committee had only about one week in which to pursue its investigations. Parliament then went into recess. It was stated at the time that the referring of the Bill to a select committee was only another way of shelving it. The Premier was then about to go to London to arrange for a large influx of immigrants, and so it was most unfortunate that the select committee was not able to complete their work. In their report the select committee suggested the appointment of a Royal Commission to continue the investigations. Had this been done the Government would have got the Bill through in a very much shorter time. The provisions of the Bill have been freely discussed by members, but I have heard nothing during the debate which would justify one in voting against the second reading. Those opposed to certain provisions of the Bill should be able to satisfactorily amend the measure in Committee. I am sorry that Mr. Surveyor Lefroy's report was omitted from the papers placed on the Table three weeks ago.

The Minister for Education: Was it amongst those you asked for?

Hon. J. DUFFELL: It was not amongst those laid on the Table, or if it was, it was removed before I searched for it. It will be seen from the file that there is available for closer settlement land which could be cut up into 50-acre blocks, 10 acres of which could be immediately utilised for the growing of potatoes.

Hon. J. Ewing: Where is that?

Hon. J. DUFFELL: In certain portions of the South-West. It is imperative that a Bill should go through having for its object the resumption of land for closer settlement. Taking into consideration the information contained in the file I agree that conditional purchase land ought to be included in the Bill, thus putting the Government in a position to acquire any land suitable for closer settlement. I sincerely hope the second reading will be carried. Judging from the debate

the Bill is in jeopardy, and it is difficult to say what its fate will be. I hope that in Committee it will be amended in such a way as to make of it a workable Bill and so aid the scheme successfully launched by Sir James Mitchell. I will support the second reading.

On motion by the Minister for Education, debate adjourned.

## BILL—DOG ACT AMENDMENT.

### Second Reading.

Debate resumed from the 29th November.

Hon. J. DUFFELL (Metropolitan-Suburban) [9.55]: I realise there is in the Bill much which we had before us on a previous occasion. I am in accord with most of its provisions. At the same time the Bill falls far short of what is really required. Clause 3 provides that the period during which one may keep a dog without registration shall be reduced from 21 days to seven days. I hope the 21 days period will be allowed to remain. Seven days is too short, especially in respect of country districts where it is not convenient for people to get into the nearest town to register a dog. In the Eastern States the period is 21 days. Again the Bill provides that everybody having a dog shall pay a license fee. This provision affects the Society for the Prevention of Cruelty to Animals. That society ought to be exempt from the Bill. One of its objects is to provide on its land at West Subiaco a dogs' home where large numbers of dogs will be accommodated. If the society has to pay a fee for each dog it will be debarred from carrying on an important branch of its work. I hope that in Committee the Leader of the House will agree to an amendment exempting the society from the operation of the Bill. Section 25 of the principal Act requires to be amended. It clashes with paragraph (d) of Section 4 of the Prevention of Cruelty to Animals Act, which refers to a person urging or encouraging or assisting animals to fight. It is well known that there are many people in Western Australia, as well as elsewhere, who delight in a dog fight. The Society for the Prevention of Cruelty to Animals on many occasions have taken action against persons for offences of this description, but it has not been possible to secure a conviction. It will be necessary in Committee to amend the clause in the Bill in such a way as to bring it into line with the section in the Prevention of Cruelty to Animals Act. Another section which requires consideration is Section 22 of the principal Act which provides that the owner or occupier of any field, paddock or other place in which sheep or cattle are confined, may, without incurring any liability, shoot or otherwise destroy any dogs found at large therein, whether the owner of the dog be known or not known. That means that a dog may be on a person's ground where there are sheep or lambs and where the dog, follow-

ing its natural instinct, may set out to destroy the stock. One can understand the owner of the stock shooting that dog. At the present time he may shoot the dog and wound it, and the dog may have sufficient strength to crawl to the adjoining paddock belonging to someone else. Then being on another person's property the man who shot it would not be permitted to despatch the dog, because if he did go on that property he would be trespassing. I wish to amend the law as it stands so as to provide that an individual may, after shooting a dog in such circumstances, follow the dog and kill it outright. Such an amendment is necessary. There was an instance only last week of a dog which was wounded, going to its home and crawling beneath a bed where it suffered before death intervened some 30 hours later. An animal should not be allowed to suffer when, by killing it outright, a merciful act would be performed. Section 9 also requires to be amended. This provides for registration labels. There are, however, certain dogs which should be exempt. If you put a collar on a certain class of dog it may disappear because of that dog's long hair growing on its neck. I refer to Pomeranians and Pekinese. It is generally understood that this class of dog is owned by people in the city.

Hon. H. Burvill: What are they good for?

The Minister for Education: Do they kill cattle?

Hon. J. DUFFELL: There have been two instances lately where these toy dogs have saved life and property. Because Mr. Burvill has no eye for beauty, he can be excused for asking such a question. I also intend to move an amendment in the direction of providing for the issue of a breeder's license similar to that granted in the Eastern States. I suggest that a breeder should be permitted to keep up to a maximum of six dogs and pay an annual fee of 30s. Such a provision is necessary in Western Australia where there are many breeders of dogs who will avail themselves of such a license. At the present time the fee is charged for each dog separately—7s. 6d. for a dog and 10s. for a bitch per annum. The result is that it becomes expensive for dog breeders. Some encouragement should be given to the breeders in the manner I have indicated. Section 27 of the principal Act also requires to be amended. It provides that any person who, after the 22nd January keeps any dog wearing a registration label issued in any previous year, etc., which dog shall not have been registered for the then current year, shall be liable to a penalty. The Bill provides for the registration of dogs in the financial year, and it will be necessary to bring the periods into line. Another amendment I venture to suggest is that the town clerk or registration officer shall exhibit for public inspection the names of all persons who, during the year, have registered any dog or a number of dogs. It is necessary that the list should be available so that anyone may see for himself, and thus assist in the registration of

all dogs. I will suggest too that it be made compulsory for the registration officer to take action where dogs are not registered. I shall place the amendments I intend to move on the Notice Paper so that hon. members may have an opportunity of perusing them.

Hon. A. BURVILL (South-East) [10.12]: The Bill is badly wanted, especially in the direction of the collection of fees. In some respects, however, I do not consider that the Bill goes far enough. It should be on all fours with other measures dealing with the collection of fees. Why should a man be given special notice, as is proposed under the Bill, to pay his tax? If it is a matter of a motor car license or a wheel tax he does not get seven days; he just gets notice that the payment of the rate is due. It causes a great deal of bother to the local authority to collect a tax after having given notice. Under the Act the Bill is amending, the notice was 21 days, and at the expiration of that time it was not possible to identify the dog. I am glad there has been an alteration concerning the man who keeps a dog for cattle purposes. That is a step in the right direction. The Act as it stands has been very much abused. A man had to sign an affidavit that his dog was kept for cattle purposes. People have admitted when questioned that they had no cattle, but that they kept a dog in order to frighten other people's cattle away. Under this Bill they will have to provide a better excuse than that for breaking the law. No cruelty should be permitted, and dogs should be shot outright. It would be better also to amend the Act with regard to useless dogs. Dogs that are of no utility should not be kept. It should be possible to place upon them such a heavy tax that people will avoid owning them. In Committee I propose to move certain amendments with the object of improving the Bill, but in the meantime I support the second reading.

Hon. J. M. MACFARLANE (Metropolitan) [10.18]: One has to look at the Bill from the point of view of the country, as well as of the city of Perth and of the larger towns in the State. The conditions in the country and in the towns are totally dissimilar. I want to be of help to country representatives who require to amend the Bill in a judicious way, so far as dogs kept for utility purposes are concerned. As a city man, however, I feel that stray dogs should be done away with immediately. There is no apparent use for such dogs, and I see no use in the S.P.C.A. maintaining a yard for them. I am advised by the inspectors of the City Council that Clause 3 meets with their approval. At present 21 days' notice is required before any person need register his dog. They would like to see it shortened to seven days, so that a person must either get rid of his dog or register it within that period.

Hon. A. Burvill: Why not cut out the notice altogether?

Hon. J. M. MACFARLANE: I am not prepared to advocate that. The S.P.C.A. are quite right in asking that there shall be no cruelty towards stray dogs. If a dog is wounded and runs on to the property owned by another man, who refuses to despatch it, the man who first shoots the dog should be allowed to finish it on the other man's property. Such a thing, of course, would not happen very often. Mr. Duffell's amendment with regard to the preparation of lists of registrations meets with my support. I do not favour Subclause 2 of Clause 8, which states that the town clerk or secretary of every local authority shall, as soon as practicable after the list has been made up, send a copy of it free of charge to the officer in charge of the police station nearest to the office of the local authority. I am informed that these lists are never complete. Two or three dog inspectors are out every day. In the last report of the City Council it is shown that the fees paid for dogs in the Greater Perth area exceed £1,100 in the year. This shows that many registrations are made every day.

Hon. J. Duffell: My amendment would help them considerably.

Hon. J. M. MACFARLANE: If that were carried there would be no necessity for Subclause 2. The position requires clearing up. If we have to wait for the full period before the list is made up and sent to the police, it will be of no use.

Hon. A. Burvill: Why should not the list be kept up to date?

Hon. J. M. MACFARLANE: It should be made up and supplied every three months. I favour Mr. Duffell's suggestion that it should be sent to the police every quarter. Clause 12 amends Section 21 of the principal Act by deleting the word "three" and substituting "six," and striking out the period of 21 days. This means that a dog will have to be six months old before the inspectors can call upon an owner to register. This involves two important points. The inspectors advise me that up to three months of age it is easy to determine how old a dog is, but that it is a difficult matter when a dog is six months old. It is only a question of a 7s. 6d. fee for male dogs and 10s. for female dogs. Nevertheless, the local authority would lose many such fees if an owner were permitted to keep a dog for six months without registration. It would, for instance, mean that a person might run for 18 months without paying any fee, because of the risk of losing a case when there is any doubt at all concerning the animal's age. Dog owners are often up to all the points of the game, and although a dog may appear to be far older than it is it is stated to be, the owner may be able to prove to the court by a birth certificate that it is not yet old enough to be registered. Were the age reduced to three months, that difficulty would be overcome. The changing of the year from the 31st December to the 30th June may present some difficulty to many local authorities. In the

case of the city of Perth no great exception would be taken to it because after a few months things would right themselves. It would be a great help to breeders of dogs if a breeder's license were provided for in the Bill. The W.A. Kennel Club have asked me to support an amendment in this direction, particularly as it would affect Airedales, bulldogs and kelvies, and also Pomeranians. In those circumstances the club would be prepared to enter into an agreement to help the local authority as far as possible to the end that there might be more efficiency and more expedition in dealing with dogs under this Bill. With the exception that I intend to move certain amendments in Committee along the lines I have indicated, I support the second reading.

Question put and passed.

Bill read a second time

House adjourned at 10.29 p.m.

## Legislative Assembly,

Tuesday, 5th December, 1922.

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The DEPUTY SPEAKER took the Chair at 2.30 p.m., and read prayers.

### ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the following Bills:—

- 1, Light and Air Act Amendment.
- 2, Nurses Registration Act Amendment.