

# Legislative Council,

Wednesday, 22nd December, 1920.

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

## QUESTION—WHEAT ACQUIRING AGENCY.

Hon. G. J. G. W. MILES asked the Honorary Minister: 1, Has the agreement between the Honorary Minister and the Westralian Farmers' Limited, been signed by either party? If so, when? 2, When were negotiations first entered into between the Minister and the Westralian Farmers Ltd. with reference to the agreement? 3, With whom and at whose instigation were they started? 4, At what date were negotiations completed and the agreement in the Schedule to the Bill referred to drawn up?

The HONORARY MINISTER replied: 1, The agreement has been signed only by the Westralian Farmers, Ltd., 29th September, 1920. 2, 30th August, 1920, by the General Manager of the Wheat Scheme. 3, With the Manager of the Westralian Farmers, Ltd., on the recommendation of the Wheat Marketing Advisory Committee. 4, 20th September, 1920.

## STANDING ORDERS SUSPENSION.

Close of Session.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East): I move—

That for the remainder of the session so much of the Standing Orders be suspended

as is necessary to enable Bills to be taken through all stages at one sitting, and messages from the Legislative Assembly to be taken into consideration forthwith.

This motion is invariably carried during the closing days of the session; and I see no reason why it should not be possible to close this session some time to-morrow. Consequently, it is desirable to be able to consider messages from the Assembly immediately on their arrival.

Question put and passed.

## BILL—OPTICIANS.

### Select Committee's Report.

The Hon. J. Nicholson brought up the report of the select committee appointed to inquire into the Optician's Bill, and also a minority report by the Hon. A. J. H. Saw.

Reports received and read.

On motion by Hon. J. Nicholson, reports and evidence ordered to be printed, and to be taken into consideration at the next sitting of the House.

## BILL—WHEAT MARKETING.

### Third reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.15]. I move—

That the Bill be now read a third time.

Hon. G. J. G. W. MILES (North) [3.16]: I desire to again enter my emphatic protest against the way this House has been treated by the Government. After the Minister answered the questions put to him yesterday, we now find that the agreement was entered into on the 29th September, over 2½ months ago, and yet the Government come down with a request that we shall endorse the agreement at the tail end of the session, after the agreement has been signed. When the Minister gave us the assurance last year, supported on that occasion by the Premier, that the House would be given an opportunity of discussing the agreement before it was entered into again, I think they should stand to the assurance they gave members then. In future I hope that the assurances of Minister's will be observed.

Question put and passed.

Bill read a third time and passed.

## BILL—APPROPRIATION.

Read a third time and passed.

## BILL—GENERAL LOAN AND INSCRIBED STOCK ACT AMENDMENT.

### Third Reading.

Hon. H. P. COLEBATCH (East) [3.17] I move—

That the Bill be now read a third time.

Hon. J. W. KIRWAN (South) [3.18]: I move an amendment—

That the Bill be recommitted for the purpose of considering a proposed new clause.

I regret that owing to illness, I was not in my place yesterday, when the Bill was dealt with. Consequently, I was unable to bring forward the proposed new clause yesterday.

Amendment put and passed.

Recommittal.

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

Hon. J. W. KIRWAN: I move an amendment—

That the following new clause, to stand as Clause 3, be added:—"This Act shall remain in operation until the 31st December, 1921, and no longer."

THE MINISTER FOR EDUCATION: Why not use the words "continue in force"? That is the exact wording that is used in such amendments.

Hon. J. W. KIRWAN: I will accept that alteration and move the amendment accordingly. The reason for the new clause is obvious. The power asked for in the Bill is for permission to borrow money on inscribed stock and debentures at the higher rate of  $6\frac{1}{2}$  per cent interest. It is very desirable that power like that should come up for review in 12 months' time, and possibly two or three times before it is subsequently amended, with a view, when interest is low, to limiting whatever Government may be in power to borrow at a rate which will not exceed the current rate of interest. The Bill gives extraordinary powers to any Government in the future, who may be desirous of getting money, irrespective of the price which has to be paid for it. The leader of the House and the public generally will recognise the necessity for limiting the power this Bill gives in the direction of borrowing money. I have no objection to the Bill itself, because the times are extraordinary. We hope the times will not continue extraordinary and that future money will be obtained at a lower rate. We hope that it will not be necessary to continue the power to borrow at  $6\frac{1}{2}$  per cent.

THE MINISTER FOR EDUCATION: A similar clause has been inserted by this House in at least two or three Bills of the same character in past sessions. The insertion of the clause will not cause any trouble or inconvenience, but it means that a Bill of some kind will have to be brought before the House next year. When this clause terminates, we will go back to the five per cent. interest. I do not think it is likely that we will be able to get money at that rate for some years to come. While it may be so, it does not seem likely at present, and Parliament will have to be

approached again in order to have the rate of interest stated.

New clause put and passed.

Bill again reported with an amendment and a message accordingly forwarded to the Assembly requesting them to make the amendment, leave being given to sit again on receipt of a message from the Assembly.

BILL—LOAN, £3,870,000.

Read a third time and passed.

BILL—DIVIDEND DUTIES ACT AMENDMENT.

Assembly's Message.

Message received from the Assembly notifying that it had agreed to the amendment made by the Council.

In Committee.

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

Title—agreed to.

Bill reported and report adopted.

Bill read a third time and passed.

BILL—LAND TAX AND INCOME TAX.

Assembly's Message.

Message from the Assembly notifying that it declined to make the amendment requested, now considered.

THE MINISTER FOR EDUCATION: I do not know whether it is desirable to raise this question before we go into Committee. Can we consider the message now?

THE PRESIDENT: No.

THE MINISTER FOR EDUCATION: I understand from what I am told that the amendment was not rejected in another place. It was ruled out of order.

THE PRESIDENT: If the hon. member desires my ruling on the point of order, I shall be prepared to give it.

THE MINISTER FOR EDUCATION: I desire to have your ruling.

THE PRESIDENT: What is the point of order? On what ground was the amendment ruled out?

THE MINISTER FOR EDUCATION: I understand that the point of order raised was that the amendment was properly an amendment to the Land Tax and Income Tax Assessment Act, and not to the Land Tax and Income Tax Bill. That is the whole point as far as I know.

Hon. A. LOVEKIN: I also should like to explain.

THE PRESIDENT: Unless the hon. member has something to add to what the Minister has said, I do not think I can hear him. In the first place I may say this procedure seems to me to constitute a departure from the usual practice. The Standing Orders of both Houses of Parliament lay it down that when an amendment of the one House is dis-

agreed to by the other House, a message shall be sent containing reasons for that disagreement. It is true that this amendment took the form of a request. But looking at it from a common sense point of view, a refusal to grant a request is equivalent to disagreement to an amendment; indeed, whenever in the past requests have been refused, the message containing the refusal to make the request has contained also reasons for that refusal. In this case those reasons are absent. Leaving out of the question the promptings of ordinary courtesy, dictates of common sense should have ensured that the message notifying that the request had been refused should have contained reasons for that refusal. Further than that, it seems to me somewhat illogical that a refusal to make a requested amendment in this Bill, which, it is claimed, is an amendment of the Land Tax and Income Tax Assessment Act and not of the Land Tax and Income Tax Act, should occur when in Clause 5 of the Bill the Land Act and Income Tax Assessment Act is obviously and explicitly amended. Why this request should have been refused in this case, and this gross breach of order, if such it be, permitted in the case of the original Bill, does not occur to me. I do not think the grounds for refusing the amendment would stand. In my opinion the request for the amendment is in order.

#### In Committee.

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

The MINISTER FOR EDUCATION: In view of the ruling given by the President, I think the proper course for us to take is to press the requested amendment. That, at all events, will allow us to obtain directly the reason for the Assembly's refusing to make it.

Hon. Sir E. H. Wittenoom: And it will allow them to give it further consideration.

The MINISTER FOR EDUCATION: Quite so. I should like to point out also that the Dividend Duties Bill has now passed through all its stages. That Bill imposes additional taxation in exactly the same way as the Land Tax and Income Tax Bill, and allows this exemption. So, unless we can arrange to get the exemption into this Bill as well, the glaring anomaly will arise that any person trading as a company and drawing his income by way of dividend, and making donations in the manner prescribed, will be allowed to deduct them from his taxable income, whereas a person trading in his own name and drawing his income by way of profits will not enjoy that privilege. I have discussed this with the Premier, and he has undertaken that if the Assembly refuse to grant the amendment, and if at the beginning of the next session it still be within his power, he will then bring down a Bill to amend the Assessment Act. Many things may arise to prevent that being done, but if done it would meet the case, because this ap-

plies to the current year's income. However, to bring the matter before the Assembly and have it there ventilated, I move—

That the requested amendment be pressed.

Question put and passed.

Resolution reported and the report adopted.

#### BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

##### Assembly's Message.

Message from the Assembly notifying that it had made amendment No. 1 requested by the Council, but had declined to make requested amendment No. 2, now considered.

##### In Committee.

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

The HONORARY MINISTER: I move—

That the requested amendment No. 2 be not pressed.

Question put and passed.

Title—agreed to.

Resolution reported and the report adopted.

##### Third Reading.

Read a third time and passed.

#### BILL—TAX COLLECTION.

##### Second Reading.

Debate resumed from the previous day.

Hon. G. J. G. W. MILES (North) [3.43]: I congratulate the Government on having brought in this measure. My chief regret is that the agreement was not fixed up long ago. I regret also that the Commonwealth did not agree to allow the State to collect the taxes for them, instead of the Commonwealth collecting for us. However, seeing that that could not be arranged, the Government have done a wise thing in agreeing to allow the Commonwealth to collect taxation for the State. It will save £20,000 per annum and, moreover, will be a great convenience to taxpayers, in that they will have only one set of returns to furnish, instead of two, as in the past. Although I am not in favour of unification, I hope the Government will be able to accept the terms offered by the Commonwealth for the taking over of the State Savings Bank.

Hon. J. W. Kirwan: And to arrange for the collection of statistics.

Hon. G. J. G. W. MILES: Yes, and to enter into any other agreement of the sort which will save money. I would not go so far as Mr. Sanderson and advocate unification, but wherever we can amalgamate departments and so save money to the State and protect the taxpayers from irritating experiences, we ought to do it. I will support the second reading.

Hon. A. SANDERSON (Metropolitan-Suburban) [3.45]: I regard this Bill as the beginning of the end. It is of no use Mr. Miles saying he is not in favour of unification. I have stood here in season and out of season, not presuming to dictate either to members or to the country as to what should be done, but asking them to consider the question and decide while yet they had plenty of time. I warned the country that unless this was done, sooner or later we should find ourselves in the position of being compelled whether we liked it or not to go into unification. Mr. Miles says he would like to see the Savings Banks dealt with in a similar way. I feel perfectly satisfied that, looking at the financial position, the State Government will be compelled to hand over the Savings Bank, and thus little by little and step by step, as I have repeatedly warned members, we shall presently arrive at the stage when we shall be wholly at the mercy of the Federal Government. I would remind the House of a clause which appeared in the Governor General's speech on the 26th February last, a most important clause, which, had it only been fairly dealt with by the Commonwealth and the State, would have obviated the necessity for considering the proposal which we are now asked to pass with acclamation. We should have considered this proposal as part of a whole, and we should have approached the whole subject in a more or less judicial spirit with plenty of time to weigh all the pros and cons and decide what particular effect this would have on the relations between the Commonwealth and the State. The paragraph I refer to read—

My advisers deeply regret the defeat of the referendum proposals recently before the people. They intend to introduce legislation to authorise the summoning of a Convention representing the people and the Parliaments of the Commonwealth and the States regarding the revision of the national Constitution.

What has been done? Absolutely nothing. What is the danger of the position now? The danger of passing a Bill like this is that at one time when Western Australia was in a very much sounder financial position than it is to-day and the Commonwealth Government were in an extraordinarily sound position—I refer to five or six years ago, and I am dealing wholly with the financial question—we could have appealed to the London market or to the Imperial Government to assist us. What is the position to-day? This country is brought to its knees. The financial position from the point of view of the Federal Government must cause everyone the gravest concern and anxiety. It is certainly causing the Treasurer very grave anxiety. The position with regard to the Imperial Government is that we have been practically warned off the market. I can use no other word after reading the following from Melbourne—

Reference was made to-day by the Federal Treasurer to a recent cable message to

the effect that the Government loan of ten millions on the London market was impossible. He said "We are not contemplating a loan of ten millions. We owe the British Government 42 millions, and we should like to fund it at a reasonable rate, but this is not possible at present."

We have three parties concerned, and for the purpose of discussion we can rule out the Imperial and the London factor and come to the Federal Government to whom we propose to hand over the collection of this taxation. We have the State and the Federal Governments in the most serious financial position. If I am compelled to support the Bill, I wish to point out that there is no time to discuss it as it should be discussed. We have been committed to this step and the next step may be the Savings Bank or something else. We are told by the Federal Treasurer that one of the reasons why this Bill should be passed is that public opinion is becoming so strong that it cannot be resisted. What are we going to save under this proposal? Twenty thousand pounds a year. It reminds me of the old story of Esau selling his birthright for a mess of pottage. If the people realise that they are going to save £20,000 by this arrangement, they will be thinking what they can save by closing the State Parliament up. That is the position of affairs, and no one can deny it. I have stood here for five or six years and in season and out of season—

The Minister for Education: Mostly out of season.

Hon. A. SANDERSON: And this Bill is out of season, for the reason that we are compelled to do in 24 hours, work which should have been spread over the last three months. This country does not belong to me, and I am very glad to think that I have not the responsibilities of the leader of the House and his colleagues. As we were betrayed 20 years ago in the matter of Federation, so we shall be betrayed over this Bill, because it is the first step, and it may be the last step, towards unification, and towards the control of the affairs of Australia being handed over to the Commonwealth Parliament.

Hon. J. DUFFELL (Metropolitan-Suburban) [3.52]: I was surprised to hear the remarks which have fallen from Mr. Sanderson. When some time ago I moved a motion having for its object the amalgamation of the two Taxation Departments, I had the support of the hon. member. Although we are not getting under this Bill all that we should like, we are at least getting something to be thankful for. It is well to remember that the Commonwealth Taxation Department was run very largely by temporary clerks. I pointed out that this was one of the reasons why the State Commissioner of Taxation had refused to render his return to the deputy Commissioner for the Commonwealth. I pointed out that we had

a good staff capable of collecting the Commonwealth as well as the State taxation, and I moved that our financial year should end at the 30th June instead of at the 31st December. All this led up to what is now before us, and I contend that if we can save £20,000 per annum and the not inconsiderable amount of inconvenience and annoyance caused to merchants and traders by having to render one return instead of two, we shall be doing something tangible which will meet with the approval of the people we represent. Although I would have preferred that our officers should collect the Commonwealth taxation on a commission basis, still we cannot get all we desire in this world. The Bill provides that one return shall be sufficient for both purposes. It also provides that we shall retain our State Commissioner of Taxation, who will be a link between the deputy Commissioner and the State. We shall have the satisfaction of knowing that the officers who are dealing with the returns are permanent officers, who are sworn to secrecy. This in itself will be a source of comfort to more than one member of the trading community. I have pleasure in supporting the second reading of the Bill.

Hon. J. EWING (South-West) [3.56]: Apparently it would be quite useless for me to raise opposition to the Bill, because there seems to be a unanimity of opinion, at any rate amongst those members who have spoken, that this arrangement with the Commonwealth for the collection of our taxes will be a very good thing for the State. I take a totally different view; I think it will be a very bad thing for Western Australia. Although we are promised a saving of £20,000 a year, a re-organisation of the departments, and possibly assistance to some people in that it will be necessary to lodge only one return, yet I think Mr. Sanderson has struck the right note when he said that this is the beginning of the end. For many years past we have become more and more dependent on the Commonwealth. The Federal Government have encroached on every avenue of taxation, with the result that to-day we find ourselves in a very parlous state. Seemingly the more we give to the Commonwealth the more we are expected to give. It is extraordinary to see how the people of this State and the Government are rushing towards unification. There is no question as to what the Bill means; there is no need to take up the time of the House by pointing this out. If we give way on this matter, as we have done on every other matter, the ultimate end must be unification, in a very short space of time. I am absolutely opposed to unification, and I shall not be a party to it. Whether the saving be £20,000 or £50,000 a year I shall not be a party to permitting the Commonwealth to override the State in matters of this kind. If we as a State were to collect the taxation through our own officers, and thus remain predominant, it would be a

very different matter, but under this arrangement, as in everything else, the State will be subservient, and in the near future it must lead to unification. Seeing that I am strongly opposed to unification I would be lacking in my duty if I did not enter my protest against this Bill. What appeals to me more than anything else is that already more than one half of the business of our Government Savings Bank has been taken over by the Commonwealth, and that every avenue of taxation is being encroached upon. During the present session this House has passed a motion tabled by Mr. Sanderson with regard to the holding of a Federal Convention. The understanding was that there would be a convention in the near future to consider the Federal Constitution and other matters pertaining to the welfare of the Commonwealth and of the State. That would have been the time to bring forward a proposition of this kind. We should not give away piece by piece all the advantages we have, and by so doing place ourselves entirely in the hands of the Commonwealth. I have not given this Bill a great deal of consideration—we have all been working very hard—but I have endeavoured to analyse the agreement. The agreement does not form part of the Bill; nevertheless an agreement has been entered into by the Government and the Government are parties to the agreement subject, of course, to ratification by Parliament. If we throw out this Bill it means that further negotiations will have to be entered into with the Commonwealth. I tried to read through the agreement last night, and could see a number of places where, reading between the lines, it appeared that the cost will be a great deal more than that represented by the Government. I am sure there will be many pin pricks in connection with this arrangement, the Commonwealth coming in here and there, appointing an officer here, and dismissing another there. If we could only fully analyse the agreement we should find that instead of its costing one-third of the receipts in connection with the returns, it would cost possibly half.

The Minister for Education: That will not be our fault.

Hon. J. EWING: Yes, it will, if the Commonwealth choose to pass on the cost to the State. There are many passages in the agreement under which the Commonwealth have the right to charge up to the State any increased expenditure in collecting the tax. There are people in the country outside Perth who are taking the closest interest in this Bill. Yesterday I received a telegram from Bunbury, where the people concerned had evidently seen the Bill and were very much exercised in their minds regarding it. The telegram says—

Can we have copy of proposed Act for unification of Federal and State income tax. Consider it too important to be rushed through.

Hon. A. Sanderson: Well done, Bunbury!

Hon. J. EWING: It is signed by Mr. North, secretary of the Traders' Association, Bunbury. This indicates that the people of Bunbury are alive to the position. They think we are rushing through a Bill of far-reaching importance. I have not hitherto raised my voice in protest against the Government rushing business through at the end of the session. At the same time, I do not believe in it, and I applaud a great deal of what has been said on this very subject. The traders in Bunbury are evidently much concerned because they think the Council are rushing through an important matter which is entitled to further consideration.

Hon. T. Moore: Bunbury always was old-fashioned.

The PRESIDENT: Order!

Hon. J. EWING: It is a serious matter. I have very little hope of inducing many hon. members to vote against the second reading of this Bill. If I were able to do so I should be pleased to stand in my place for two or three hours adducing reasons why they should oppose it. There are many cogent reasons which can be put forward, and Mr. Sanderson has already given a number of them. Any ordinary person reading between the lines of this agreement must see great danger to the State of Western Australia if we pass this Bill. I hope hon. members will not rush it through. Let them consider the views of people outside this Chamber and the interests of the State. The citizens of Bunbury are evidently alive to the interests of the State, and do not want legislation passed which leads straight along the path of unification, which is a path to be avoided. I sincerely trust that members will give further consideration than seems to be their intention to this important Bill.

Hon. Sir F. H. WITTENOOM (North) [4.3]: I am sorry to hear Mr. Ewing speak in the way he has done. His speeches are generally characterised by common sense and are full of convincing argument, but on this occasion I am sorry to say he is not up to his usual standard. All over Western Australia for some time there has been an agitation to bring about this collection of the taxes by one organisation. It is not only for the sake of saving a little money, which is perhaps a consideration, as a saving is expected in this instance, but the great thing is to get uniformity in the forms that are issued to various people upon which to make their annual returns. At present the Federal Government issue their forms in one way, and the State Government issue theirs in another. The consequence is that all is confusion. I go a long way with Mr. Ewing in opposing the giving up of any of our rights and privileges. If we could alter this Bill it should be in the direction of providing that the State should collect the Federal taxes

rather than that they should collect ours. Inasmuch as half a loaf is better than no bread, however, and we are to save two-thirds of what it costs us up to June, 1921, to collect our State taxation—one-third of the cost is all that the Commonwealth can charge us no matter what the cost may be to them—I consider it a great relief to have even that much. I should like to have seen the Western Australian officers collecting the taxes for we should not then have had the insinuations regarding unification. I want to see uniformity in the papers that go out to enable the people to send in their returns. I have read through the agreement most carefully. Although I admit there is a superfluity of words, and it takes some little time to understand, the agreement is perfectly clear and binds both parties tightly. If I have an objection, it is found in Clause 20, Paragraph (b), sub-paragraph 1 says—

A prosecution may in the discretion of the Commonwealth Commissioner be instituted under either law.

The following sub-paragraph says—

As a general rule the prosecution shall be instituted under the law which provides the greater penalty.

I should have put it, for my part, under the law which provides the lesser penalty. This in my opinion constitutes a defect in the agreement. Remembering that we cannot get all we want, though it would be better that the Western Australian officers should do the collecting instead of the Federal officers, as we are going to make a saving, I feel I have no choice but to support the second reading of the Bill.

Hon. E. M. CLARKE (South-West) [4.7]: The collection of these taxes should be the other way about. We should do the collecting and remit the money to the Commonwealth. It is understood that this work is to be done for a certain sum. I have always held that even with a most intimate friend business should be done on business lines. It would be an easy thing for the Commonwealth Government if they found they could not collect these taxes at the price they have agreed upon to request that they should be paid a larger sum. This Bill will deprive the State of one of the functions which rightly belong to it. I do not care who knows my views on this question, and who may regard me as an anti-Federalist. I contend that if we cannot manage our own affairs, people in the other States cannot do so for us. When the war was on we in Western Australia sent our men in their thousands. If we apply to that this principle of collecting taxes, why should not the good men in the other States have gone to the war instead of ours? I say we should collect our own taxes here.

The Minister for Education: They will be collected here.

Hon. E. M. CLARKE: As a protest against this procedure, I intend to vote against the Bill, and will not give a silent vote.

Hon. J. CORNELL (South) [4.9]: I intend to support the second reading of the Bill. I am surprised at the insular attitude some hon. members have taken up. We are a part of a big union. At the inception of federation none of these functions of taxation which the Federal Government are operating in to-day were in operation then. Whether or not these functions of the Federal Government are in conformity with the Constitution is beside the point, inasmuch as they have imposed and are imposing taxation. By the imposition of such taxation, we have had established two Taxation Departments, a State and a Federal department. This has led to endless confusion and work for all concerned. The Bill now before us provides an opportunity of removing an anomaly which has crept in with federation. Seeing that we have two Parliaments taxing us surely we should have one department to collect the taxes. This amalgamation will do away with a lot of irritation and should result in good work to the satisfaction of all. When members suggest that this is tending towards unification, I must say I think they are drawing on their imaginations.

Hon. J. Ewing: Not at all.

Hon. J. CORNELL: Unification can only be brought about by the sanction of the people. The Constitution provides for such a course being taken.

Hon. J. Ewing: We are giving everything away.

Hon. J. CORNELL: The people will decide this question for themselves. The amalgamation of two taxation departments and the collection of the fees by one of them cannot by any stretch of imagination be said to be a step towards unification. The agreement can always be annulled by six months' notice being given on either side. When Australia is ready for unification, the people will vote for it. With regard to the point as to whether the State should collect both sets of taxes, I hold the view that the agreement has probably been drawn up with reference to the Commonwealth Constitution. Any State law must go by the board if it conflicts with a Commonwealth law. The Commonwealth Parliament is the first Parliament in Australia. It does not matter whether the State or the Commonwealth collect these taxes, so long as we achieve the object we are after.

Hon. J. NICHOLSON (Metropolitan) [4.13]: Notwithstanding the support this Bill has received, I intend to vote against it. I feel that it is a serious menace to the State. We should have had far more time for considering a measure of such far reaching importance. Although it is true that the Federal Government must account to the State for the moneys they receive under this arrangement, we must bear in mind that these taxes and the dividend duties, etc., form the staple revenue of the State. There are large accountings between the Commonwealth and the State. The control of these funds to my mind makes it all the

more important why we as a State and not the Commonwealth, should collect them. We do not want to dispose of any of our privileges as a State because of the relations existing between the State and the Commonwealth in the matter of financial undertakings and obligations. As disputes may arise they will lead to difficulty, even though the State receives its due and proper proportion of those taxes, which it is proposed to give power to the Commonwealth to collect.

Hon. G. J. G. W. Miles: If the State collected them probably the Commonwealth would not be able to get their share.

The Minister for Education: The Commonwealth might hold back money; what is to prevent them holding money back from the 25s. per head?

Hon. J. NICHOLSON: Here we are handing over an important department to them to control on our behalf, thus giving them greater strength and greater control which it is not desirable, in the interests of the State, they should have. Look at the percentage given to the Commonwealth for the duties they have to perform. Here they are to get 33 1/3 per cent.

Hon. G. J. G. W. Miles: They provide office staff and office accommodation.

Hon. J. NICHOLSON: They do not provide the salary of the State Commissioner.

Hon. G. J. G. W. Miles: That is the only thing they do not do.

Hon. J. NICHOLSON: The Commonwealth has to provide office accommodation and all that is necessary.

The PRESIDENT: For the information of members I may point out that we have no knowledge of the agreement; it does not form part of the Bill and hon. members are not in order in discussing it.

Hon. J. NICHOLSON: I was overlooking that fact, and I thank you Mr. President, for drawing my attention to it. Power is sought to give authority to the State to enter into an agreement with the Commonwealth. It is true that that agreement has been laid on the Table of the House. We have to ask ourselves the question whether it is wise to give the authority which is sought. I submit it is not in the best interests of the State to do so. I look upon the body collecting our taxes and controlling this part of our finances as having a voice and a power over us which they may exercise to our disadvantage, and questions may arise in the future in regard to accounts between the State and the Commonwealth. In the interests of the State the powers sought to be given to the Commonwealth should be sacredly held by the State and not parted with. I intend to vote against the second reading of the Bill.

Hon. A. H. PANTON (West) [4.20] I welcome the Bill with pleasure. If it is our desire to have economy and efficiency, the only way to obtain both is to amalgamate departments such as these. I was rather surprised at the attitude adopted by some mem-

bers, particularly Mr. Sanderson and Mr. Ewing. Mr. Ewing made reference to the proposed convention. I would be disappointed if at any convention it is proposed to hold the amalgamation of departments did not form one of the subjects to be discussed. We as a State are simply handing over the collection of taxes to the Commonwealth on a commission. As regards the State collecting the two taxes, that would mean that if we were to have an amalgamation of these departments in all the States we should have the different States adopting different methods. As it is, there will be one only, and when the amalgamation is extended to the other States, there will be uniformity throughout. I do not share the fear of some hon. members that this is the first step towards unification. As Mr. Cornell has pointed out, when unification comes about it will be by the wishes of the people and not by any particular section. I will vote for the second reading with a great deal of pleasure.

Hon. V. HAMERSLEY (East) [4.25]: Mr. Sanderson was quite right when he quoted this as an instance of the beginning of the end. We must realise that right from the inception of the Commonwealth there has been a steady encroachment upon the rights of the States. Every year something fresh crops up. This of course is one more move in the direction of further control by the Commonwealth over the State, and once they get a hold over the finances they will have a powerful grip. It was never contemplated by the framers of the Constitution that the Commonwealth would so early in its career usurp the functions of the States as is being done. Almost at the inception the Commonwealth started out on a policy of heavy expenditure and it has never grown less. The Commonwealth has completely overlapped the intentions of those who framed the Constitution. As soon as the Braddon clause was obliterated the Commonwealth started out on a career that one might almost liken to that of brigands. Now they have encroached to a great extent on duties which were supposed to entirely belong to the State, and if this goes on the State will gradually lose that control which they now have. We recognise that the community as a whole are in agreement with the proposal to combine many of the services which at the present time are duplicated. That desire is brought about by reasons of economy and the wish to lessen the irritation which is caused, specially in connection with the taxation departments, by having to make out two sets of returns. How that difficulty will be overcome, I can hardly say at present, because we have not before us the amendment of the Assessment Act. The system under which the valuations are arrived at by the State is different from that adopted by the Commonwealth. Therefore I cannot see how one form will be made to apply to the two collections. The exemptions under the State Act are also different

from those of the Commonwealth, and again I cannot see how the one form is to be used. I suppose, however, these are matters to be worked out in the future by the parties concerned. I hope arrangements will be made by which the forms will be reasonably alike, so as to avoid irritation to those who have to prepare them. Taxation has been the means of creating quite a new and big organisation; it might be said to be a new industry in connection with accountancy. It is necessary now for everyone to rush to an accountant for protection from the onslaughts of the taxation departments. If a combination such as is suggested in the Bill can be brought about, I realise that it will relieve the community from a great deal of irritation. I have little doubt that Mr. Sanderson is quite right when he says that this is the beginning of unification, and that further encroachment will speedily follow. With regard to the question of values, I hope that the State will be as reasonable as it has been in the past and that in the combination there will not be formed what is suggested by the Bill, and that the State will not be induced to follow in the footsteps of the Commonwealth and foist upon the community the same form of valuation as is adopted by the Commonwealth.

Hon. J. Ewing: It will be far worse.

Hon. V. HAMERSLEY: I wish to draw the attention of the Minister for Education to the fact that in making up returns—

The PRESIDENT: I think the hon. member is somewhat trespassing, somewhat going outside the scope of the Bill.

Hon. V. HAMERSLEY: Then I shall have to make these representations privately. The Bill, I understand, is to enable the two Governments, Federal and State, to enter into an agreement for the collection of taxes by the Commonwealth on behalf of the State in respect of land tax, income tax, and other duties, and for purposes incidental thereto. I thought I would have had an opportunity of drawing attention to the fact that the people of Western Australia are being imposed upon by the Federal Government as regards the form in which the Federal Government are making—

The PRESIDENT: I think those remarks would be more aptly made by a Federal member of Parliament in a debate on a Federal Income Tax Assessment Bill.

Hon. V. HAMERSLEY: I only wish to warn our State Government of the danger we are perhaps involving the people in by agreeing to the Bill. If I cannot have the assurance of the leader of the House that the Government will carefully look into the matter, I shall certainly vote against the measure. Mr. Ewing has announced that the people of Bunbury already view this Bill with disfavour, and that he will oppose it. I am quite willing to join him, because I know of very serious and very grave matters—matters which are not brought before the House—involving dangers which



are likely to creep in if we enact this measure. It is necessary that the attention of members of this Chamber should be drawn to such considerations at a time when we are asked to hand over these powers to persons who we know from their past actions are not inclined to favour us. As we give them greater powers, so their encroachments on the authority of the State are likely to become greater and greater—and that in other respects besides taxation. At the present moment I am quite ready to join anyone in opposing the measure, although when I rose I was prepared to say that I would support the Bill. I know that the people as a whole are most anxious that a simpler method of taxation should be devised. The people want to be saved from the incursions upon their rights, and their time, and their purse, which result from the various forms of taxation. If by passing such a Bill as this we can relieve them in any way, we should embrace the opportunity. After hearing the speeches of other members, I shall decide how to cast my vote on the second reading.

Hon. E. H. HARRIS (North-East) [4.35]: During my initial remarks in this Chamber I took the opportunity of congratulating the Government on a forecast in the Governor's Speech that at an early date they would set about inducing better relations between the State and Federal Governments, with regard to the overlapping of certain public activities. Paragraph 14 of the Governor's Speech indicated that in the Taxation, Electoral, Savings Bank, and Statistical Departments, as well as in many other directions, it was desirable that overlapping should be prevented. I therefore have pleasure in supporting the second reading of this Bill, the introduction of which I regard as evidence of sincerity on the part of the State Government in their expressed desire to bring about economy. The Federal Government have entered into an agreement with us through which economy will result and the work of taxpayers in making returns will be minimised. I hope the present measure will prove to be the precursor of further Bills to prevent overlapping of departments, as indicated in the Governor's Speech. I am not one of those who are afraid of centralisation or unification eventually resulting from the passage of such measures as this. Unification seems to be a bogey with some hon. members. I am rather astonished that Mr. Ewing, who has been an ardent supporter of the policy of the Government and so declared himself at some length when speaking on the Address-in-reply to the Governor's Speech, wherein the Government indicated their intention to carry such projects as this into effect, should wake up at the eleventh hour to the fact that the electors of his particular province fear that from the passing of this Bill chaos may result. I hope that the Electoral De-

partments anyhow, as well as the Savings Bank and others, will receive similar attention at the hands of the Government.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East—in reply) [4.38]: I do not think it is necessary for me to detain the House very long in replying. The attitude of Mr. Sanderson, who in almost every Bill introduced into Parliament for the past few years has seen the beginning of unification and the end of everything else, did not surprise me and I think will not have surprised other members. But I believe that if Mr. Ewing and Mr. Nicholson had thought this matter out more carefully, they would have recognised that the Bill, so far from trending towards unification, is in absolutely the opposite direction. There is nothing in the measure that touches the question of unification at all. We give up none of our sovereign rights by passing this Bill. I ask those hon. members to put to themselves the following question: if the subject of unification were being discussed to-day, and if they were taking the negative side, where would be the weak spot in their argument? I do not think they can deny that the weak spot would be that half the people of the State are not particularly concerned about unification so much as about two authorities administering public activities in half a dozen different directions. The danger would be that the people might say, "Unification is the only way out of the present position; let us have unification rather than that this sort of thing should go on." I myself would fight against unification as strongly as any other man, but I realise that if I were fighting that question on the platform to-day, the greatest difficulty I should have would be to induce the people to submit to continuance of the duplication of State and Federal departments, when by unification they could get rid of it. If I were able to say that by a reasonable and equitable arrangement with the Commonwealth Government the State had been able to get rid of a good deal of duplication, then much of the clamour in favour of unification would die down. Under such conditions there would not be the same cause for complaint.

Hon. J. Nicholson: It would be all right if the collection of taxes were to be done by the State.

The MINISTER FOR EDUCATION: This is the position: It has been urged over and over again that these amalgamations should be brought about. When the present amalgamation was discussed some months ago, it was brought to a head largely by the work of the Federal Commissioner of Taxation, Mr. Ewing, during his visit to Western Australia. He conferred at length with the State Cabinet and with the State Commissioner of Taxation and with the State Under Treasurer, and it was not until all parties were satisfied that this agreement was drawn up. We put it to Mr. Ewing at that time, "This appears to be an equitable and reas-

enable agreement, but we would prefer that it should be reversed, that the State Government should collect the taxes for the Federal Government." We had through him an authoritative assurance from the Federal Government that the matter could not be discussed on that basis. There was an absolute refusal from the Commonwealth to discuss it on that basis. It was open to the State Government then to refuse absolutely to discuss it on any other basis, and the two parties could have maintained that attitude for the next 20 years, as they have maintained it for the past 20 years, and we should never have got any further. Personally, I am surprised that the Commonwealth Government took up that attitude; but they did take it. Does Mr. Nicholson consider that the State Government ought to take up a similar attitude, the two Governments simply standing as the poles asunder, and the State continuing to incur this unnecessary expenditure of £20,000 per annum and letting its people go on making duplicate returns? Mr. Nicholson further suggested that the agreement was very dangerous because disputes on financial matters must arise and in passing this measure we should be giving the Commonwealth an advantage by allowing them to have the proceeds of this taxation in hand. That is a suggestion which I suppose comes naturally to the legal mind. We are told that "possession is nine points of the law." That may be a wrong quotation or a right one; but I would remind Mr. Nicholson that at the present time the Commonwealth Government have to pay over to the Government of this State annually about twice the sum involved in our State taxation. They have to pay us 25s. per head, and interest on transferred properties. So that, whatever disputes may arise between the two Governments, the Commonwealth Government, without this measure, have all the money in hand. If they wanted to stop money out of what they have in hand, they could do it just as well out of the 25s. per head per annum or out of the interest on transferred properties, as out of the money which they will receive under this measure. Therefore that objection, to my mind, has no force whatever.

Hon. J. Nicholson: Except that you do not get the money immediately. The Commonwealth get it in the first instance.

The MINISTER FOR EDUCATION: The Commonwealth Government now have in their hands funds that belong to us and are larger than the funds which the Commonwealth Government will collect under this Bill. If they wanted to hold that money on the ground that possession is nine points of the law, they could do it now. They have something over £500,000 of money to pay to us every year. The fact that under this Bill they will have another £200,000 or £250,000 of our money to handle will not put them in any stronger position from that point of view. Mr. Clarke seemed to be under the impression that the work of collecting our State taxation would, under the agreement, be done

in Melbourne. Of course that is not so. The work will be done in Western Australia by the same people who do our State collecting at the present time. The only difference will be that those people will do it as Federal officers, with the exception of the present State Commissioner of Taxation, who will still be a State official. The agreement has received the closest consideration at the hands of the officers concerned and of the Government, and I am sure it will be welcomed by the public. Mr. Hamersley's observations have already received consideration and will certainly not be overlooked when the Bill is brought into effect.

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

|              |    |    |    |    |    |
|--------------|----|----|----|----|----|
| Ayes         | .. | .. | .. | .. | 15 |
| Noes         | .. | .. | .. | .. | 7  |
|              |    |    |    |    | —  |
| Majority for |    |    |    |    | 8  |
|              |    |    |    |    | —  |

#### AYES.

|                      |                          |
|----------------------|--------------------------|
| Hon. R. G. Ardagh    | Hon. C. McKenzie         |
| Hon. F. A. Baglin    | Hon. G. W. Miles         |
| Hon. H. P. Colebatch | Hon. T. Moore            |
| Hon. J. Cornell      | Hon. A. H. Panton        |
| Hon. J. Cunningham   | Hon. A. J. H. Saw        |
| Hon. J. Duffell      | Hon. Sir E. H. Wittenoom |
| Hon. E. H. Harris    | Hon. H. Stewart          |
| Hon. J. W. Hickey    | (Teller.)                |

#### NOES.

|                   |                   |
|-------------------|-------------------|
| Hon. E. M. Clarke | Hon. E. Rose      |
| Hon. J. Ewing     | Hon. A. Sanderson |
| Hon. V. Hamersley | Hon. A. Lovekin   |
| Hon. J. Nicholson | (Teller.)         |

Question thus passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and passed.

### BILL—PIAWANING-NORTHWARDS RAILWAY.

Second reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.48] in moving the second reading said: This Bill is to authorise the construction of a railway from Piauwaning northwards for a distance of about 24 miles. The Bill provides for the usual deviation of five miles on either side. The intention is to lay the line with 45lb. rails on sleepers 6ft. 6in. by 8in. by 4in., and the ruling grade will be one in 60. The originally estimated cost of the railway was £97,500 and of the water supply £10,000, a total of £107,500, but it is expected that because of the increased cost of labour these figures will have to be increased by probably 25 per cent. The Midland railway is about 10 miles from the area of influence of this line, that is

to say this line would be approximately 20 miles from the Midland railway, the suggestion being that it would serve the 10 miles of country nearer to it, while the Midland railway line would serve the other 10 miles. The Wongan Hills Government line is from 20 to 25 miles away, so that the proposed line running between the two would mean that the whole of that country would be served, and would be brought within a distance of not much more than 10 miles in the most extreme cases. The land to be served comprises 317,000 acres. Of this 50,500 acres has been selected from the Crown, 161,000 acres has been selected from the Midland Railway Company, and 106,000 acres is still owned by the Midland Railway Company. Of the total of 317,000 acres one-third is classified as first class land by the advisory board. The biggest land owner in the neighbourhood, with the exception of the Midland Railway Company, is the New Zealand Land company, which has 52,000 acres. Of that area 35,000 acres are regarded as first class land, but owing to its distance from a railway, the area improved by the company is only 1,500 acres, distance having precluded the clearing of the balance. If members look at the Bill they will see that provision is made for the purchase of any land at a valuation arrived at as if the railway had not been constructed or authorised. The advisory board, consisting of Mr. H. S. King, Surveyor General, Mr. R. J. Anketell, Mr. George L. Sutton, Commissioner for the Wheat Belt, and Mr. W. Lord, of the Railway Department, examined this land early in the present year and on the 22nd June submitted their report. They examined the land and interviewed the settlers.

Hon. A. Sanderson: How many of the settlers?

THE MINISTER FOR EDUCATION: I do not know. There are a great many settlers there, because it is so far from the railway that it is impossible to do anything with the land except run stock on it. The board stated—

The Round Hill settlers are by far the most numerous, the country for five or six miles around being subdivided into comparatively small holdings. They made out a very good case for the extension of the line and were unanimous in urging that it should be north-westerly from Piawanning, passing close on the East side of Round Hill and terminating for the present near Koral Well. The Duckling Mining settlers were also not wedded to any particular route, being satisfied so long as their distance to a railway was materially reduced.

This extension had been previously reported on by the then advisory board in 1917. At that time the board stated—

Having given consideration to both routes, it is found that the route suggested by the Round Hill settlers will best serve the needs of existing settlement, but that a larger area of land now without reason-

able railway communication will be served by a line approximately midway between the existing railway lines. We beg to recommend that when an extension northwards from Piawanning is to be undertaken, as far as engineering requirements will permit, such extension follow the routes approximately midway between the existing lines with a view to its later extension north-easterly through the Duckling agricultural area to some point of junction with the Wongan Hills railway.

The present board endorse this recommendation.

The board make no recommendation as to the extension of the line beyond the 25 miles to junction with the Wongan Hills line as, if the line were extended 25 miles from Piawanning, the Duckling Mining settlers would be served and the extension to the Wongan Hills line could be considered at a later date if the Railway Department found it necessary from a traffic point of view. There are no engineering difficulties in the way of the extension.

From the point of view of serving the settlers this extension will suffice, but from a traffic point of view it will probably be found desirable to make a further extension linking up with the railway at Pithara, a distance of 20 miles. That extension would not be regarded as a railway serving a great number of people, because they would be already within easy distance of the Wongan-Mullewa line. This proposal is not before the House at the present time, but it may be submitted later on as a railway proposition for the cheaper working of the line. The report continues—

The total area that will be served by this line, exclusive of land within 10 miles of the existing lines, is 317,500 acres, principally held from or by the Midland Company. It is estimated that of this area at least one-third is first class land. The board consider the area lying to the east of a line from Walebing to Berkshire Valley is a particularly fine stretch of country, and that the extension of the line 25 miles from Piawanning should result in greatly increased production and profitable freight to the Government Railways.

It is because of that recommendation that this Bill has been introduced. It is not contemplated that the construction of the line will be commenced at a very early date.

The board recommend that in the event of the Government favourably viewing the extension, that the survey be put in hand as early as possible and station sites fixed in order that feeder roads may be surveyed in the most suitable position before surveys of the unsubdivided lands are made. The early choosing of these feeder roads when they pass through undeveloped or partially developed country will enable owners to arrange their improvements to suit the roads and reduce compensation for improvements to a minimum.

If a survey is put in hand and the station sites are fixed, working from that basis, feeder roads may be surveyed and the properties may be subdivided and brought into a state of readiness for service by railway. The land, as I have pointed out, is principally Midland Company land, but I do not see that that should influence the Government in any way in the matter of constructing this railway. The people settled on this land are our own settlers irrespective of whether they bought the land from the Midland Company or anyone else, and their produce will assist to feed the existing railway system and promote the prosperity of the country generally. From this point of view it is a matter of indifference whether the settlers bought their land from the Midland Company or from the Crown. I move—

That the Bill be now read a second time.

Hon. A. SANDERSON (Metropolitan-Suburban) [5.0]: I warmly congratulate the Minister on the admirable manner in which he has introduced this Bill. I am beginning to think it would save a great deal of time and would materially assist this Chamber if the Minister, after having introduced a Bill, was permitted to cross over to the other seat which at one time he occupied in this Chamber, and give us the case in opposition to it. If he were independent of the Government or he could be offered a large retaining fee to put the other side of the case, I am sure he would do so most admirably. We need only then sit in our places in silence. I would not wish to utter another word. We could then go to a division. I am certain that if that procedure were followed this Bill would not receive two minutes' consideration. To introduce a Bill like this at the present juncture and in view of the present position of the country is an outrage.

Hon. J. Duffell: Hear, hear!

Hon. A. SANDERSON: I do not think that is unparliamentary.

Hon. Sir E. H. Wittenoom: It is very incorrect.

Hon. A. SANDERSON: The interjections of Sir Edward Wittenoom are always listened to by me with attention. He says apparently that this Bill should be supported. We have heard the case stated. I do not think Sir Edward Wittenoom will be able to state the case in its favour better than the leader of the House has done. Apparently on the showing of the leader of the House this work is not going to be done. Nothing is more calculated to mislead the settlers in the district concerned.

The Minister for Education: I did not say it was not going to be done, but that the work was not going to be done at once.

Hon. A. SANDERSON: It is very misleading for the people to hear that we are going to pass the construction of a railway, but that we have no intention of going on with it.

The Minister for Education: The settlers know the position exactly.

Hon. A. SANDERSON: What is the object at a time like this of saying that the Government are going to construct this line?

Hon. J. Duffell: To fix the station sites for electioneering purposes.

Hon. A. SANDERSON: Do not let us attribute unworthy motives. That is not my object at all. I am taking up the ground of the general public welfare and the position of affairs in this country. We have considerable difficulty with our finances and yet we are going to put another £100,000 into railways. We have all been compelled during the last few days to pay attention to the railway position in this country. I can speak with some little knowledge of this State, and its railway system and its policy. I believe the time is coming when we shall be compelled to do as they did in Victoria many years ago, that is shut up some of the railways that are already running. It is inconceivable that we can run these railways from the financial point of view under the system upon which we are working them at present. If hon. members will read the reports of railway Commissioners during the last ten years they will see protest after protest against the extension of our railway system. We know the opinions of our Railway Commissioners, and the position of affairs with regard to the employees, who are thoroughly dissatisfied with their lot. We know also that the cost of railway construction is at present prohibitive. We know, too, that we have passed a Bill to raise money at 6½ per cent., which means 7 per cent. Who are getting the dividends out of our railways? The only people who are getting any are the British owners of the railways. The railways are the security for the British lenders for the money they have advanced to us. They are getting now a clear six per cent. Anyone who purchases a Western Australian bond now in London will get a clear six per cent. rate of interest, free of all taxes by the State or the Federal Government.

The Minister for Education: They get just the same by purchasing other bonds.

Hon. A. SANDERSON: Certainly they will, but why load ourselves up with another £100,000 in this way?

Hon. H. Stewart: It will not be built for some time.

Hon. A. SANDERSON: Then why put it on paper? Surely it will mislead everyone.

Hon. H. Stewart: Quite so!

Hon. A. SANDERSON: We are not told anything about the number of people who will be served by the line. If we are going to seriously consider this railway we should have a plan laid on the Table of the House, with a careful estimate.

Hon. H. Stewart: It is on the Table.

Hon. A. SANDERSON: If we have not seen it it is because of the galloping pace at which we are doing our work, and the impossibility of keeping level with what is

going on. We know the great difficulty there is in getting our messages transmitted correctly to another place. I blame no one. We are trying to use the full resources of the Press reporters, the "Hansard" reporters, and the whole of the Parliamentary staff. We are driving them altogether too quickly. Everyone is most anxious to assist in doing good work, but, no matter how enthusiastic we are, at this pace mistakes will creep in. If we go on driving ahead like this how can we expect the public Press or those who are looking after our interests in their different capacities to keep up the pace? We are rushing everyone too hard, from the leader of the House downwards, with regard to these public measures. I can claim to speak with some little knowledge of the Midland Railway Company, because I had an opportunity of meeting the chairman of directors six months ago in London. I shall have another opportunity in two or three months' time of again doing so. The Midland Railway Company bitterly complain, and with a certain amount of justice, of the treatment they have received with regard to their assets in this State. I am not in a position to make any definite charges or statements, but it is quite obvious from the notes of the leader of the House that the Midland railway is interested and affected by this proposed line. If that is the case why not give these people some reasonable opportunity of considering their position?

Hon. H. Stewart: Do you think they want the opportunity?

Hon. A. SANDERSON: I do not know whether that is a hostile or a friendly interjection.

Hon. H. Stewart: A friendly one!

Hon. A. SANDERSON: I can only hope that the friendship will spread amongst other members. I am not the spokesman for the Midland Railway Company, but I do try to go about this country to find out what the position of affairs is. The Midland Railway Company are bitterly disappointed and annoyed at the treatment they have received, and which they say will continue. Here is a case of a railway which has run into over a million of money. Before we pass this Bill the investors of this money should have reasonable opportunity of considering the whole question.

Hon. Sir E. H. Wittenoom: This will not affect them; I know it will not.

Hon. A. SANDERSON: I cannot accept that statement. This does not mean that I doubt the veracity of the hon. member, but it is a matter of opinion.

Hon. H. Stewart: This will probably make their land more saleable.

Hon. A. SANDERSON: There is an admission that it will benefit the company. I do not know whether Mr. Stewart is speaking on their behalf or not. When people tell me that certain measures will benefit certain other people I generally find out that the contrary is the case. Apart from our-

selves, who have been driven along at this pace in passing these Bills, there are people outside who are entitled to consideration. There is no official report in connection with this railway. We are unable to follow the lightning rapidity of the leader of the House in explaining how splendid everything is. The cost is put down at £100,000. We were warned yesterday by several members of the danger of making estimates at the present time. The pace we are going at is too fast. The reasons I have given are quite sufficient for us to reject the Bill. I am not going to move that it be read this day six months, because that might tend to some confusion at this stage. Members who vote for the Ayes may think that they are voting for the Nocs. It is very much better that we should not pass the second reading, and I hope hon. members will vote against it.

Hon. H. STEWART (South-East) [5.11]: It may seem paradoxical for me, claiming as I do to be progressive, to express my intention to vote against the second reading of this Bill. It seems to serve no practical purpose to authorise the construction of this line or a number of other small railways in different parts of the country. There is no reasonable possibility of this or many other lines being constructed in the immediate future. Last night we had before us the Loan Bill. In that were set out items in connection with the Busselton-Margaret River railway, the Esperance Northwards railway, the Wyallcote-Mt. Marshall railway to Dowerin-Merredin, and other railways have been spoken of in the Press down at Kulin Rock and Bruce Rock. There are also hundreds of thousands of acres of splendid country east of Kondinin and Lake Grace and Nyabing that are to be surveyed and developed by railways. To provide for all this is only to tie the hands of Governments. Seeing that the Esperance Northwards railway has been authorised for years and by resolution has been placed at the head of the list of all the railways to be constructed, no good purpose, except from the view of electioneering, could be served by the passage of this particular Bill. It is quite possible that the passing of a measure such as this may do considerable harm, though possibly unintentionally. In many instances people who are holding land or are thinking of settling on the land may really be misled by the passage of such a Bill because the construction of the line may not be proceeded with for years. I feel very much inclined to oppose the second reading, feeling sure that it might well be considered at some future session. It will serve as a protest against our being called upon to consider legislation of this kind at a late hour of the session, and will do no practical harm to the interests of the people of the State, if we take this opportunity of rejecting the Bill on the second reading.

Hon. J. DUFFELL (Metropolitan-Suburban) [5.15]: On the showing of the Minister for Education in the course of his second reading speech on this Bill, I can come to no other conclusion than that the Bill is not necessary at this particular period. I cannot understand why a Bill of this nature should be sent along to us at this particular stage of the session. It was my privilege to listen to some of the second reading speeches on this Bill in another place. I was only there sufficiently long to hear one or two speakers and the reply, to form my own conclusions.

The PRESIDENT: The hon. member must not allude to the debate in another place.

Hon. J. DUFFELL: There is no reason why this Bill should be brought down to us at the present stage of the session. For some weeks we have been working from 3 o'clock until midnight trying to dispose of important business on the Notice Paper and to be asked to deal with this Bill on the last day of the session, when the Government come along with a rush of new Bills, is a position I cannot understand. On the showing of the Minister for Education it is not intended to proceed with the construction of the line even if the Bill is agreed to. He need not have told us that that was the position, because we know that the Government have not the money with which to construct the line. The Loan Bill was before us last night, and this line was not even mentioned there. When we are jaded and suffering fatigue as the result of the many hours we have been sitting in order to deal with business on the Notice Paper, it is too much to expect members to go into measures of this nature. The Minister for Education explained that the principal reasons for which the passage of the Bill was desired were for the survey of the line and the fixing of the sites for the railway stations. I can see no other object than that the Bill will have an effect upon the land in this particular area, which will return an unearned increment. This area will be considerably enhanced in value when it is known where these railway station sites have been fixed. I contend that it is not necessary to impose the burden of the consideration of a Bill of this nature upon members at the present stage. We have been frequently told that the directors of the Midland Railway Company have given vent to their feelings regarding the treatment they have received from the State Government. We know that is so because we have read the reports of their annual meetings from time to time for some years past. They have indicated that the company has suffered considerable loss and annoyance in consequence of the construction of the Wongan Hills-Mullewa line which is a considerable distance away from the Midland Railway. The Government, probably with a view to causing the company some further annoyance, propose to

put another line between those two. The Government have been advised by the Railway advisory board as to the route which this line should take. We are told that the terminus of the present line at Piawaning ends in a sand plain. I suppose it was the advisory board who advised the Government as to where the line should be taken in the first place and Parliament accepted the advice of the board and agreed to the construction of the line at a spot which is now said to be of very little value from an agricultural point of view. The advisory board say that if this line is continued for another 20 miles, it will be the salvation of the district. That is what it amounts to. At the same time, while we receive that information, we are also aware that the loss on the railways of the State amounts to £400,000 per annum. We are asked in the face of such circumstances, to agree to a further extension of the railway system in order to incur an additional loss to the already huge sum I have mentioned. To my mind it is positively absurd to think that the Government should ask this Chamber to pass the Bill and thus enable them to dangle something in the nature of a dodger before the electors during the next few months. This is practically the last day of the present session of the present Parliament.

Hon. J. Cornell: There is to-morrow yet.

Hon. J. DUFFELL: That is true but we are, at any rate, in the dying hours of the present Parliament, asked to consent to the Government crowning their efforts of the past three years by rushing through a few Bills of this nature which we have not time to adequately deal with, notwithstanding that we have done our level best, in the face of the inconvenience and lack of consideration shown by another place, to get through important business on the Notice Paper. I hope the Bill will be thrown out on the second reading. That is what it deserves. There is nothing to be gained by considering it beyond that stage, because we are already told that the Government do not intend to construct the line straight away. The line, we are informed, will cost something like £110,000. It was at first estimated that it would cost £97,000 but owing to the increased cost of material, the burden on the community will be still greater. What it will be by the time it is commenced and finished, it is impossible to state. It may be that the cost of material will become cheaper, but that is a matter which we cannot be sure of at the present stage. If we pass a Bill of this nature under the circumstances we are asked to deal with it, we will find it difficult to retain that reputation, which we have sought to maintain, of being a House of review. It appears to me that the only reason the Bill has been sent along to us is to enable members to keep talking about something and fill in time awaiting the replies from another place upon the amendments and messages we have sent to them on the num-

erous Bills we have dealt with. I will vote against the second reading of the Bill.

Hon. Sir E. H. WITTENOOM (North) [5.25]: Whatever knowledge I may have brought to bear on other subjects in this House, this is one of which I have a full personal knowledge. I know the locality thoroughly and I know the conditions of the settlers there. I know exactly how the Midland Railway is situated in connection with this proposal. If there is any company with which I am in full sympathy, it is the Midland Railway Company, because I do not think they have been treated quite fairly by the Western Australian Government. Among the actions of the Government which I consider were not very favourable to that company, was the construction of the Wongan Hills-Mullewa railway. I do not put forward the reasons suggested by Mr. Duffell to the effect that this line will interfere with the operations of the company in this particular locality. I urge, however, that the construction of the line from Wongan Hills to Mullewa interfered with the Midland Railway Company's traffic because it interceded the whole of the goldfields traffic which came down from beyond Mullewa, consisting of stock and passengers. The diversion of that traffic has made a great difference to the Midland Railway Company. That is what the Midland Railway Company complain about. The policy which the Government should have considered, and which should have been followed out by the Government of the day when it was suggested, was that the State should purchase the Midland Railway Company's line and concession for £1,500,000. Had that policy been adopted we could have constructed a circular railway from Moora and taken it through this country and come out somewhere near Watheroo, in which case there would be no necessity for this railway. Failing that, the State could have given the Midland Railway Company the right to put in spur lines. We are now asked to extend this line from Piawanning northwards. The position regarding the railway is that a large number of settlers availed themselves of the opportunity of taking up the good land there which belongs to the Midland Railway Company. After acquiring this land, they became to all intents and purposes settlers of Western Australia and had no further connection with the Midland Railway Company beyond paying for their land.

Hon. A. Sanderson: How many settlers are there?

Hon. Sir E. H. WITTENOOM: A good many. I am not quite sure of the exact number.

Hon. J. Cornell: They are good settlers too.

Hon. Sir E. H. WITTENOOM: And on good land as well. If Mr. Sanderson knew the position up there, he would not have spoken as he did this afternoon. As Mr. Duffell stated, the position which is put up

now is that if the railway is constructed from Boigart and Piawanning northwards, it is considered that the line will pay. There is no doubt that the land in this particular area to be served is excellent land and that it will, in time, be a good paying proposition. It will have the effect of developing the land and encouraging the people there to go in for wheat.

Hon. A. Sanderson: The Government are not going to build it, though.

Hon. Sir E. H. WITTENOOM: I will come to that. All these people have to cart their goods from 24 to 25 miles to either the Wongan Hills line or the Midland Railway Company's line. That is too far if farmers are to successfully grow crops. They cannot make their propositions pay under those conditions. The development of this land has been held up by the large number of settlers who are there. The provision of the line is not being sought by them for the purposes of gaining any unearned increment, but to help them to go in for wheat farming and also to encourage them still further in stock growing. It is stated that the Government do not intend to build the line at the present juncture. I do not think that anyone expected that they would do so. The point is that the people desire to know in what direction the railway is to go and if the surveys are made, they will know exactly what the effect will be on their land and what chance they will have to go in for wheat and other produce in the most payable manner. And in addition the Minister has told us that it will enable necessary roads to be constructed and will encourage the settlers to put more land under cultivation. What is the main object of a country railway but to induce settlement, cultivation and development? We are told the railway is not going to be built. Perhaps not yet; but it will receive the approbation of Parliament, a survey will be made, and the time must come when the line will be constructed in its turn. Mr. Sanderson said we had not had much time in which to consider the Bill. I think it has been here for a week. I have had plenty of time to consider it, although in my case not much consideration was necessary. The existing line is not of much use, terminating as it does in a sand plain, but its extension will be profitable alike to the Government and to the settlers, who will largely increase their production just as soon as the railway is authorised. Mr. Stewart said no useful purpose could be served by the line. That remark is scarcely in accord with the hon. member's customary astuteness.

Hon. H. Stewart: But I will stick to it.

Hon. Sir E. H. WITTENOOM: An engineer ought to know that once the authorisation is given, the railway begins to serve a useful purpose, even before it is built. In some instances, we know, people have been induced to go into a locality in expectation of a railway which was never built. But that will not happen in this case, because the land is of so high a quality. Mr. Duffell said

the Bill had been passed in half an hour in another place. Surely that shows what a convincing proposition it is.

Hon. J. Duffell: No one there took any notice of it.

Hon. Sir E. H. WITTENOOM: Yet I understand they are not given to rushing things through up there. When we are told the Bill went through there so quickly, surely it must have some striking merit to have been so acceptable to the able critics to be found in a place which we are not allowed to mention. I feel certain that when the extension is carried out it will show a fine profit.

Hon. J. Duffell: The same thing has been said about other lines.

Hon. Sir E. H. WITTENOOM: If by that the hon. member means that the prediction has not been realised, he will find this the exception which proves the rule. We have in the district good land and good settlers who want only the means of communication. Surely in the circumstances this line will commend itself to a majority of the House.

The HONORARY MINISTER (Hon. C. F. Baxter—East) [5.35]: I am astonished to find opposition to the development of the country.

Hon. H. Stewart: Oh, nonsense!

The HONORARY MINISTER: Mr. Stewart himself represents a farming constituency. Probably in a few years he will regret that interjection just as much as he will certainly regret the speech he made this afternoon. If we are to open up the State we must have railway communication. It has been said that our agricultural railways are running at a loss. In a sense that is true. Agricultural railways run for development purposes must be run at a direct loss, although indirectly those lines are paying handsomely. The suggestion was made that the Bill has been put up for electioneering purposes. If the gentleman who made that suggestion had stopped to think, he would have seen how absurd it was, because the seats in that district are perfectly safe. Some hon. members think the proposed line will interfere with the Midland railway. I do not think it will. It is true the Wongan Hills line did interfere with the goldfields traffic on the Midland line, but this proposed extension is going to open up agricultural country from which the Midland line cannot receive any advantage whatever, or at least not until that land is developed. When Parliament authorises the line the settlers in the district will earnestly set about the development of their land to be ready against the building of the railway. Even if the line cannot be built for a year or two, it is a good proposition for the State and good, too, for the settlers in the district, for it will give them the heart to develop their country.

Hon. H. Stewart: And regret it ever afterwards.

The HONORARY MINISTER: I have not met anyone on the land in this State who has regretted working it.

Hon. H. Stewart: You should go into a district where railways, although authorised, have not been built.

The HONORARY MINISTER: I hope the second reading will be carried.

Hon. E. M. CLARKE (South-West) [5.40]: I have an idea that some years ago a railway from Norseman to Esperance was promised. I voted against the proposition every time it came before us until the last occasion. Then there is the Margaret River railway, which was promised some years ago and again a few weeks ago. I am not against the proposed extension from Piawaning, but I say that other long promised railways should first be built. The Margaret River railway will do a great deal for dairying, and the Esperance district, we are told, awaits only the railway before producing vast quantities of wheat. Yet neither of those lines has been built.

The Honorary Minister: There is no material available.

Hon. E. M. CLARKE: Well, if there is no material for the one line, surely there can be none for another. When material is again available it should be used in the construction of those lines promised for so long.

Hon. V. HAMERSLEY (East) [5.41]: In one of the financial Bills recently before us a large sum was provided against possible unemployment. I assume this railway is one of the works on which that money will be expended. The district through which the railway will run is in a particularly good rainfall, and among the settlers are to be found many returned soldiers. We know how difficult it is for the Government to provide suitable land for the settlement of the returned soldiers. Apparently they have found a fairly large area in the district under discussion, and presumably they have decided to afford railway facilities for the settlement of that district. I know it has been the wish of the Commissioner of Railways to link up this line with the other railway system as early as possible, in order to shorten the distance from the Wongan Hills line. I am surprised that the House should be opposed to the opening up of inland areas by railway. I am an advocate of opening up all the territory we possibly can, and in the absence of water ways it can only be done by railways. Whenever the railways advisory board recommend the construction of a line, I am sure there must be good warrant for it. I can testify to the high quality of the land in the district to be traversed by the railway, and I know the generally favourable reports which one gets from everybody travelling in this locality. It is said that the terminus of the existing line is in a sandplain. I remember that when the extension from Goomalling on to Dowerbin was first built the same objection was



raised, and members spoke in much the same strain as they have been speaking this afternoon. But the line was carried on past Doworin, because it was a mistake to allow it to remain in a sandplain. I defy anyone to say the extension of that line was not in every way advisable. It has been responsible for bringing an enormous quantity of farm produce to the markets. The settlers in that district are even dairying, and I believe they can hold their own against any other dairying locality in the State. There is exceedingly good land to be served by the proposed railway, the rainfall is assured, and they have a splendid type of settler in the district, including many returned soldiers. In the circumstances I hope the second reading will be carried.

Hon. G. J. G. W. MILES (North) [5.45]: I have listened to the debate on this Bill and from what I have been able to gather, it seems to me that it is proposed to build the railway to benefit a couple of companies who own half of the available good land in that district. The Minister assured us that there were 300,000 acres of good land there, and that 50,000 acres were held by the New Zealand Land Company, while 100,000 acres were held by the Midland Railway Company. We are asked to authorise the construction of the line to benefit those two companies and so that those companies may get the unearned increment from the expenditure by the State of a big sum of money. I am going to vote against the measure unless better reasons are advanced for the construction. We have any amount of State land that requires to be opened up by railway construction without being asked to spend money to open up land which is held by private companies. If we can insert the betterment principle in the Bill, there may be a hope of getting my support.

Hon. J. EWING (South-West) [5.47]: I should not have spoken but for the remarks of Mr. Miles and Mr. Stewart. I am familiar with this country. I surveyed it some years ago, and know the class of land which the settlers who are there have taken up. Sir Edward Wittenoom has described the position of the settlers accurately. This land was originally held by the Midland Railway Company and was surveyed into blocks, one of which was acquired by the New Zealand Land Company. The extent of this is 50,000 acres. This land is at the terminus of the proposed railway. There is a considerable number of settlers there and all are on excellent land. They have been there for eight or 10 years and have had a very hard time. When they took up their holdings, they were given to understand that they would have railway communication in the not distant future. There can be no doubt about the value of the land, and the scarcity of the area to carry a very large number of settlers. I do not know why there should be so much objection

to improving the Midland Railway Company's land. I cannot follow Mr. Stewart, who stated that there is no necessity to pass the Bill. Ten years ago the people who are there expected something of this nature, and if the construction is authorised, and a survey of the line is put in hand, it will give them great encouragement. I know that if I were one of those settlers, and had such a great distance to cart my produce to the railway, I should be delighted to think that the Government had given so much consideration to the project and had realised the necessity for it.

Hon. H. Stewart: You have not shown the necessity for passing the Bill at the present stage. There are other places awaiting railway communication.

Hon. J. EWING: I know that a number of other railways have been authorised, and that they would have to be built before this one when money is available, but why deny to these people a recognition of their claims? The passing of the Bill would inspire confidence in them. If the Bill is defeated it will be tantamount to saying that we think nothing of the land that they are on, and the ardour of these people will be lessened. After a complete investigation the Government have decided that it is important that the line should be built. Of course, it is not intended to build the line straight away. Funds are not available. It will be sufficient to carry out the survey, however, to give these people confidence. For 15 years have these people been waiting for the construction of the line. Of course if the Government had purchased the Midland railway many years ago, this branch line would have been constructed soon afterwards. These people are situated between two railways and they are in an inaccessible position. I appeal to hon. members not to throw out the Bill, and in that way tell the people who are settled out there that they have wasted all these years of their lives and that now the country is not considered to be of any value.

Hon. J. A. GREIG (South-East) [5.53]: I protest against having Railway Bills brought down at this hour of the session, when we have not the time to consider them. I do not know exactly where it is proposed to take this line, and I do not know whether the Advisory Board have given consideration to the project. Neither do I know whether, if we pass the Bill, the line will be constructed in its order of importance. There has been considerable discussion for some time past as to which of the authorised lines should be constructed first. Priority is claimed for some over others. With regard to the Bill before the House I cannot see the necessity for submitting it at this stage of the session. It can easily be brought down early next session. I am in favour of opening up Western Australia, but I am not in favour of rushing Bills through when the Stand-

ing Orders are suspended. On one or two occasions in this House, I have had experience of legislation being rushed through in this manner only to find out afterwards that that legislation was not what I thought it was. In regard to the present Bill I have not had time to make any inquiries, and for that reason I am going to vote against the second reading. If it comes up again next session I shall probably support it. There are quite a number of things that could be said against supporting the second reading to-day. A number of railways have been promised, more in fact than the Government can build in the next five years. The people who are settled in that locality have been there for over 10 years, and if we pass the Bill, there is no guarantee that a similar period will not again pass before the line is built.

Hon. T. Moore: Suppose we turn it down?

Hon. J. A. GREIG: Then the people there will know where they stand. I am not prepared to support the Bill to-day.

Hon. T. MOORE (Central) [5.56]: I am pleased that the Bill has been brought down because it applies to a district which is really the best portion of the State. The locality has been neglected for a great number of years, and I am sorry that members are not better acquainted with it. If they were familiar with the district, there would be no opposition to the Bill. As to when the line will be constructed, I suppose it will be in the same category as others already authorised. Therefore I hope hon. members will not take cognisance of the fact that other lines have been authorised and not built. It is a valuable belt of country that will be served by this railway.

Hon. H. Stewart: Do you think it should be built before others already authorised?

Hon. T. MOORE: It is a most valuable proposition and I hope it will be amongst the first to be undertaken. I have been across this country and I know it to consist of very good land. I wish to see it opened up as soon as money can be made available to build the railway. I have no desire that it should go forth that the Bill has been turned down.

Hon. J. CUNNINGHAM (North-East) [5.58]: I was amused at the remarks of hon. members in connection with this proposal. It would seem to me that there were surveyors who were out of work and it is evident that the Government are desirous of finding employment for those surveyors. If that is not so, I fail to see why there should be such an earnest request for the construction of the line at the present time. In addition to finding employment for the surveyors, it also means, if the work is gone on with, that there will be an addition to our interest bill. We are told that there is valuable land there, and that genuine settlers are awaiting this railway service. It seems to me that they

have only lately been discovered. Mr. Ewing told us that he knew this country well.

Hon. J. Ewing: I was there 15 years ago.

Hon. J. CUNNINGHAM: And he has not been there since. We are aware that some years ago Parliament passed a Bill for the construction of a line from Esperance to a point 50 miles northwards. We know also that the Government have made it clear that it is their intention at an early date to carry out this work. There are, as mentioned by hon. members, other lines passed some years ago with regard to which up to the present nothing has been done. What object can the Government have in securing authority for the construction of a railway 24 miles long if the Government themselves do not believe that the line will be built by them? Let it be remembered that the present Ministry are dying, are in the last hours of their political life. They cannot carry out this proposed work, because they have to face the electors in March next. Most probably the Government will not be able in any case to carry out the construction of the line, even if we do pass the Bill. I had expected that some members familiar with the country through which the proposed line is to pass would tell us what is the nature of that country and what it produces. We have heard that it is good dairying country. Is any butter produced there? Or do the settlers produce wheat, and if so in what quantity? We have been given no information, but are asked to pass the Bill on the word of various hon. members that the country is of good class, and that the settlers on it are of good class. Unless the leader of the House, in replying, throws considerably more light on the subject, I cannot vote for the second reading. I suggest that the leader of the House might tell us about the possibilities of the district, of which up to the present we have heard very little indeed. If this country is in the wheat belt, how much wheat is grown there? Does the country carry sandalwood?

Hon. H. Stewart: We are told that there are two patches of settlement in that district, about 15 miles apart.

Hon. J. CUNNINGHAM: Then the proposed line will pass over 15 miles of sandhills to serve those two lots of settlers. Mr. Moore thinks that the line, if authorised, will be built first; but Parliament has already authorised various lines. We cannot borrow money at less than 6½ per cent. for the construction of the line, and such a proceeding would add to the interest burden of the people. These are matters which hon. members should carefully consider before casting a vote in favour of the second reading.

Hon. J. CORNELL (South) [6.6]: Ever since I became a member of this Chamber I have adopted one attitude on the question of authorising agricultural lines. That attitude may be wise or unwise, but so far I have seen no reason to alter it. My attitude has always been that of casting my vote for authorisation. The case put up by Mr. Cun-

ningham rather surprised me. It is on all fours with the case I heard put up here years ago against the construction of the Esperance Northwards railway. If there are any members who have a grievance regarding the non-construction of agricultural lines it is my provincial colleagues and myself, with reference to the Esperance railway. The arguments that are being adduced to-day against the present Bill are those which have brought calamity on the Esperance settlers, who ought to have had their railway 18 years ago. The authorisation of the present line does not mean its immediate construction, but does mean that Parliament acknowledges the claim of the settlers concerned to a railway. As legislators we have in this connection to perform one of two functions—either authorise the construction of this railway, or else shift the settlers in question more closely to an existing railway. The policy of all Western Australian Governments has been to give railway facilities to settlers. The passing of the Bill will at any rate mean giving these particular settlers a little hope.

Hon. G. J. G. W. Miles: Half the land in the district is owned by two companies.

Hon. J. CORNELL: Whether that be so or not, I have still in my mind the painful reflection that the people settled about the Midland railway, who went there in the best of good faith and purchased their land and have almost paid for it, might as well be residing in a foreign State for all the consideration they have received or are receiving at the hands of the Government. It does not matter twopence to me politically whether the line proposed by the Bill is constructed or not. I have a railway of my own that I want to get completed, and I have my own grievance against all the Governments of this State in respect of the non-completion of that railway. However, that consideration will not influence me in any way when I cast my vote—I hope an intelligent vote—for the authorisation of this particular line, which will serve a number of worthy settlers—if not immediately, then a few years hence.

Hon. F. A. BAGLIN (West) [6.8]: I oppose this Bill, firstly because I consider that we have plenty of mileage of railway already in existence. If the Government would do the fair thing and impose a good stiff tax on the value of unimproved land, there would be no need for the further construction of agricultural lines. To-day too much land is being held up alongside existing trunk lines. Until some Government prove bold and strong enough to impose a heavy tax which will result in such land being thrown open to the people, we shall hear the cry for the construction of further agricultural lines. Possibly some hardship may be occasioned to one or two of the settlers here in question, but nevertheless I must in principle oppose the authorisation of further agricultural lines until the Government have forced into use the lands locked up alongside the existing railway system. Another reason which I have for op-

posing the Bill is that a very large stretch of country in the district to be served is held by some New Zealand company. Are we going to construct a line costing about £200,000 for the benefit mainly, not of the settlers there, but of a New Zealand company? Before ever thinking of building this line the Government should have resumed that company's land at a valuation.

The Minister for Education: We can do that now.

Hon. F. A. BAGLIN: But what will be the value of the property when this line is built?

The Minister for Education: The Bill provides that land can be resumed by the Government without consideration of the increased value given to it by the construction of the railway.

Hon. F. A. BAGLIN: The Bill may make provision for that, but whether the Government will do it or not is another thing. We have no assurance that the Government will do it. Thus the New Zealand company may be enabled, if this Bill passes, to sell their land at considerably enhanced prices. That sort of thing obtains all over the State. Near the Peel estate, which has recently been resumed, there is another estate, possibly of still greater value, held by Pearse Bros. The value of Pearse Bros.' estate will be considerably enhanced by the construction of the railway which is being built for soldier settlement purposes through the Peel estate. The present Government are not bold enough to tax Pearse Bros. in respect of the unearned increment which is coming to them. I shall oppose the construction of any agricultural railway of the absolute necessity of which I am not entirely convinced.

Hon. A. LOVEKIN (Metropolitan) [6.12]: I have always been favourable to the construction of agricultural lines for the development of this country, and I do not think I ought to vote against a Bill of this kind without giving good reason for my action. I cannot say that I am directly opposed to the construction of this particular railway. I really know nothing about it. The Bill, which has come down very late, is the first intimation I have had of the proposal to construct the line. Before casting a vote on such a question, we all ought to know something about the subject. I tried to form an opinion by listening to the debate, from which, however, I gathered merely that there is a strong conflict as to the advisableness or inadvisableness of constructing the railway, so much so that I really cannot make up my mind on the subject. Therefore the only course I can follow is to vote against the Bill, partly in order to give time for further consideration of the matter. I shall be doing no harm by taking that course, because there are many railways already authorised and not constructed, and, further, because it is generally admitted that some time must elapse before the construction of the line under con-

sideration could be commenced. That being so, I think the Bill itself may well wait a little longer. There is another reason which appeals to me for voting against the Bill: if we authorise the construction of this line, we shall have to provide the funds required in another Loan Bill. It is time we stayed our hands for a little as regards loan commitments. Mr. Sanderson pointed out this afternoon that we have for the time been, for good or bad reasons, "warned off" the money market—I think that was the phrase he used, and it aptly expresses the position. Therefore, we should for the present, at all events, until we can better adjust our finances, abstain as far as possible from committing ourselves to further borrowing. As regards the money wanted, it will do us no good if we have a number of commitments ahead. Seeing that delay in the matter of this Bill will do no harm whatever to the settlers, I shall oppose the second reading, so that some little further time may elapse during which we may more fully consider the matter.

Hon. J. W. HICKEY (Central) [6.14]: I support the second reading which, however, I may describe as another pious resolution. Still, one pious resolution more or less does not matter. I have been highly interested by the remarks of my esteemed colleague, Mr. Cunningham, who opposed the second reading of the Bill for no other reason than that he has not been given sufficient information. The arguments put forward by the leader of the House in moving the second reading absolutely astounded me. I thought that the Government would have taken a stand, and marshalled their facts, and adduced convincing arguments in support of the proposed construction. I myself know a little of the country concerned, and am a strong advocate of the railway. Still, I must candidly admit that those hon. members who have argued against the second reading, have reason for their attitude, seeing that they have been given little or no information by the Government. If the facts and figures here put forward represent the total of what was adduced in another place, then I am surprised that the Bill pulled through.

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

Hon. J. W. HICKEY: I am rather surprised that the leader of the House did not bring forward arguments sufficient to convince some members with regard to the authorisation of the construction of this line. I have no brief for the Midland Railway Company. It has been argued that the country through which the line would run is to a large extent owned by the Midland Railway Company and that a large estate is held by the New Zealand Land Company. Having due regard to all this, the settlers in this area are entitled to consideration. The line at present ends in a sand plain, but there is good country beyond it to be served and this

will be well developed if the line is constructed. I would like to see some lines built in my province, particularly the Mulla to Yuna line, but I can support the Bill because the people in other portions of the State such as the district north of Piawaning are entitled to consideration. Some time ago I was in Moora and I heard arguments relative to the railway and I took exception to some of them, but there was some ground for the arguments. I found that men were carting their wheat 15 to 20 miles, which is certainly not a fair proposition. If anything can be done to alleviate these difficulties, it should be done. I agree that the Midland Railway Company should not be allowed to throw out spur lines. They have been most anxious to do so, but I object to any company being given any concession in this direction. This being so, we should assist the settlers in this district. I think the Bill is rather far-reaching in that it gives power to build the railway. Still the Esperance line will have priority over all other railway projects. I hope that the Minister in the course of his reply will be able to advance some stronger arguments in favour of the measure and possibly influence some members, who I think were rather seeking information than opposing the Bill, to give him their support.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East—in reply) [7.38]: Mr. Duffell in opposing the Bill said that the present line terminated in a sand plain. He inferred that this was the result of bad advice given by the advisory board in the past and consequently that the advice tendered by the board now could not be relied upon. That is entirely foreign to the facts of the case. The advisory board never advocated that the line should stop permanently at Piawaning. From the outset the board advocated that the line should be built right through, but it has been the custom to build these lines piecemeal following settlement, chiefly because so many portions of the State have to be looked after, and the whole line cannot be constructed straight away. The advisory board at the outset advocated that the line should be built right through, but it was stopped at Piawaning because that was the section determined upon in the first instance. It was never considered that this would complete the job. It was recognised that the line would have to be extended until all the property within that area was brought within a distance of 10 miles of railway facilities. The Piawaning northwards extension is really a continuation of the line from Toodyay to Bolgart. I should like to assure Mr. Clarke that the passage of this Bill will not prejudice the construction of any lines authorised prior to the passing of this Bill. It is not intended to push this line in front of others. Those previously sanctioned will be built before this line. The reason for passing this Bill is to enable the survey to be made, station sites to be allotted and roads to be decided upon, and

by these means enable the land at present unoccupied to be cut up for closer settlement and encourage the settlers in this district to stick to their holdings. Mr. Sanderson opposed the Bill largely because of the injury it would do to the Midland Railway Company. Mr. Miles opposed the Bill because of the benefit it will confer on the Midland Railway Company, two entirely opposite reasons which apparently satisfied the respective members who gave them. When moving the second reading of the Bill I directed attention to the provisions relating to the purchase of land. Perhaps because of the objection raised by Mr. Miles and Mr. Baglin, it might be desirable to go a little deeper into that subject.

Hon. G. J. G. W. Miles: I know all about it.

The MINISTER FOR EDUCATION: Paragraph (a) of Clause 4 provides—

The Governor may, with the object of encouraging the cultivation of settlement of the land, compulsorily purchase any land in parcels of not less than one thousand acres, each parcel being the property of one person or two or more persons, jointly or in common, and situated within fifteen miles of any part of the line of the railway, and which land is certified by the Minister for Lands as suitable for closer agricultural settlement.

Clause 5 relating to the determination of purchase money stipulates that no regard shall be had to any increased value occasioned by the railway, and the purchase money shall be assessed at the probable and reasonable price which the land with any improvements might have been expected to realise if offered for sale at the date the land was taken and if the railway had not been constructed or authorised. It is not intended to make a present to these people of what might be called the unearned increment in this land. Mr. Greig opposed the line because he says he has not been able to consider it, and because the Bill has been brought down at this late hour of the session. No one sympathises more sincerely than do I with Mr. Greig in the circumstances which have prevented him from attending here practically during the whole of the session, but I would point out that had the Bill been introduced earlier in the session, he would have had no opportunity whatever to consider it. If all of us adopted the attitude with regard to agricultural railways that we would not accept in any way the opinions of those people who know and disregard the opinions of the advisory board and would not sanction a line in a district with which we were not associated until we had had an opportunity to make a complete personal investigation, a lot of railways in the hon. member's own district would never have been sanctioned by Parliament. The hon. member said he did not know what the attitude of the advisory board was. Mr. Greig and Mr. Stewart are usually closely associ-

ated in these matters and I gave Mr. Stewart a copy of the advisory board's report over a week ago. If Mr. Greig had wanted one, he could have had one. There is no excuse for him saying that he did not know the attitude of the advisory board. I also read the report this afternoon when moving the second reading of the Bill. It seems to me that members can scarcely expect to be familiar with every portion of the State, and if they are going to refuse to pass Bills of this kind because they do not know of their own personal knowledge that the lands and conditions warrant it, if they refuse to take the opinion of the Government officers and of the advisory board and of members representing the district, they cannot expect sympathetic consideration for railway proposals in their own districts.

Hon. H. Stewart: You do not associate me with those remarks?

The MINISTER FOR EDUCATION: No.

Hon. H. Stewart: But you coupled my name with them.

The MINISTER FOR EDUCATION: A year or so ago 32 members of the two Houses of Parliament by invitation toured through the district. Perhaps that is one of the reasons why the Bill passed through the Legislative Assembly so quickly and with so little comment or opposition. A large number of the members of the Chamber had availed themselves of the opportunity of going through the country, and they knew something of that portion of the State to be served.

Hon. J. Duffell: That is a good excuse.

The MINISTER FOR EDUCATION: Mr. Greig has said that if this Bill was passed it would not matter to the settlers up there. Let the hon. member put himself in their position. Would it not matter to him if the line was one which was intended to serve land on which possibly he and a number of other settlers had been working for some years under great difficulty? How would he regard the action of this House in throwing out a Bill of this nature? To do so would throw a great deal of doubt on the probability of the settlers in question getting the railway in the near future. I regret that Mr. Hickey has not furnished the House with the additional arguments in favour of the line which he says are in his possession. The main arguments in favour of the line are that there are 317,000 acres of land to be served, one-third of which is first class land. There are many settlers who have been plugging along for a number of years in anticipation of this railway, and who are bound to be seriously discouraged if the line is not built. There is also the argument that unless this Bill is passed and the survey is authorised the development of that portion of the land which is not yet cut up must be greatly retarded.

Hon. G. J. G. W. Miles: What is the good land worth to-day without a railway?

The MINISTER FOR EDUCATION: I do not suppose it is worth much because the settlers cannot do much with it. If it were classified in the way that ordinary agricultural land is classified I have no doubt it would be found to be worth 30s. an acre, and possibly more.

Hon. G. J. G. W. Miles: Without a railway?

The MINISTER FOR EDUCATION: Without a railway it is, of course, not worth that. If the people are not to get the railway they cannot use the land for anything but stock. Its value for stock purposes would be very much less than that.

Hon. H. Stewart: Thirty shillings an acre for virgin land?

The MINISTER FOR EDUCATION: I daresay that the best of it would be worth that.

Hon. H. Stewart: The maximum price is 15s.

Hon. J. Ewing: It was sold for more than that.

Hon. G. J. G. W. Miles: If the Government exercised their right to take over the land they would get it for 15s. an acre.

The MINISTER FOR EDUCATION: They would get it under the terms provided for the resumption of land, and get it valued on that basis just as though the line had not been built.

Hon. G. J. G. W. Miles: Who would value it?

The MINISTER FOR EDUCATION: It would be valued in the same way as other land is valued when it is resumed. It is done on an equitable basis.

Hon. H. Stewart: The New Zealand Land Co.'s land came from the Midland Railway Company.

The MINISTER FOR EDUCATION: The land will be taken, if it is resumed, under the Public Works Act of 1902. Hon. members are familiar with the provisions of that Act. It is proposed, and rightly so, to provide an equitable method of arriving at a valuation as between the Government, if they resume the land, and the owners of such land. Specific instructions are given in the Bill that in arriving at the valuation it is to be considered as though the railway had not been built or sanctioned.

Hon. H. Stewart: Could land be taken from the Midland Railway Company under this Bill?

The MINISTER FOR EDUCATION: Undoubtedly, if it is within 15 miles of the railway.

Hon. J. Duffell. It seems to me there is more need for a railway in the eastern wheat belt.

The MINISTER FOR EDUCATION: There is need for railways in many portions of the State. That is not any reason why a railway of this kind, for which there is need, should not be sanctioned.

Hon. J. Duffell: There are more settlers in the eastern wheat belt than there are in the locality under review.

The MINISTER FOR EDUCATION: I do not think there are more settlers unserved by a railway, or that there is a larger area of land in the wheat belt requiring to be served. There is a large area of land between the existing lines of railway, which are so far apart that neither line serves the belt in question. Only by the construction of this line can the land be served. I hope the House will agree to the passing of this Bill.

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

|      |    |    |    |    |    |
|------|----|----|----|----|----|
| Ayes | .. | .. | .. | .. | 10 |
| Noes | .. | .. | .. | .. | 8  |

Majority for .. 2

#### AYES.

|                      |                          |
|----------------------|--------------------------|
| Hon. E. M. Clarke    | Hon. J. W. Hickey        |
| Hon. H. P. Colebatch | Hon. C. McKenzie         |
| Hon. J. Cornell      | Hon. E. Rose             |
| Hon. J. Ewing        | Hon. Sir E. H. Wittenoom |
| Hon. V. Hamersley    | Hon. E. H. Harris        |
|                      | (Teller.)                |

#### NOES.

|                    |                   |
|--------------------|-------------------|
| Hon. J. Cunningham | Hon. A. Sanderson |
| Hon. J. Duffell    | Hon. A. J. H. Saw |
| Hon. A. Lovekin    | Hon. H. Stewart   |
| Hon. G. W. Miles   | Hon. J. A. Greig  |
|                    | (Teller.)         |

Question thus passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and passed.

### BILL—RAILWAYS CLASSIFICATION BOARD.

Assembly's Message.

Message received from the Assembly notifying that the amendment requested by the Council had been made.

In Committee, etc.

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

Title—agreed to.

Bill reported and the report adopted.

Bill read a third time and passed.

### BILL—LAND ACT AMENDMENT.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [8.0] in moving the second reading said: This is a very impor-

tant measure, and one which I sincerely regret was not presented to the House earlier in the session. The Bill did not come down to this Chamber until last week, and since then I think we have been working as hard as we could in getting through other Bills as quickly as possible. This subject was discussed at great length in this Chamber last year. I have no doubt most hon. members have had an opportunity of forming an opinion and making up their minds upon the subject matter of the Bill. I do not intend to spend any time in discussing in an abstract way the principles of the Bill, but will devote myself to explaining exactly what the different clauses mean. Clause 2 relates to town and suburban land. At the present time town and suburban lands are sold or leased at the option of the applicant. If the applicant elects to take a lease, he secures one for 99 years. If he takes a freehold, payment is made from one to 5 years, according to whether they are town or suburban lots or land subject to improvement conditions. If they are the latter, a longer period is allowed for payment than in the case of town lots. In the case of leaseholds, the capital value is fixed and all above that sum is paid in cash as a premium, by the successful bidder for the land. The land is auctioned and the successful bidder makes his declaration as to whether he will take leasehold or freehold. In the case of leasehold, four per cent. and fees are charged on town and suburban lots, and three per cent. and fees on suburban land for cultivation. He has the right, in the event of his having elected to take a leasehold, to at any time during the currency of the lease, convert the leasehold into freehold at the original value. What this Bill proposes to do is to alter that system and say that instead of being allowed to convert his freehold at the actual capital value as determined at the commencement of the lease, he shall convert at the actual value as fixed for the time being by the Minister at the time of conversion. That is manifestly a fair proposal. It is not equitable that when a man has secured a lease for 99 years and held it for 10 or 15 years, at which period it has a considerably enhanced value, he should convert it into freehold at the original value. He should pay what the land is worth.

Hon. J. Nicholson: That will be the capital unimproved value.

The MINISTER FOR EDUCATION: Yes. The value of the actual improvements will be deducted. The clause will not have a retrospective effect. The land already bought will remain subject to the conditions under which it was bought and these conditions will be carried out. The new provisions will only apply to land acquired in the future. Clause 3 deals with resumptions. Land is now resumed under Section 9 of the original Act and it is compensated for by a grant of other land or by

a refund of the purchase money; that is to say the rents paid, plus 10 per cent. Land resumed for re-sale will be paid for as in the case of freehold. Clause 4 deals with land taken under the powers of conditional purchase leases or Crown grants and the land that may be taken out of this free for public purposes. The limit for land that may be taken free for railway purposes and roads is fixed at one-twentieth of the total area. At the present time payment is only made for buildings and gardens. The payment for clearing, cultivating, ringbarking or orchards or crops has not heretofore been provided for. In cases where land is resumed free for these purposes, one-twentieth may be free and then these improvements that I have referred to must be paid for. It would be unfair to a man who has spent his money in these directions if this were not provided for and the Bill sets out that a man shall be entitled to payment for these improvements. No exception can be taken to that provision. The more important provisions of the Bill are those relating to the pastoral leases. Clause 5 is the one which commences the pastoral clauses. The 1917 Act now provides that no person shall hold more than a million acres in any one division of the State. It was intended, when the Bill was passed, that holdings should be limited to a million acres, but because of the wording of the clause it has been held that a man can hold a million acres in any one division.

Hon. A. Sanderson: Held by whom? By the courts?

The MINISTER FOR EDUCATION: I do not know whether the matter has been before the courts or not. As there are five divisions in the State, it has been held that it might be possible for one man to hold five million acres. The Bill provides that no one can acquire more than a million acres in the whole State. A difficulty has arisen in the matter of companies. It is in accordance with the law that a shareholder in a company is not "interested" in the assets of the company. Therefore a company may own three million or four million acres of the pastoral lands of the State and a shareholder, although he held ninety nine-hundredths of the shares of the company, would not be a holder of the land. It is set out in the Bill that a shareholder shall be held to be interested in the total area in proportion to the shares held. If a man has, say 100 out of 1,000 paid-up shares in a company holding 1,000,000 acres, he shall be held to be interested in one-tenth of the total area held by the company, namely, 100,000 acres. I would remind the House of the alteration in the 1917 Act, regarding improvements. Prior to that year stocking only was insisted upon. Now stocking and improvements are dealt with. Section 30 of the 1917 Act provides for the expenditure of £5 per thousand acres for the first five

years and £10 per thousand acres within 10 years. The stocking clauses under Section 14 of the 1917 Act provide that within two years there shall be ten sheep or two large stock; within seven years there shall be 20 sheep or 4 large stock; and for the remainder of the period 30 sheep or six large stock. It was also provided in 1917 that rents should be fixed by appraisal every 15 years, and they may be increased up to 50 per cent. Subclause 8 of Clause 5 provides that rent for the first five years shall not exceed 10s. per thousand acres, and for the balance of the term—ten years—the rent shall be as appraised. This limitation is safeguarded by a provision that the Minister may direct the payment of the full appraisal from the outset. It is considered that it would be undesirable that the lessee should pay more than 10s. per thousand acres during the early period of the lease, but the Minister has power to direct that from the outset the full appraised value shall be paid.

Hon. G. J. G. W. Miles: Does that apply to new land?

The MINISTER FOR EDUCATION: Yes.

Hon. G. J. G. W. Miles: Whatever the situation may be?

The MINISTER FOR EDUCATION: Subsection 1 of Section 30 of the Land Act Amendment Act, 1917, is amended by adding to the first proviso the following words, "and during the first five years of the term shall not exceed 10s. per thousand acres unless the Minister on the advice of the board of appraisers shall otherwise direct." The intention is to allow the man going on new land to pay a lower rental than those who have occupied their land and developed it for a period of years. Regarding the limiting of areas which any one person may hold it has been necessary to protect all those who have advanced money against station properties. Anyone who has done that may hold land for two years or longer if the Minister approves. This is intended to protect mortgagees should it be necessary to sell at a time when a sale was difficult or impossible owing to the land decreasing in value, due to drought or some other cause. Clause 6 of the Bill deals with the question of appraising. It is provided that in the event of the station consisting of a group of leases, on transfer surrender, or forfeiture of the leases or of any part of the leases, the rent of both the transferred and retained land may be reappraised. This is obviously necessary, because in the first instance the station is appraised as one whole block, and when it is cut up, there is to be a fresh appraisal. Section 19 of the Act of 1906 provides for the transmission of a title in intestate estates. Cases of hardship have been involved and an amendment is provided in Clause 7 of this Bill providing protection by means of the recall of the title and transmission where issued in the name of a de-

ceased and legatee unable to pay the ordinary legal costs of transferring properties. Regarding pastoral leases generally, it may be interesting to note that the total amount leased, exclusive of the South-West, was 242 million acres. Of that total, the applicants to come under the Act of 1917, under which double rent is paid, covered that area with the exception of eight million acres. That is to say of the total of 242 millions held all except eight million acres have come under the new Act and paid double rent. The result has been that during the 2½ years, that is, the period from April 1st., 1918, until December 31, 1920, the annual amount received for double rent alone has been £180,000. That is quite apart from the reappraised values. The old rents in the north-western portion was 10s. per thousand acres, in the Kimberley district 10s. per thousand acres, in the eastern or goldfields division 5s. per thousand and in the Eucla division 3s. per thousand.

Hon. H. Stewart: What do the figures work out at on the old 10s. rental?

The MINISTER FOR EDUCATION: It would be about £60,000 per year. Double rent means £183,000 for a little under three years. The board of appraisers appointed under the 1917 Act consists of Mr. H. S. King, the Surveyor General, Mr. A. W. Canning, surveyor, and Mr. C. H. McLean, who was a station manager in Queensland and has valued station properties in Western Australia for the Federal Taxation Department. No fewer than 88 appraisements have been made in the Gascoyne, Murchison, and East Murchison districts. Those appraisements cover an aggregate area of 23½ million acres. As indicating the good result likely to accrue to the State from the passing of the legislation of 1917-18, not only has the State obtained the double rent, but the appraisalment will bring in additional rents. Of that 23½ million acres the highest rent appraised is 43s. per thousand acres, the lowest 14s., and the average 25s. 7d. So that is an average of 5s. 7d. over and above the double rent.

Hon. G. J. G. W. Miles: That is retrospective?

The MINISTER FOR EDUCATION: Up to the date of their taking advantage of the new Act. The provision was that in respect of those who came in under the 1917 Act, if on appraisalment it was found their holdings were worth less than the double rent, the difference would be refunded; if they were worth more, the leaseholders would have to pay more. Those who did not come in under the 1917 Act, but under the 1918 Act, paid the double rent without any right to a return of any portion of it, even though the appraisalment should be below the double rent; and in addition they had to pay any increase which the appraisalment might give. In that case, as against the 10s. rent charged in the past, the average has been established at 25s. 7d. The method



of appraisement followed is on these lines: it is based on a sheep rental at 6d. per head per annum on what is estimated to be the safe carrying capacity with fair expenditure on improvements. The assessors considered the number of sheep which could be safely carried with a fair expenditure on improvements, and assessed the rental value at 6d. per sheep per thousand acres. This method applies south of latitude  $23\frac{1}{2}$  degrees, which is the Tropic of Capricorn. There is a decrease to  $4\frac{1}{2}$ d. north of the Tropic of Capricorn, and south of the Kimberley division. Allowances plus and minus are made for certain factors. Rainfall, for instance, is taken into account, and proximity to railway or port is always a plus factor. Then minus factors are allowed for droving, carting, freight, backloading, variation of seasons and the presence of poison on the leases. A small deduction is also allowed where abnormal expenditure for improvements is required. The highest appraisement in the State is 6.6d. per sheep. Under the Western Land Act in New South Wales it is 7d., and in Queensland the maximum is 1s. 3d. near the railways. So, even with this very considerable increase, it cannot be said that our pastoral lands are not cheaper than those in the Eastern States. Mr. Miles wanted to know which properties are appraised at 47s. I do not know that it is desirable to give their names. Some of them are in the Gascoyne district, near to a port, one being appraised at 41s., and another at 39s. In one case the additional rental on one holding amounts to £1,650 per annum, in another, a smaller property, the additional rental is just over £1,000 per annum. In the South Murchison district, that is, the Cue railway district, 43 appraisements have been made, comprising  $7\frac{1}{2}$  million acres. The highest rental is 55s., and the lowest 10s., the average being 31s. 10d. So the average is three times what has been paid in the past, and 50 per cent. greater than the owners agreed to pay. When we take into account the men who made these appraisements and take into account also the method by which the appraisement has been arrived at, it is hardly to be wondered at that practically all the pastoralists have taken advantage of the clause which enabled them to ensure the continuity of their holdings by paying double rent. The appraisement shows that their holdings were worth double rents. Another point dealt with in the Bill is in regard to compensation on the expiration of the lease. Section 146 of the original Act provided for fair value of all lawful improvements, the succeeding lessee to pay the old lessee the value determined as prescribed in Section 148. That is to say, if the Minister or the new lessee disagreed, the value is determined by a referee, sitting with an agent of each party. The compensation must be based on the rental, which may be 10s. or may be 40s., and the appeal must be decided on the evidence. Clause 7, Subclause 9, has been inserted to secure to the Crown the right to satisfy itself that the objects of

the Act in respect of the maximum areas held by leaseholders are not being defeated. I have already explained the provisions of Clause 8. The lease may become forfeited and may be so situated that even to a new holder it may be worth more than 10s. per thousand acres. That is the reason for the proviso providing that the Minister may decide that the full appraised rent shall be charged from the outset.

Hon. A. Lovekin: Have you got the right Bill?

The MINISTER FOR EDUCATION: Yes. This Bill was chopped about a good deal in the Assembly, and so I have made rather copious notes. I was referring just now to Clause 7, Subclause 9, which provides—

Hon. Sir E. H. Wittenoom: There is no Subclause 9 to Clause 7 in the Bill which we have, and nothing referring to what you have been talking about.

The MINISTER FOR EDUCATION: Have you got the Bill numbered 51?

Hon. Sir E. H. Wittenoom: Yes.

Hon. A. Lovekin: Just check Clause 7 with your notes.

The MINISTER FOR EDUCATION: I see where the error is. It should be Clause 5, Subclause 9. That is the clause I was referring to as necessary to secure to the Crown the right to satisfy itself that the objects of the Act in respect of the maximum areas held by leaseholders are not being defeated.

Hon. Sir E. H. Wittenoom: There is nothing about that in Subclause 9 of the Bill we have.

The MINISTER FOR EDUCATION: Yes. Subclause 9 of Clause 5. I read it as Clause 7. That is all that was wrong. Subclause 9 was inserted in the Assembly. The purpose of the provision is to give the lessee the right of having his appraisement reviewed by the board of appraisers. If he refuses to accept the appraisement then made, he must pay the costs incurred by the department. The board must report to Parliament when it makes a re-assessment on review. The really important points in the Bill are those intended to make effective the express wish of Parliament that no person shall be interested in an area of more than one million acres. Last year a Bill was introduced and we had a very long debate turning on the point of what was to be done in the case of those persons who, under the existing Act, had defeated what was generally considered to be the intention of Parliament, namely that no person should have more than one million acres. It was represented that certain persons, by forming their properties into limited liability companies, had really retained the ownership of a considerably larger area than this. We had a long discussion as to what should be done in such cases. I want to make it perfectly clear that the Bill does not touch that position at all. The attitude taken up is that whatever was done was done under the authority of the law as it stood. The Bill deals

only with future cases, and it does, I think, effectively prevent anything of the kind being done in the future. No one in the future can have more than one million acres. If he is a shareholder in a company with a million acres he is regarded as holding that proportion of acreage which is represented by his proportion of shares in the company. I think that is a perfectly satisfactory arrangement, although I do not think any of us can pretend to be altogether satisfied with the fact that certain persons have gained an advantage by doing something which it was not contemplated in the Act they could do. Another important point is giving lessees the right to ask for re-appraisalment. That is reasonable. It is not going over the heads of the board of appraisers, but the idea is that in the course of time circumstances may alter. I put this point of view to hon. members: When assessing a run at the carrying capacity per sheep we must necessarily take into consideration what the product of the sheep is going to fetch. When we find the markets varying so much as at present, it will be admitted that if the price was put on these pastoral lands on the assumption that wool was going to bring in the figure that has been prevailing for the last three or four years, that would hardly be fair. Variations of that kind may take place and it is merely intended that, within a certain period of the appraisalment, the lessee, after notice of assessment, may ask for a re-assessment, and he will apply to the Minister for a review of that assessment. The Minister thereupon directs the board to hear the application. It is further provided that whenever the board makes a re-appraisalment it must report to Parliament in all cases where that re-appraisalment has been made. Whatever may be said for or against pastoral leases, it must be admitted that in recent years a good deal has been done in securing bigger rents to the Crown.

Hon. G. J. G. W. Miles: You retain the right to re-appraise in 15 years?

The MINISTER FOR EDUCATION: Yes.

Hon. G. J. G. W. Miles: There is no provision for re-appraisalment if a railway goes through the district?

The MINISTER FOR EDUCATION: No. One hon. member asked the area of the leases in different districts. I have the information here. In the North-West there are leased 111 million acres at 10s. In the Kimberleys the area is 56 millions, in the Eastern division 52 millions, and the Eucla division 22 millions. The area classified up to date in the different divisions is as follows: In the North-West 72 millions, or about two-thirds; in the Eastern division 25 millions, or about one-half; in Kimberley 10 millions, or between one-fifth and a sixth. The area estimated to be classified in the State per month is nine million acres. I have plans showing where the different inspectors are operating. The increased rental amounts to approximately £65,500 per annum. That is without the increases due to

appraisements. The value of the improvements effected in each division under the 1917 Act after all leased land is eventually brought under the provisions of that Act is as follows: In the North-West at the end of five years £556,000, and at the end of 10 years £1,112,000; Kimberley division, at the end of five years £282,000, and at the end of 10 years £565,000; Eastern division, at the end of five years £261,000, and at the end of 10 years £523,000; Eucla division, at the end of five years £261,000, and at the end of 10 years £523,000. The improvement effected on leases classified is generally above that necessary under the 1917 Act, especially in the North-West. There they have improved their properties to the fullest extent.

Hon. G. J. G. W. Miles: Are you enforcing the improvements in these districts?

The MINISTER FOR EDUCATION: Yes, the Act compels improvements to be made. I have a return showing the totals of the lease appraisements. I do not intend to read the names. The return shows the number of persons who hold upwards of one million acres of land in all divisions. The total number of persons holding upwards of a million acres in all divisions is 24. One person holds over two millions divided amongst three divisions, another holds a million and a half in three divisions, another three and a quarter millions in four divisions, and there is a firm holding six and one-third million acres in one division. Another person holds two and a half million acres in one division, and still another person with two million acres. The remainder hold very little over a million acres.

Hon. G. J. G. W. Miles: Are the six million acres held by one firm in different companies.

The MINISTER FOR EDUCATION: I suppose they are.

Hon. G. J. G. W. Miles: Will they continue to hold that six million acres?

The MINISTER FOR EDUCATION: I think they come under the 1918 Act. They were allowed a certain period after the war to make a selection. As a matter of fact, I believe the greater part of their property is on the market now. What I would point out is the fact that of the 24 persons there are 20 who, although they hold more than a million acres, the area in each case amounts to very little more than a million acres, the additional total running into merely a few thousand acres. There is not one of those who holds a million and a quarter acres.

Hon. Sir E. H. Wittenoom: How much of that is in Kimberley?

The MINISTER FOR EDUCATION: The whole of the two biggest holdings are in Kimberley. With the exception of three or four there are practically no leaseholders in the State who, one could say, are offending against the provisions in regard to holding more than a million acres.

Hon. H. Stewart: Are there any companies holding more than a million acres?

The MINISTER FOR EDUCATION: What the hon. member means I suppose is are there any instances in which one person may be interested in three or four companies which companies between them hold three or four million acres. I have a list of the companies which hold more than a million acres. I merely quote the figures because I know hon. members are concerned with the fact that under the legislation passed in 1917 and extended by the Act of 1918, there are still a number of persons who hold more land than they ought to. The best feature of the whole business is that the conditions in regard to improvements and the appraisements operating will compel every holder to make use of the land and that will minimise to a great extent the evil that would otherwise result if one company were allowed to hold a large area. I move—

That the Bill be now read a second time.

Hon. G. J. G. W. MILES (North): I move—

That the debate be adjourned to the next sitting.

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

|                |    |
|----------------|----|
| Ayes . . . . . | 6  |
| Noes . . . . . | 12 |

Majority against 6

#### AYES.

|                  |                   |
|------------------|-------------------|
| Hon. J. Cornell  | Hon. G. W. Miles  |
| Hon. J. A. Greig | Hon. A. Sanderson |
| Hon. A. Levekin  | Hon. J. Nicholson |
|                  | (Teller.)         |

#### NOES.

|                      |                         |
|----------------------|-------------------------|
| Hon. E. M. Clarke    | Hon. C. McKenzie        |
| Hon. H. P. Colebatch | Hon. E. Rose            |
| Hon. J. Duffell      | Hon. A. J. H. Saw       |
| Hon. J. Ewing        | Hon. H. Stewart         |
| Hon. V. Hamersley    | Hon. Sir E. H. Witteoom |
| Hon. E. H. Harris    | Hon. J. W. Hickey       |
|                      | (Teller.)               |

Motion thus negatived.

Hon. J. CORNELL (South) [8.43]: The subject matter of the Bill is what one might term a hardy annual and what might also be termed a means to an end or a way out. I well remember an almost similar occurrence in 1917, when the present leader of the House brought down a Bill which dealt not only with the curtailment of the maximum area of a pastoral lease, but also extending the provisions relating to the letting of pastoral leases. On that occasion, I am very pleased to say, the House prevented the measure being forced through without adequate discussion. If my memory serves me rightly, the general opinion then was—and it is an opinion which still prevails—that the Bill provided for a maximum holding of one million acres. That restriction has been evaded. Last session we were asked further to amend the

law in order to get the Government out of an awkward hole. My vote was then cast on this process of reasoning, that if a man availed himself of what the law provided, he could reasonably object to a confiscatory measure taking that away from him. Certain persons honestly accepted the position as it appeared in 1917. Many other persons, however, did not. I want to charge the Government with having given last session a practical assurance that they would test their own legislation. They have not been game to do so. A scandal has been perpetrated. Parliament in 1917 framed a law, of which the purport was evaded owing to faulty drafting of the Act. It was the paramount duty of the Government then, and still is their paramount duty, to test that legislation of 1917, if only to give a semblance of honesty and ascertain the legal position. The Government have declined to face the music, and now want the House to pass this Bill which, after all, amounts simply to a white-washing arrangement. I understand that there is only one body in this State that can bring this legislation to the test—namely the Government. Very remarkably, the Government are not game to test a law passed by a Parliament in which they had a majority. The position is not only a satire on Parliament but a reflection on the courage of our Administration. The proposal to confiscate was on the last occasion lost by one vote. My vote was cast against it because of the assurance from the Government to which I refer. Now the Government, so far from proposing to test, set out to validate. If there is one thing that should be inscribed on the tombstone of every member of the present Government, it is that he suffered from want of backbone. For the opposite reason which guided me on the last occasion, I shall this time vote against the second reading. I shall do so because of the want of aptitude, want of courage, and want of reason displayed by the Government in their failure to test the law. The inference in the minds of many of the people, as well as many members of Parliament, to-day is that the persons who hold more than one million acres have evaded the law. For that reason it is the duty of the Government to test the position.

Hon. A. SANDERSON (Metropolitan-Suburban) [8.51]: I suppose there are very few bodices which could be got together in this State more qualified than is this Council to give an opinion on any land question. The experience gained by different members in the various parts of this great State enables them to speak with first hand knowledge on nearly every aspect of the land question, from a pastoral lease to a suburban area. But when some hon. members are not present in the Chamber, and when those who are present are exhausted mentally and physically and

yet are asked to pass such a measure as this, in view of the back history of this particular legislation—I refer especially to the 1917 discussion—it will be readily perceived that any effective influence on the debate is now somewhat remote. I am not concerned with this measure only. We have apparently no power to extract from the Minister what he proposes to do with the few remaining minutes of this session. I remember very well Sir Edward Wittenoom and the leader of the House giving us in 1917 an assurance as to what this legislation was and what its effect would be. Either those hon. members were absolutely ignorant of the subject with which they were dealing, or they unwittingly misled the House, because we were assured that if the Bill was passed it would have a certain effect. Moreover, we were told that great consideration had been given to the measure in another place, and in the columns of the public Press, and by a special conference which had been called to deal with the matter. The attitude I took up in 1917 was that I was quite indifferent whether an agreement had been come to or not, and that I was quite indifferent to the opinions of Sir Edward Wittenoom and the leader of the House, and that until we had satisfied ourselves by mature consideration what the measure was and what it proposed to do, we ought not to give our assent to it. But on that occasion, just as we have seen illustrated here this afternoon, hon. members thought otherwise and were content to accept the assurance of the leader of the House and of one or two members who, I admit, were considered by other members to have special qualifications to deal with the subject. We passed the measure, and I thought to myself then that it would be interesting to see the result of that measure during the next year or two. Now, what is the position to-night? There will be hon. members present, who are intimately acquainted with this legislation, who have studied the subject carefully, and are prepared to give the Bill their support. But will they answer the question which the last speaker put? Why do not the Government test the 1917 legislation?

Hon. J. CORNELL: They have not the backbone.

Hon. A. SANDERSON: Exactly. Although I regard the present Bill as one of first class importance, I do not pretend to be an authority on the subject of pastoral leases. Moreover, there are several other Bills coming up, and I am very much more interested in them than I am in this one. Therefore, I am not going to lend any countenance, or any assistance, on this occasion to what I did deliberately, and in a measure successfully, three years ago. But I say, and repeat, and will take every opportunity of repeating as the various Bills come up—so that the record may go down in the official documents, possibly to be of service later on—that we ordinary members here cannot escape a certain measure of responsibility in

connection with every matter that comes before the Chamber. We saw that in connection with the Westralian Farmers agreement—a very good illustration of exactly what I mean in connection with this Bill. There was no necessity for us to ratify that agreement. Our refusal to do so would not have interfered with public affairs, but would have thrown the responsibility directly on the Minister. On this particular occasion I am assured that the Bill should be passed this session, and that the leader of the House, and possibly a majority of members of this House, are determined to put it through. I shall not offer any factious opposition, and I am not going to offer even the legitimate opposition which could be fairly put forward in connection with this matter. It is a great deal easier to quote the words of other people than it is, when one is somewhat fatigued, to put into one's own language the views that one wishes to expound. Therefore, with your permission, Mr. President, I am going to quote three lines from page 2,514 of the 1917 "Hansard," three lines which you yourself, Sir, gave utterance to—

At the same time I cannot help expressing my cordial approval of the remarks of hon. members as to the bringing down of a measure like this, I may say, in the last minutes of the session.

That was your dignified protest, Sir, against the 1917 measure. I am of the opinion that if the advice which you, Sir, then gave us, and which other members then gave us, had been availed of, if we had postponed that measure for a year and then given it full consideration, we would have known more clearly what we were doing; and then—this is the important point—having put down in the best language available—and of course we get our language in this connection from the Crown Law authorities—and having clearly expressed our intention, whether right or wrong, we could have debated and decided what the position of this Chamber was with regard to the pastoral tenure of one million acres. I am certainly not wedded to one million acres. I could give very good reasons why people, so long as they comply with the conditions, should be permitted to hold as much land as they care to take up, but that does not particularly concern us at present. Let this Chamber decide the principle which it wishes to see in operation, and then let us get the legal adviser of the Crown to express our intentions in language, emphasising to him the importance of the matter and warning him that the matter would have to be decided in court. Then let the question be decided in a court as to whether the intention of the legislature was properly set down in the Act of Parliament. Thus we would be doing our work in a satisfactory and dignified way instead of coming here session after session and bringing ridicule upon ourselves. I am prepared to listen to what other members have to say. I shall not attempt to block the progress of

the Bill unless there is a considerable majority in favour of adopting that course. I am not sufficiently acquainted with the subject matter of the Bill, and therefore I intend to keep an open mind. If any member can show me that the public interests will be best served by throwing out the Bill on the second reading, I am prepared to listen to his arguments. From what I can gather from the observations of members, this is not so. I intend to adopt the procedure I have adopted on other occasions. I shall not oppose the second reading, but when we reach the Committee stage, I shall refuse to discuss the Bill feeling quite unable in the circumstances to do justice to such an important measure. If we are going to hurry through the Bill, it is much more likely that any part I took in the discussion would do damage rather than benefit to the country. The whole of the responsibility for the measure must rest on the Minister just as in my opinion the sole responsibility for the agreement with the Westralian Farmers, Ltd., must rest on the Minister. I am not prepared to discuss in detail an important legal document at this hour and under these conditions. There is only just a quorum of members present. Other members are exhausted; some have told me they are physically ill. We are not getting any younger. I do not feel ill and I am able to continue my work here, but I do not find it possible to deal with the language of these intricate legal agreements such as we have in this measure and in the Westralian Farmers' agreement. I do not wish to exhaust my credit either with you, Sir, with the leader of the House or with members. I hope I have not pressed my objection too much on your patience or indulgence. There are two other measures on which I intend to speak at some little length, both matters of first class importance, and it is only fair to you and to members and to myself not to exhaust the credit which I hope I have at present. In order to discuss the Mining Act Amendment Bill and the Grain Elevators Bill, I am prepared to draw—if the draft will be honoured—to a very large extent on the credit balance which I hope to preserve by my comparative brevity on this second reading.

Hon. G. J. G. W. MILES (North [9:5]: I again enter my emphatic protest against the Government bringing down a measure of this sort at this late hour of the session. A similar thing has happened during the last two or three sessions. In 1917 the measure was debated hurriedly and put through and we could not get the right interpretation simply through adopting the very methods which are being adopted here to-night. When that measure went through in 1917 it was clearly understood that any person could hold a million acres and the leader of the House on being appealed to said he had the Crown law officer's opinion that this was so.

Hon. J. Cornell: This is a validating Bill.

Hon. G. J. G. W. MILES: Yes, and those people who held more than a million acres continue to hold more than a million acres.

Hon. J. Cornell: The Government are not game to test it at law.

Hon. G. J. G. W. MILES: I believe that is so. We understood that the Government were going to test it. Whether they have received an opinion to the effect that they have not a leg to stand on, I do not know. The Minister has not said so, but I presume that is the case. The estimates we gave of the increased revenue which the State would likely obtain as a result of the extension of the leases and of the pastoralists coming under the new Act have been borne out by the figures quoted by the Minister to-night. The State has received about £80,000 a year by way of increased rent and if the appraisal holds, as I think it will, the State should receive another £80,000 per annum, or £90,000 more than was received under the old Act. I am glad to see that an appeal board has been provided for and that it is not an outside board, but that the pastoralist will have the right to bring evidence before the board to show that his lease has been over appraised. This is a very necessary clause. I wish to see a provision inserted in the Bill to protect the interests of the people of this country and I am surprised that the Government have not included it. I understand that the Government are here to protect the interests of the whole of the people of the State. This Bill should have contained a provision that when a railway is built through any given district or area the Government should have the right to re-appraise the land. I intend to move in Committee a clause to give effect to this principle. It was an oversight that a similar clause was not included in the 1917 measure, but a Bill has been introduced every session since then, and the Government who are supposed to look after the interests of the people generally have failed to include such a provision. Railway development of this kind is going to take place, and sooner than most people think. I again enter my emphatic protest, and I hope the House will not agree to pass the Bill through all stages to-night.

Hon. J. A. GREIG (South-East) [9:10]: From what I could gather when the leader of the House was moving the second reading this is a very fair Bill. He made reference to the question of payment for improvements on pastoral leases. Members will recollect the battle I put up here two or three years ago with regard to the payment for improvements on leases. The Minister referred to Section 148 of the Land Act of 1898, but that only refers to those cases where people come in and take pastoral leases under conditional purchase conditions. Then they have to pay the pastoral lessee for his improvements, but if the pastoralist allowed a lease to expire by effluxion of time and did not take it up at the expiration of the time, he would not be paid for the improvements. In Western Australia I think such a state of affairs would be hardly likely to occur, though it did occur in the Eastern States when the rabbits and dingoes came along and took possession of the squatters' stations. Many squatters left their stations, but there the Government were compelled to pay them for the cost of the improvements. There is another phase of the question. If the board of valuers valued

the land at such a high price that the squatter thought it better to throw up the lease, he would be in this awkward position, that the Government would get all the improvements for nothing. I again direct attention to this fact; it does not seem to be fair. There is a provision in this Bill for an appeal board. Before half of the land is valued it is rather early in the day to appoint an appeal board to dispute the values already made. It might be all right, but members will recollect that when this Bill was originally before the House, I advised the Government to get a local man in each locality to accompany the land board, so that they would have the advantage of his local knowledge. I have not been over the pastoral lands of Western Australia very much, though I have travelled a good deal over Australia, but I have seen sufficient of them to be convinced that no one man knows enough about all the pastoral land in Western Australia to be able to value it accurately. If the board with practical knowledge had a man residing in the district to accompany them through the district and assist them to arrive at their valuations, I feel satisfied there would be no necessity for the appeal board. I am not very particular whether a man holds a million acres of pastoral land or a little more in Western Australia, or whether he holds a million acres in each division of the State, provided he improves it. We have millions of acres of land, begging for settlement, and if we can get men to take up a million acres in each division and develop it, they are the class of men we want. I agree with Mr. Miles that we must have a clause to provide for a re-valuation in case of a railway being run through any of these properties. With the exception of the slight amendment I have outlined, I think the Bill might well be passed without alteration, though I must say that with the short time for consideration and at this late hour of the night, it is impossible for me to thoroughly consider the measure. It is not sufficient merely to hear the second reading speech of the leader of the House, full and detailed though his speech was. It is impossible for me to say that the Bill contains no clause open to objection, though one would be in a position to express such an opinion if he had time to carefully consider all its clauses.

Hon. J. NICHOLSON (Metropolitan) [9-15]: I should like to explain that in recording my vote against the second reading of the Bill it must not be taken as an indication that I am in direct opposition to its provisions. It is, however, an indication of my opposition to the course which has been adopted at this late stage of the session, when Bills of this importance and other Bills of equal importance have been rushed upon us at the tail end of the session. Our energies are sapped and we are not truly able to discuss or to consider these Bills in the way that they should be. Hon. members who vote against the second reading should be regarded by the leader of the House really as his best friends. I say that in all sincerity. We recognise that the leader of the House has imposed upon him a task of a very trying nature. He has Bills placed in his hands which are dealt with by several Ministers in another place. Their work is thus divided. Here it devolves upon the leader of the House almost solely,

with the result that his best energies must be exhausted or overtaxed. We have before us a measure of first-rate importance. We should really be giving the fullest consideration to the clauses contained in it. The members who voted against the second reading are, I venture to think, in the circumstances the very best friends the leader of the House has.

The PRESIDENT: There has been no vote yet taken on the second reading.

Hon. J. NICHOLSON: I thought we voted against the second reading.

The Minister for Education: You were under a misapprehension.

Hon. J. NICHOLSON: That only shows the condition in which we are placed. It shows too that hon. members are suffering from the strain of overwork, of which some time ago it was alleged we had not enough. I hope the leader of the House will recognise that we are all desirous of giving him the fullest aid in the consideration of these important Bills, and that we are not actuated by hostility towards the measures, but rather a desire to help. There are certain clauses in the Bill which I perceive are of a character to which one could readily give one's support. There are others which I should like more time to consider, but that time has not been afforded to us. I hope what has taken place this session at the closing hours will not be repeated, and that some remedy will be introduced to prevent a recurrence of such a procedure as to bring important Bills forward to us at a time like this.

Hon. H. STEWART (South-East) [9-20]: It is with considerable diffidence that I rise to speak at all on this Bill. I am in agreement with Mr. Nicholson that it is not a fair proposition to have to deal with it at this time of night. After having had the Bill on the Table to consider for some little time, I have come to the conclusion that it is a Bill which requires consideration not only by hon. members but by the Committee as a whole. It is difficult to foresee what is going to be the effect of some of its provisions. I am not at all satisfied that the passage of the Bill will not involve us more or less in the same difficult position as was the case in connection with the 1917 Act. This question in connection with pastoral leases, owing to the many amendments, has become an involved one. We all remember the position created in 1917 and the extension of time given in 1918, with an honourable understanding. From what resulted I do not feel satisfied that if we go on with this measure and very little discussion takes place, as seems likely from what has transpired, the result will be very satisfactory. In regard to Clause 5, dealing with pastoral lands and providing that no person shall acquire more than one million acres, I am not at all satisfied that this is sufficient. It is probable that there should also be a provision that no person shall acquire or hold more than one million acres. The position was combated strenuously during the closing hours of last session, when the Land Act Amendment Bill was passed, and when we endeavoured to deal with this very question of pastoral leases and had the advantage, help, ability, and experience of Mr. Holmes. What most of us endeavoured to do on that occasion, and en-

deavoured to induce another place to agree to, was to make all people who had found a loophole by which they could evade the obvious intentions of Parliament in 1917, during the period of extended time which they were generously given, understand that they were in the position that what they had done would not be validated at any rate by this Chamber. Another place did not endorse that attitude. After a lapse of 12 months, during which nothing has been done to alter the position and no further companies have been able to register, we have this Bill brought down, which practically validates the acts of those persons or companies which this House 12 months ago refused to endorse. I hope we shall abide by the decision arrived at in dealing with similar amendments last session, and will strike out from Clause 5 these words "after the commencement of this Act." This will leave the position so that those people are still unaware of whether what they did will be recognised by the courts of law or not. I see from a return which has been furnished in another place that since the passing of the 1917 Act 49 companies have been registered and are holding land, in pretty well all cases, of many hundreds of thousand acres in extent. Most of these were registered during the extended period of time they were so generously given for patriotic reasons. It appears that in many instances there are shareholders of these companies, whose names are not revealed, and we cannot get at them, who probably hold considerably more than one million acres. If this restriction were removed with regard to the clause I refer to, these people could be called upon to declare their holdings, and we should know exactly whether anyone had evaded the Act and was holding more than one million acres of land. The Bill provides for getting the necessary information and declaring the basis on which shareholders are considered as having an interest in an acreage equivalent to the percentage of paid up capital they hold. From information I have received, the inclusion of the word "trustee" in Subclause 6, which exempts executor, administrator or trustee from supplying certain information, seems to me a dangerous provision. It will enable the other machinery of the Bill, by which information as to the holdings of individuals can be obtained, to be overridden, and will lead to a camouflage of the position such as has taken place in the past. I am pleased to see in Subclause 9 provision that nothing in the section shall affect the liability to forfeiture. I hardly see the necessity under Clause 6 for the provision that, when a pastoral lease which has been appraised has been broken up and a re-appraisement takes place, the annual rent in the aggregate shall not then exceed the rent previously payable under the appraisement of the group of pastoral leases as one holding. It seems reasonable that if a pastoral property has been appraised and subsequent transactions take place and the holding is split up, a fair and true appraisement is made, and the parts that are appraised are appraised at a larger amount than the total appraisement of the entire holding.

The Minister for Education: Are you referring to the proviso?

Hon. H. STEWART: Yes.

The Minister for Education: That is only an undertaking that there shall be an appraisal every 15 years.

Hon. H. STEWART: For my part I think this is another of those Bills which could well have been laid aside until next session. We endeavoured to the utmost of our powers to pass such clauses as these last session. We said then that the principle of not validating acts of people who sought to get behind the intentions of the Legislature, should be adhered to. That is the attitude which the Council took up before, and I am still in accord with that principle. I will have to support the Bill, but I desire to eliminate the provision dealing with the pastoral leases which provides that it shall come into operation "after the commencement of this Act."

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Amendment of Act No. 19 of 1917, Section 5:

Hon. H. STEWART: I cannot find out the full significance of this clause, in conjunction with the original Act. I would like some explanation from the Minister.

The MINISTER FOR EDUCATION: The object of the clause is to alter the present arrangement whereby a person, who has taken up leasehold under a 99 years lease and converts it to freehold, shall convert it on payment of an amount to be fixed by the Minister representing its present value and not be able to convert it as in the past, at the value placed upon it at the time the lease was originally taken up. The old provision was unfair to the Crown and gave an undue advantage to the lessee. If a man holds land for a certain period and desires to convert it to a freehold, he should not be able to do so on the basis of the value at the time the lease was originally taken but should pay what the Minister considers is a fair price at the time of the conversion.

Clause put and passed.

Clauses 3, 4—agreed to.

Clause 5—Pastoral land:

Hon. H. STEWART: I move an amendment—

That in line 1 of Subclause 2 the words "after the commencement of this Act" be struck out.

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

|                     |     |     |     |     |    |
|---------------------|-----|-----|-----|-----|----|
| Ayes                | ... | ... | ... | ... | 5  |
| Noes                | ... | ... | ... | ... | 10 |
| Majority against... |     |     |     |     | 5  |

AYES.

Hon. J. Cunningham  
Hon. A. Lovekin  
Hon. A. J. H. Saw

Hon. H. Stewart  
Hon. J. W. Hickey  
(Teller.)

### News.

|                      |                          |
|----------------------|--------------------------|
| Hon. E. M. Clarke    | Hon. E. H. Harris        |
| Hon. H. P. Colebatch | Hon. G. W. Miles         |
| Hon. J. Duffell      | Hon. E. Rose             |
| Hon. J. A. Greig     | Hon. Sir E. H. Wittenoom |
| Hon. V. Hamersley    | Hon. C. McKenzie         |
|                      | (Teller.)                |

Amendment thus negatived

The MINISTER FOR EDUCATION: I move an amendment—

That in line 1 of paragraph (b) of sub-clause 7 after "holding" the words "or beneficially interested in" be inserted.

It is essential that the provision should apply not only to a shareholder in an incorporated company holding pastoral land, but also that it should include any company beneficially interested in pastoral land.

Amendment put and passed.

The MINISTER FOR EDUCATION: I move an amendment—

That in line 4 of paragraph (b) of the same subclause after "paid" the word "up" be inserted.

This is obviously a misprint as the share capital referred to is the "paid-up" share capital.

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

Clauses 6 to 9—agreed to.

Hon. G. J. G. W. MILES: I move—

That the following be added to stand as Clause 7:—"In the event of any railway being constructed through any portion of a pastoral district a reappraisalment of the leases in such district shall be made in the manner provided by the Land Act Amendment Act, 1917, and thereafter any increased rent so appraised shall be paid by the lessees during the unexpired term of the leases.

Hon. Sir E. H. Wittenoom: Is the new clause in order on the money question?

The CHAIRMAN: Yes, quite in order.

The MINISTER FOR EDUCATION: These districts are so very large that a railway might be constructed in some portion of the district which would not materially affect certain leases in the district.

Hon. G. J. G. W. Miles: The appraisers would take that into consideration.

The MINISTER FOR EDUCATION: If the words "beneficially affected by such railway" were inserted they would serve to make it clear. Without those words the building of a railway through an agricultural or a pastoral district would entail the reappraisalment of the whole of the leases in the district. I move an amendment on the new clause—

That after "district" the words "beneficially affected by such railway" be inserted.

Hon. G. J. G. W. Miles: I will accept that amendment.

Hon. H. STEWART: This is one of those positions where we think it is all right and afterwards find it is all wrong, as in the case of

the Divorce Bill. Under the amendment the appraisements might not be made for 15 years. I do not know the whole of the Land Act and its amendments, but I know there is in the 1917 Act a provision that appraisements shall be made within 15 years. Before this is passed I should like an assurance that it will be effective.

The MINISTER FOR EDUCATION: The best way in which I can satisfy the hon. member is to tell him that if the amendment is passed I will not part with the Bill to-night, and before meeting to-morrow afternoon I will discuss the matter with the Crown Law Department and see whether the amendment does do what the Committee wants to have done.

Hon. J. NICHOLSON: The words "beneficially affected" will raise the question as to what leases are beneficially affected. It might be advisable to consider the question whether or not we should actually specify an area within which leases shall be deemed to be beneficially interested.

Hon. V. Hamersley: The appraisers will determine that.

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

Title—agreed to.

Bill reported with amendments.

### BILL—MINING ACT AMENDMENT.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [9:55] in moving the second reading said: This is a very important Bill, one which I much regret having to ask the House to consider at this late stage. I do not propose to ask hon. members to consider the whole Bill. It is divided into three parts. The first part is confined to interpretations, the second part deals with mining for mineral oil, and the third part relates to tribute agreements. By far the most contentious and most difficult portion of the Bill is Part II, relating to mining for mineral oil. At this stage of the session I do not propose to ask hon. members to deal with that part of the Bill at all.

Hon. J. Ewing: It is most important that you should deal with that part.

The MINISTER FOR EDUCATION: That is the difficulty of the position. One or two members think it is most important, whereas—

Hon. A. Sanderson: Everybody thinks so.

The MINISTER FOR EDUCATION: My reason for not desiring to deal with it is that there seems to be a sharp conflict of opinion amongst those who desire this legislation, particularly in regard to the area of leases to be granted. Certain members consider the area proposed to be granted, namely 640 acres, ample, while others contend it is futile to expect people to explore for oil on sound lines unless assured of a lease of up to 100,000 acres.

Hon. H. Stewart: They have been wanting this legislation for years.

The MINISTER FOR EDUCATION: I know they have. If a majority of the House is prepared to deal with this part of the Bill relating



to oil, I am prepared to do so. My opinion is that a majority of the House will not be prepared to deal with it.

Hon. J. Nicholson: Why not adjourn over the holidays?

The MINISTER FOR EDUCATION: That part of the Bill relating to tribute agreements is certainly not of a particularly contentious nature. It is the result of conferences held between the Minister for Mines, the Chamber of Mines and the employees. But I do think that part of the Bill is of immediate importance and should be passed into law without unnecessary delay. The number of tributors on the goldfields has increased enormously of recent years, and there is very little doubt that one effect of the recent award of the Arbitration Court will be to increase the number of tributors still further. Different mine managers have already indicated that this is likely to be the effect. If we are to have a very large number of our mines worked on tribute, it is desirable that the tribute agreement should be as satisfactory as we can possibly make it. The Bill aims at placing the question of tribute payable, and also the tenancy of the tribute, on a satisfactory basis. Otherwise there is no very serious departure from the existing provisions which are framed by regulations and are not under the Act. As I have already said, a number of conferences were held at Kalgoorlie between the Minister and the Chamber of Mines and the employees. At each of those conferences this Bill was discussed and obtained general approval. I have here a report of a conference with the Chamber of Mines. At the close of that conference the chairman, who was the president of the Chamber of Mines, Mr. Hamilton, made these remarks—

I think the Bill will be very satisfactory, provided the individual agreements on the various mines are properly drawn up. That is a matter for the managers to see into, and if afterwards the agreements are found to be not all right, they are subject to revision. I do not see that we have much to complain of. It is a very satisfactory Bill.

Hon. A. Sanderson: What was the date of that conference?

The MINISTER FOR EDUCATION: The 1st November of this year. The first clause of this Bill dealing with tribute agreements is No. 23. The provisions of the clause are embodied in the present regulations. The same applies to Clause 24. Clause 25 is also similar to the present regulations except as to the minimum number to be employed by the tributors. That provision was embodied in tribute agreements for good reasons. It was done as a general practice. Clause 26 appears in the present regulations as No. 192. The regulation fixes the term of a tribute agreement at three months, but the clause extends it to six months. It also gives the tributor the right to renew his agreement. This will obviate injustices which it is said have occurred in the past. The right to renew the tribute agreement is given in the amending Acts of the other States, and it is perfectly reasonable. It has to be remembered that a tribute is not only in regard to time, but also in regard to space. A tributor has to man a certain block of ground for a certain time.

Hon. H. Stewart: Under agreement.

The MINISTER FOR EDUCATION: It may occur that tributors have reached the end of the period of their time, say six months, and at the end of the tribute they may come upon a rich make of ore within the boundaries of their tribute, and it is competent for the mine owner to refuse a renewal of the tribute. It is only reasonable that when a discovery is within the space limit of the tribute, the tributor should be allowed further time to exploit it. Clause 27 (a) deals with the condition on which the warden may register the agreement. The present provision under the regulation is that a tributor must have earned £2 per man per week. The new provision is that he shall have earned the ruling rate of wages as prescribed by the current industrial award applicable to the district. Paragraph (b) is similar to the present provision. Paragraph (c) is a new provision. Hitherto it was left to the parties to arrange their own tribute and many complaints have been made that an unreasonably high tribute was charged. Under the paragraph it is provided that the tribute to be payable to the lessee or owner of the mine, shall not exceed a percentage, to be fixed by agreement, of the net proceeds of the sale of the product after deducting the costs, charges, and expenses of mining, treatment, and realisation. Paragraph (d) is another new provision intended to ensure that tributors will get the full value realised for the gold including the premiums paid by the (old) Producers' Association. It has been asserted that lessees have wrongfully withheld a portion of the amount realised under this heading. The clause applies to all tribute agreements. In the present regulations similar provisions only apply to agreements where tributors are fulfilling the labour conditions of the lease under tribute. There are many cases now where tributors are not fulfilling the labour conditions of the lease. Take the Great Boulder Perseverance. That covers a comparatively small area, and it would not take more than half a dozen men to carry out the manning conditions. Necessarily on that mine they have many more men than they need to fulfil the labour conditions, so that all the men working on tribute are not in any way carrying out the labour conditions and it is only fair that those conditions should apply to them. Clause 28 is new. It is intended that tributors shall have the right to a review of the conditions under which they are working. The provision is that any party to a tribute agreement made after the commencement of the Act may by plaint and summons in the Warden's Court, claim that the conditions of working under such agreement may be reviewed by the warden. Many circumstances it is thought might arise. For instance the lessee might insist that the ore raised shall be treated at his own mill, and it might appear to the tributors that they can get cheaper treatment elsewhere. In that case it is considered they should be allowed to go before the warden to thrash out the merits of the case, and if it is thought desirable the warden may amend or adjust the agreement. Clause 29 is also a new provision. It provides for the payment of development work, and the advisability of making the provision was strongly urged upon the department. It sets out that every tribute agreement shall provide that all development

work done at the express request, or by the express order of the lessee, other than such work as the tributer has, by the terms of the tribute agreement expressly agreed to do, shall be paid for by the lessee at the current rate of wages. There is also a proviso that whenever development work is done in accordance with the agreement, the lessee shall pay to the tributer a proportionate part to be determined by the warden if not agreed upon, of the cost of any such development work. If the decision of the Inspector of Mines is not accepted by both parties to the agreement, the question shall be determined by the warden whose decision shall be final and against whose decision there shall be no appeal. This is new so far as our legislation is concerned and it is taken from the Victorian and Tasmanian Acts. Clause 31 is another provision which is taken from the other States. Something similar is in our present regulations, the intention being to make the position clear and definite. It is set out that where any dispute as to the ground held under tribute, or as to the product won from such ground, occurs between the lessee of any mine and the tributer, such dispute shall be determined by the warden on the complaint of either party and the decision of the warden shall be final. Clause 32 refers to the cancellation of tributes for breach. A similar provision is included in the regulations at the present time. Clause 33 provides for the safeguarding of the interests of tributers in the event of the forfeiture of a lease. That will not affect tributer's rights where some person obtains forfeiture because the labour conditions have not been complied with, or for other reasons he has secured the forfeiture. He will have to carry out the tribute agreement. That is a perfectly reasonable provision. Clause 34 provides that the clauses may be extended to claims and in such case any default by the holder of a claim, which if committed by a lessee would render a lease liable to forfeiture, under this part of the Act, shall render the claim liable to forfeiture. Clause 35 is merely a definition clause. Clause 36 is new and provides that the warden may sit with assessors at the request of either party to the proceedings. This provision was requested by all parties who interviewed the Minister for Mines during his recent visit to the goldfields, when this amending legislation was discussed. All parties were of the opinion that two assessors should be available. Personally I should have a good deal of diffidence in presenting this portion of the Bill to the House were it not for the fact that it is the result of several conferences held on the goldfields between the Minister for Mines and the Chamber of Mines, the Minister and the A.W.U., and the Minister and other sections of the workers in Kalgoorlie.

Hon. J. Cornell: And the Tributers' Association.

**THE MINISTER FOR EDUCATION:** From the information supplied to me, I can say that this portion of the Bill reasonably represents the desire of all parties that tributing legislation should be placed on sounder lines than it is on at present. I move—

That the Bill be now read a second time.

Hon. A. SANDERSON (Metropolitan-Suburban) [10-11]: I hope I have that direct

balance of which I spoke, and I hope the leader of the House and hon. members will give me some credit for having assisted during the last 10 days in every possible way to bring about the quickest possible despatch of public business.

Hon. J. Cornell: You have not been sparing in advice.

Hon. A. SANDERSON: I give an assurance to the leader of the House and any other hon. member who has been good enough to listen to me that I have really and honestly attempted during the last fortnight or three weeks to refrain as much as possible from making any utterances unless I considered them necessary. Be that as it may, I have no hesitation in asking members if they are going to accept the second reading of this Bill. What is the position of affairs? We have the leader of the House withdrawing the first portion of the Bill. That is somewhat significant in itself.

Hon. H. Stewart: It is most remarkable.

Hon. A. SANDERSON: I cannot believe that whatever opinion is held on this question of oil that anybody would seriously urge the consideration of this portion of the Bill after the warning of the leader.

Hon. H. Stewart: The Minister for Mines is out of the State.

Hon. A. SANDERSON: I am coming to the Minister for Mines. I understand he is in Melbourne. Let us look at the measure as it was originally presented. Surely we are justified in asking that Ministers of the Crown should take their responsibilities seriously, and very seriously indeed when they are dealing with such important issues as oil and mining. Can it be seriously suggested by anyone who has looked at the original measure as introduced by the Minister for Mines, and looked at the Bill as it got out of Committee, that the measure had received the mature consideration of the Government? That it could be so is incredible. If it is the case, the Government completely changed their attitude as the Bill went through. It would seem to me that the Minister for Mines drafted the Bill on his own. Do not let us forget that the Minister belonged to the Labour party, and represented the Labour party, and took the Labour party's point of view on the mining question. Naturally enough—it is no discredit to him—the Bill bears evidence that it is an employees' Bill rather than an employers' Bill; that is to say, as originally introduced. This is not a very good recommendation of the Bill, either to the colleagues of the Minister for Mines, or to ourselves as a House of review.

Hon. J. Cornell: Which view would you expect the Minister for Mines to take?

Hon. A. SANDERSON: I am not making any complaint, but I say it is rather significant that the Bill as originally introduced was introduced by a former Premier of the Labour party, and was a Labour Bill. The bearing of that will be seen later in the argument which I hope to put before hon. members. I trust that no one is going to twit me with not having any special claim or right to speak on behalf of the mine owners. But this is the claim that I am going to put forward, that there is no one in this Chamber who directly and advisedly represents the mine owners of this country. Personally I think that is much to be regretted. I said just now that there are few assemblages in this

country better qualified to deal with land questions than this House is. But will anyone maintain that this Chamber is fully qualified to come to close quarters in Committee with a mining measure? We want assessors to be sitting with us, it seems to me, to help us with this measure.

Hon. J. Cornell: I have been accused of being the mouthpiece of the Chamber of Mines.

Hon. A. SANDERSON: I can hardly believe that many people would accept the hon. member as the spokesman of the mine owners and the employing classes of this country. Let it not be imagined that it is any discredit to myself or to any other member that we do not represent any particular section. But we have in this Chamber at present highly qualified men capable of putting the employees' point of view in the most forcible manner. I rejoice at it. The more strongly and the more ably any case is put before us, the better it is for the rest of the members by way of assisting them to come to a right decision. But we know perfectly well that there is no one here who has ever claimed, or who can at the present moment claim, that he is sent here to represent the mine owners, as some members are sent here to represent the pastoral interests, the commercial interests, and the legal, the medical, and other interests in this country. Therefore, when a measure most closely affecting in every possible way the mine owners and the mine owning interest comes before us, surely it behoves us to give that section every possible opportunity of putting their case before us, so that we shall be able to hand out even justice to the two parties in this particular matter. And here, of course, one comes to issue with the leader of the House. I say flatly that, without any malice aforethought and without any evil intention, he has misrepresented the position, unwittingly misrepresented it. He is almost suggesting that it is a non-contentious measure, which all the principal parties, the miners and the mine owners and the mining employees, have had conferences and have agreed upon. That was why I asked him the date of that letter, the 1st November. The result of my inquiries, as far as I have gone, is that that information and that statement given by the leader of the House are totally inaccurate. I believed the information myself a week ago. I was then under the impression, from the inquiries I had made amongst mine owners and representatives of the Chamber of Mines, that that chamber did support the Bill as it appears before us now—I am not referring to the original Bill. However, that is quite contrary to the information I have received during the last few days. I make it my business to institute full inquiries, in order to relieve myself of speaking, and in order to relieve hon. members of listening to me, on a question which is not contentious. But what is the position of affairs? I received from a private individual—it was not an official communication from any Chamber of Mines or from any organisation—a very carefully thought-out opinion on this Bill as it appears before us now. I glanced through that opinion, and could see at once that the man understood what he was talking about. I recognised that both from his drafting and from his verbal explanations. I said to him, "If what you say is correct it is a very amazing performance, because I have

already seen people connected with the Chamber of Mines and they have told me that the Bill is all in order." I then adopted this procedure. I took this criticism—which is somewhat lengthy I admit, but, I suppose, necessarily must be so from the nature of the case—to the representatives of the Chamber of Mines, and said that I wished to be quite certain of my ground in regard to the assurance which I had received from them, and which in fact we all have received—the matter has been quite public—that everything was in order. I said that my satisfaction with that assurance had been completely shaken by the notes which I had received on the Bill in its present form. I said to the people connected with the Chamber of Mines, "Will you be good enough in your own interest, to say nothing of the public interest, to look through these notes and comments and see what you think of them?" They looked through the notes and comments, and came to the conclusion that the statement in question represented a most valuable contribution to the discussion. Without committing myself to saying that there was an entire endorsement of all the recommendations and suggestions in these notes and comments, I can say that the people connected with the Chamber of Mines certainly gave me to understand that the bulk of the amendments—most of them now appear on the Notice Paper—met with their approval and that they sincerely trusted the amendments would be put into the Bill.

Hon. J. Cornell: Those amendments do not materially alter the Bill. They are desirable, but not drastic.

Hon. A. SANDERSON: Very well. I will go a little further. One gets much more careful as one goes along in these matters. If I have demonstrated that the assurance of the Minister should not be listened to by us, because it is of no value, and that this Bill as it appears before us does not represent the mature consideration of all parties concerned, then these amendments, if they are not important, should be accepted by the leader of the House. Even if they are accepted, however, I still say that this is not a very creditable method of doing business. It is almost by pure chance, I might say, that the amendments which I have put on the Notice Paper are coming before this House at all. When dealing with a matter of this importance, surely it behoves us to exhaust all the avenues of information before we give our official sanction to a measure. If there is one reason more than another why the mine owning classes deserve special consideration, it is on account of the arbitration award, to which reference has been made by the Minister. There again, many members of this Chamber are much better qualified than I am to estimate to a nicety the full effect of what that award is going to be. But, certainly, the general impression that one gathers from all quarters is that the award must prove very detrimental to the mine owning interests of this country. Indeed, that seems to be generally admitted. An hon. member smiles. That hon. member and other hon. members are much better qualified than I am to express an opinion on the point. However, one requires only to read the current news of the day and make oneself acquainted with current opinion in mining circles to be justified in saying that the mine owners regard this award of the Arbitra-

tion Court as one of the most serious blows, or perhaps the most serious blow, that the mining industry of Western Australia has received. Therefore this class should be able to get from us at the present juncture very special consideration. I ask you, Mr. President, and I ask the members of this Chamber whether, irrespective of the adjournment of the debate for another day or not, this Bill as it stands now is going to get full and proper consideration? It seems to me almost on all fours with the Land Bill of 1917, on which there were conferences and discussions relative to a matter of very considerable interest to certain sections of the community, a matter in which the public also - do not let us forget this - had their rights and their claim to give opinions. What was the result? We know the result; we have seen it to-night. With regard to the Bill before us, even assuming that the tributers and the employees and the mine owners would agree to the amendments which have been put on the Notice Paper, I do not think that we can give the measure that full consideration which it deserves. Therefore, unless the Minister can give us some assurance that he will accept the amendments on the Notice Paper, I must continue to oppose the Bill. But if he can give me an assurance that the amendments are acceptable to the Government, then, I suppose, in deference to the wishes of hon. members of this Chamber and of people outside, I had best withdraw any further opposition to the matter. I will still protect myself by saying that I do not think even then such a way of doing public business on an important matter is a reasonable way. I shall listen very carefully to the different views which will be expressed by hon. members; but the intimation - I will not say the instruction, because we are not paid advocates in this Chamber, but attempt to do public business in a public way - I received was this. I believe it to be for the benefit of hon. members who have not had an opportunity, or have been too busy, to communicate with the mine owning people, that they should know that, according to an intimation I received from those people, they would prefer to see the Bill rejected rather than that the amendments appearing on the Notice Paper should not be accepted. There is a very clear issue and it brings at once to the front the point which the leader of the House has mentioned. I make no complaint of his attitude, but to the best of my knowledge the Minister has no right to say that this is a Bill on which the mine owners, tributers, and employees have had a conference and have agreed.

The Minister for Education: I said the Minister had had conferences with each of the three parties, not a joint conference.

Hon. A. SANDERSON: The less we say about the Minister for Mines the better. Need I refer to the discreditable record - I can call it by no other term - of the measure as introduced in October last? The less consideration we give to the Minister for Mines and his performances the better. He deserves no consideration from us if only on account of his behaviour in connection with another matter. I ask the leader of the House to look into these amendments and make the necessary inquiries regarding them. I do not wish him to imagine that I am authorised

to speak on behalf of the Chamber of Mines; I am not, but I can say that after the opinion I have given him no one has the right to say that this Bill as it stands is satisfactory to a very large and important class, the mine owning class, and a class absolutely destitute of any direct representation in this Parliament.

Hon. J. Cornell: They are partly to blame; there are representatives of the province in Parliament and they never go to them.

Hon. A. SANDERSON: We are not permitted to refer to another Chamber and one does not wish to criticise people who are outside this Chamber if it can be avoided. We are not called upon to attack people or apologise for people in another place. If we did so, we would have very little time to do anything else. I am putting the present position before the House; I have put the information at my disposal before hon. members. If we can get no assurance from the leader of the House with regard to the acceptance of these amendments, I can say that the mine owners not as a class - I am speaking on behalf of individuals but fairly representative of the class - would sooner see the Bill rejected.

Hon. J. Cornell: Say the mine managers and you will be correct.

Hon. A. SANDERSON: I have drawn on my credit balance and I do not wish to exceed the limit, but I do feel tempted to reply at length to the hon. member's interjection. There is certainly a distinction between mine owners and mine managers. If the mine managers are not represented in this Chamber and this is a mine manager's question, I say the mine owners are not represented in this country except in so far as they are represented by the mine managers. I have already made demands on the patience of members and my one object in putting these facts forward is to give a plain and unvarnished tale in the sincere hope that for once I may be successful in bringing members to my way of thinking. I shall listen carefully to the reply of the Minister and if he gives an assurance that he will accept these amendments, I shall let the measure go with a mild though unexpressed protest. If he refuses to accept the amendments, I ask members to reject the second reading because that will be the proper way to deal with the Bill.

Hon. J. EWING (South-West) [10.35]: I have listened with a great deal of patience and pleasure to Mr. Sanderson. I realise that this is not an occasion when one should take up the time of the House unnecessarily. I have no intention of so doing. Mr. Sanderson has given the whole of his attention to the portion of this Bill dealing with tributating. I realise the importance of the goldmining industry and can quite understand him having devoted his attention to that phase of the Bill. The hon. member has told us that the position, as outlined by the Minister in moving the second reading of the Bill, is not one that has been placed clearly before those responsible for the industry. The letter read is dated about November. Since that letter was written and that approval was given, I have no doubt that many amend-

ments have been made to this measure in another place. I may be wrong, but I am under the impression that the real position outlined by the hon. member has not been clearly placed before the Chamber of Mines in Kalgoorlie. We hear a lot regarding the difficulties under which the goldmining industry is being carried on at the present time and these difficulties demand our serious attention. I believe that the provisions of this Bill relating to tributings are fairly satisfactory. There are some amendments which members wish to make which should improve the provisions of the Bill. I do not pretend to be a goldmining man though I have been on the goldfields and I am fully aware of the great importance of our goldfields. I realise that we should look after them, and that we should give special consideration not only to those people who are spending their money on our goldfields but to those who are spending their lives there. The board indicated should prove of the greatest value to Western Australia, especially at this juncture. Mr. Sanderson has said that for once he is in accord with the leader of the House, but although he is prepared under certain conditions not to vote against the second reading, he requires a promise from the Minister, in the course of his reply to the second reading debate, that he will agree to certain amendments which the hon. member is to lay before us in Committee. It seems to depend on his getting a favourable reply from the Minister as to whether he will vote for the second reading of the Bill.

Hon. A. Sanderson: Hear, hear!

Hon. J. EWING: If other members held out conditions of that kind, I can imagine that it would be very difficult for the Minister to direct the business of this Chamber. During the early days of the goldfields we were told that everything was at sixes and sevens; we were told that the geological strata of those areas would not produce gold, and members know that quite the reverse has proved to be the case and that Kalgoorlie has proved to be the richest goldfield the world has ever seen. I mention these points because I wish to come to the question of oil. The Bill as laid before us, I take it, is still before us. We have had nothing beyond the statement of the Minister that the portions of the Bill relating to oil will not be gone on with, and I take it that the clauses relating to oil still form part of the Bill and are before us. Therefore, I consider I am in order in discussing the oil clauses of the Bill. Many years ago it was thought that even the Great Boulder mine would not prove successful. It was carried down to a tremendous depth and by some people it was considered to be a fluke that ever that mine was discovered. It seems to me that the ideas of the leading geologists of Western Australia and indeed of the world were completely upset by the discoveries on our Eastern goldfields.

I am speaking of facts which members connected with the goldmining industry will be able to corroborate. The greatest and most valuable asset which could be discovered in this State is oil. Nothing would transcend it. If we were fortunate enough to discover oil in commercial quantities, Western Australia would be one of the wealthiest and most prosperous portions of the Empire. The reason I mention the pessimistic view taken with regard to the goldmining industry is that the Government Geologist and those associated with geology in other parts of the world have said that we shall never get oil in Western Australia.

Hon. H. Stewart: The Government Geologist said so!

Hon. J. EWING: The Government Geologist has offered a definite and decided opinion that we shall be almost wasting money by boring for oil in Western Australia. If the Government intend to drop this portion of the Bill we shall be forced to the conclusion that the Government must be of the same opinion.

The Honorary Minister: No, they are not.

Hon. J. EWING: Then they are shirking their responsibilities by failing to advance the interests of the State and to provide the opportunities for those who desire to carry on the work of prospecting for oil. Of course, the Government must be in favour of encouraging any work that will lead to the discovery of oil. If oil could be discovered, doubtless the Government would assist to the fullest possible extent. Such a discovery would make Western Australia one of the greatest countries in the world. I have been connected with those who desire to exploit this country for oil; there are many people who say there is oil in this State and they are anxious and willing to spend their money in trying to find it. I know from experience of the Mines Department during the last seven or eight months that it is impossible to get any finality from them. The Minister will not see anyone with regard to oil. He has no idea of coming to the assistance of a prospector for oil. What do the department do at present? They give a permit to bore for oil, but that permit is only to bore on Crown lands. As practically the whole of the South-West is taken up, there are no Crown lands to bore on and the result is that if anyone desires to bore on private property, there is no possibility of doing so unless arrangements are made with the owner, and it is very difficult to make such arrangements. There are no conditions laid down as to the exploitation of these areas for oil. There are many things in connection with the Bill of which I do not approve, but I regard the measure as representing some step in the direction of helping those who desire to exploit our oil resources. I am not going to debate the Bill generally because I

have come to the conclusion that this one question transcends all others. The Bill is a very good one, which in my opinion will overcome practically all the difficulties with regard to oil.

Hon. H. Stewart: With a few amendments.

Hon. J. EWING: There is one weakness. The Minister for Mines thinks that there should be a reward area of 640 acres for the discovery of oil. Some members in another place think that is not sufficient to offer those who may be successful in discovering oil. This is a point which may be determined by this House just as it has been determined by another place. Are we going to drop the measure on account of this? I do not suppose the Minister would say it is not an important measure. Is it so important that he does not intend to discuss it this session? During the last two or three days we have been discussing Bills which will be of vast importance to Western Australia. We have overcome the difficulties with regard to the Land Bill and yet the Minister says he intends to drop the oil clauses of this Bill. As one interested in the development of the State and who knows something of the question, I am absolutely astounded that the Minister should make such a proposal and I can only hope that the House will be adamant in refusing to adopt his suggestion. If we ask the Minister, I am sure that he will do his best to meet the wishes of members.

The Minister for Education: If the House is willing, I shall go on with them.

Hon. J. EWING: I am inclined to think the House is very willing. The Minister feels that he is confronted in this Bill with something which is insurmountable. So far as I am concerned, and others, we will only contend one point, except for a few smaller matters which will not embarrass the Government. The one question to be decided is the question of area. We can soon come to a conclusion on that point. The area has been talked of and written about for the last few months. The Minister for Mines has been criticised and he has criticised in his turn. Members of another place, however, have arrived at a certain conclusion, and surely we can, with all the knowledge we have at our disposal, also come to a conclusion.

The Honorary Minister: Pour oil on the troubled waters.

Hon. J. EWING: That is what I am endeavouring to do. I must protest against a national question of this kind, which will solve all our troubles if we are fortunate enough to discover oil, being allowed to drop. No man can say, after the wonderful experience we have had on our goldfields, that we are not going to achieve a similar result from the discovery of oil. There are numbers of people who desire to spend money in the search for oil. These people have received so little sympathy from the Mines Department and have been so much em-

barrassed by restrictions, that in one instance they have had to take an option over a certain property in the South-West for a considerable sum of money. This particular party is made up of working men. They are so enamoured of their chances that they are boring for oil to-day at considerable cost. If the Bill were passed, this would not occur. If the Minister proposes that this portion of the Bill shall be excised I feel almost inclined to vote against the whole Bill. It would be an unjust and unfair act to pass over a portion of the people in the State who are so greatly interested in the discovery of oil. However, on reconsideration, I feel that I could not in any circumstances vote against the tributating clauses of the Bill. What I said just now I said without proper thought. I will give my most earnest support to everything that will help the mining industry. I also want the support of hon. members on behalf of the South-West, and the people there who are endeavouring to carry out a most important function for Western Australia and Australia as a whole. If the Minister will give us a couple of hours on this question of area, I believe it will solve the whole difficulty.

Hon. J. Cornell: If the hon. member will take my opinion on tributating, I will take his on oil.

Hon. J. EWING: I hope the hon. member knows more about tributating than I do about oil. If hon. members generally will ask the Minister to do this, I am sure that, after an hour or two, we will overcome the difficulties which appear to him to be insurmountable.

Hon. H. STEWART: I move—

That the debate be adjourned.

Motion put and negatived.

Hon. H. STEWART (South-East) [10.50]: This is a very important Bill and the people most concerned have waited for it for a long time. There are many members, however, who have gone home and the time, I feel, is not opportune for fully considering it. I appeal to the House, however, if it is to be considered, to deal with it as a whole, that is with both the mineral oil portion and the tributating portion. For years people who have held prospecting areas for oil, and in some cases have been willing to spend money on it, even in the face of the adverse opinion of the Government geologist, have hitherto had nothing to safeguard their position and nothing to protect their rights or guide them in any way in the carrying out of their operations. With slight alterations in Committee, I think this Bill will meet the position and give satisfaction to all concerned, both as regards tributating and regulating the search for oil. It would be better to have both parts of the Bill amended and passed than it would be to throw out either portion of it. I think the leader of the House says he will have

no opposition to the portion of the Bill dealing with mineral oil not being dealt with, but I do not know that he has taken any step to bring that about, or whether he can cause that portion of the Bill to disappear except by moving in Committee that it be not considered. There is one point in which I join with Mr. Sanderson in being at variance with the leader of the House. The Minister has conveyed the impression that the Minister for Mines had interviewed all the parties on the goldfields interested in tributings, and had consulted with the tributers' association and the Chamber of Mines. The quotation of the leader of the House of the words used by Mr. Hamilton was read to give a definite impression to the House. The Chamber of Mines' officials, the members individually and the secretary, and other members and organisations, have repudiated the words of the chairman, which they say were in the nature of an after dinner speech and a sort of happy farewell after a conference had taken place. Representatives of the mining association, which has been in existence in Perth for three years, and is representative of all interests in mining and which anyone can join for a small subscription, had a conference with the Premier.

Hon. E. H. Harris: They are speculators, are they not?

Hon. H. STEWART: They comprise any persons interested in the promotion of mining in Western Australia. This association had a conference with the Minister on mineral oil and tributings. They made certain requests to him to modify some of the provisions of the Bill. When the Bill came out practically none of these requests was found to be embodied in it. One cannot complain of the Minister's action in not accepting the views put before him, but it is quite open to members in this Chamber to consider individual points raised by people interested either in oil or tributings, and on their merits after considering the interests of both parties, deciding whether there shall be any amendments made to the Bill, which, although apparently satisfactory to the Minister for Mines, may not be satisfactory to us here. Lest members should consider that the mining association carries no weight, I would refer to two works which that body has been practically instrumental in carrying to a successful issue. Mr. Harris evidently does not know what occurred in connection with the gold export some little time ago. About 18 months ago a representative of the gold mining interests in Victoria came to this State. He called on the Chamber of Mines to endeavour to get them to support the formation throughout Australia of a gold producers' association, the object of which was to market gold at its value outside the Commonwealth. After an interview with the Chamber of Mines in Kalgoorlie, he came to Perth disheartened, disappointed and disgusted. He then called on representatives of the mining association of Western Australia.

These gentlemen gave him such encouragement and assurance that they would join with the gold miners in other portions of the Commonwealth in endeavouring to get permission to export gold, that he went back, and again sought the assistance of the Chamber of Mines, and received a little support. To-day it is recognised that the action of the mining association was the most important factor in the formation of the Gold Producers' Association of Australia, because they gave the necessary encouragement at the right time. When this man, who is now secretary of the association, went back to Victoria through Kalgoorlie and told the people in Kalgoorlie that he had received the support of the mining association, the Chamber of Mines suggested that they might be permitted to reconsider the position.

Hon. E. H. Harris: You have got hold of the wrong end of the story.

Hon. H. STEWART: I know the details of the case. They can be proved from the correspondence. At any rate, I am within the inner circle in this matter. The result of the formation of the Gold Producers' Association is that something like 1½ millions sterling has been realised as profit and distributed in excess of the standard of value. The last dividend that was made represented an increase in the amount received from the gold sold of over £500,000. That was over and above the standard of value and expenses, and of that amount no less than £346,000 came to Western Australia. The association, which has taken an interest in both sections of the Bill, has therefore some status, and its opinions are worth considering. They certainly represent not only the gold mining industry but, in addition, the base metal and mineral interests throughout the State. They have been the main factor in this State in pointing out the extreme difficulties that the base metal industry has been subjected to through the embargo of the Federal Government, whose object was and is to restrict the export of base metals. It may be thought that I am digressing. I want to show, however, that when we are considering matters in connection with this Bill, matters which will affect the mineral industry in this country, the views of this association are worthy of consideration both by the Minister and by this Chamber, I understand that the association held a conference to discuss the Bill, but that point was not even mentioned by the Minister. The Mining Association of Western Australia carefully considered the first draft of the Bill and framed their suggestions thereon, subsequently conferring with the Minister on the whole subject. The Minister gave them the impression that he would meet their wishes, but only when they received a copy of the Bill as passed by another place, did they find that practically none of the requests they had put forward had been embodied in the Bill. Although the conference was held and the impression was given that the measure would be such as would meet with the satisfaction of

those interested in mining, the legislation produced did not fulfil the hopes of members of an association whose efforts were largely responsible for an extra revenue of nearly a million sterling coming to this State last year through the Gold Producers' Association. I mention that fact because I do not think that the impression which the Minister sought to convey to the House that the measure was acceptable to those in the industry, is correct.

The Minister for Education: Why did not the association inform us to that effect?

Hon. H. STEWART: The members of that association have so informed the Minister in charge of the Bill. The Minister for Mines knew the position before he went East. These people desired to meet him again in conference regarding the position, but he failed to keep his appointment with them.

The Minister for Education: Was that in regard to the tributating clauses?

Hon. H. STEWART: In regard to the tributating clauses and the oil clauses as well. I want to make that position clear in order to combat the impression created by the Minister in this Chamber that all parties were in agreement regarding the Bill. I do not consider that the proposals in the measure either respecting the mineral oil or tributating are any more drastic than my proposal in the Land Act Amendment Bill, to strike out the words, "after the commencement of this Act." If the Bill is passed in its present form, I think it will give the Government rights which may be unfair and inequitable regarding the treatment to be meted out in certain cases. I can prove, by the production of documents, that the official head of the Mines Department in this State is really against the provisions of the Bill so far as they concern prospecting for mineral oil. The whole tendency in the Bill is to so arrange matters that it will mean one close corporation or monopoly regarding oil. The State Mining Engineer contends, however, that in a country where it is quite problematical whether oil exists or not, the best procedure to adopt is to allow full and free scope for prospecting with sufficient reward, so that those spending money shall have ample opportunity to thoroughly test the State under conditions which will provide for competition and not monopoly. In going through the Bill, I hope some latitude in reference to the clauses will be allowed me.

The PRESIDENT: The hon. gentleman must know that those comments are more proper in Committee.

Hon. H. STEWART: I shall not deal with the clauses in detail, but I will merely make passing references to show the necessity for amending the Bill. In one portion of the Bill it is provided that leases for certain prospecting areas may be taken up. There is a proviso which will affect the position of those prospecting areas, if certain indications

of oil are obtained. To illustrate the effect of this particular portion of the Bill it may be that we will have four prospecting areas meeting at one corner point. They will all be adjoining and on three of those areas the holders of the leases may each have spent £10,000 in developmental work. On the fourth area the man may have done a little prospecting in the corner of his block at the point where the other three blocks are nearest to his and may only have spent a thousand pounds. That man, despite the fact that he has only spent one thousand pounds, may get indications of oil. The Bill provides that the Minister can come along and take from one or more of the three prospectors who have spent £10,000 portions of their area. The whole of that area so taken comes back to the State and is disposed of after a reward claim has been given to the discoverer who has spent only £1,000, in recognition of the fact that he has secured oil on his property. The remainder of the oil basin is at the disposal of the Government. The people who have spent £10,000 each, sacrifice the whole of their rights to that portion of the property.

Hon. J. Ewing: They even lose the leases.

Hon. H. STEWART: Is that a provision which will foster the spending of money in this State in prospecting? It is with the object of modifying what anyone with a little consideration will realise is an unfair position, that I want to amend this clause. The Bill also provides that oil prospecting areas shall be worked under the direction of the Minister and it gives the Minister considerable latitude in decreeing how the lease has to be worked and how the money is to be spent and so on. That is a tremendous amount of latitude to allow any Minister, but experience in countries where oil has been discovered, shows that there has been waste and loss of oil after discovery. There has also been loss through working the oil deposits, due to ignorance on the part of people carrying on the operations. In order to deal with the position I propose to amend the Bill to give the Government power to issue such instructions as are necessary to prevent loss or waste of mineral oil, as the work proceeds, but not to give the Minister unlimited power to say what shall be done. Members will see that it is quite a reasonable and fair proposition and will meet the position. There is another provision which I do not think will encourage the expenditure of money on oil prospecting and that is regarding the payment of royalties. The conditions governing royalties are not provided in the Bill. It is left open and on the discovery of oil the discoverer can be compelled by the Government to refine the oil in Australia and enter into a covenant to do so. We are going back in such a proposal to the position which has prevailed while the Federal embargo upon the base metal industry continued. That embargo has only recently been temporarily lifted. The results in South



America, where the royalties have been fixed at far too high a figure, show that in those well known and well defined areas, prospecting has been restricted and limited on account of the excessive royalties levied. In places where definite conditions have been laid down as in the Spanish American republics, they enabled people to know what they were dealing with. Even if oil is discovered in those places, however, the expenditure in laying down miles of piping to bring the oil down to the refinery is very heavy. There is provision in the Bill that a lessee shall refine all crude oil in the State. It will appeal to Mr. Ewing, especially if oil is found in the South-West, when he realises that if mineral oil is found there, he may be provided with a natural binder for briquetting Collie coal. He will realise what the result will be if the discoverer of crude oil is compelled to refine it all. To compel a man to refine all such crude oil, which is suitable for farm tractors and other purposes, would certainly be absurd. There is in the Bill a provision giving the Governor the right of pre-emption of all oil produced on land held under mineral oil lease. There is no provision for dealing with the position of a company who have discovered oil and entered into contracts. One of my amendments will safeguard the position by providing for the appointment of arbitrators. When we come to the tributes, one of the important amendments is in connection with Clause 26, which provides for the term and renewal of tribute agreements. A number of tributes are already running. Is it fair to make the Bill apply to existing agreements which will lapse in the course of a few months? The Bill should apply only to future agreements. Provision is made for the warden revising the conditions of an existing agreement, yet there is no provision for the mine owners, after the revision, saying "We are not prepared to go on." Surely when an agreement is revised either party should have the right to decline to go on. Then there is provision for payment for development work. The clause specifies that the lessee shall be paid the current rate of wages. It is a desirable provision. There can be no objection to adding to it "as fixed by Arbitration Court award or industrial agreement." In the case of disputes in respect of ground held or product won, it is proposed that the decision of the warden shall be final and conclusive. There is no appeal from that decision. There should be an appeal to the Supreme Court. It seems to me that instead of the clause providing that two assessors "shall" act with the warden, it would be much more satisfactory if we made it permissive. The impression given by the Minister that all parties wanted those assessors is at variance with the opinions expressed to me, and I think at variance with the opinions expressed to Mr. Sanderson.

Hon. A. Sanderson: Hear, hear!

Hon. H. STEWART: I hope my remarks are sufficient to show that my proposed

amendments are by no means drastic. I trust that both parts of the Bill will be passed and that amendments will be dealt with on their merits. I will support the second reading.

On motion by Hon. Sir E. H. Wittenoom debate adjourned.

## BILL—FACTORIES AND SHOPS.

### Assembly's Message.

Message received from the Assembly notifying that it had agreed to amendments Nos. 1 to 4 (inclusive), 5 to 9 (inclusive), 11 to 17 (inclusive), 18, 20 to 41 (inclusive), 43, parts 1 to 3 of 44, 46 to 54 (inclusive), 56 to 59 (inclusive), 70 to 74 (inclusive), 76, 77 to 79 (inclusive), 80, 82, 84, 86, 88 of the amendments made by the Council, disagreed to amendments 4a, 10, 19, part 4 of 44, and 77, and agreed to Nos. 42, 45, 55, 60, 69, 75, 81, 83, 85, and 87, subject to the amendments set forth in the schedule annexed.

## BILL—LAND TAX AND INCOME TAX.

### Assembly's Message.

Message received from the Assembly requesting the Council to reconsider its message in regard to the Assembly's refusal to make the Council's requested amendment No. 2.

## BILL—GRAIN ELEVATORS (No. 2).

Received from the Assembly and read a first time.

### Second Reading.

The HONORARY MINISTER (Hon. C. F. Baxter—East) [11.28] in moving the second reading said: The Bill, if agreed to, will confer on the West Australian Grain Growers' Company the sole right for a period of 25 years to construct and use silos for the bulk handling of grain. The Bill does not appear on the Notice Paper.

Hon. A. Lovekin: On a point of order. The Minister, without permission, is seeking to move the second reading of a Bill which has only just reached us by message.

The PRESIDENT: The Minister has the permission of the House by motion.

The HONORARY MINISTER: The misunderstanding is due to the fact that the hon. member was not in his seat when the first reading was passed. The State is merely requested to give authority for sites. The Federal Government are assisting the co-operative company to finance the scheme. The Federal Government are finding £550,000 against £250,000 which is being found by the society. The former will be advanced to the elevators company at the rate of six per cent. with added interest for arrears at the rate of 10 per cent.

Hon. A. Sanderson: Have you got the agreement between the Federal Government and the farmers?

The HONORARY MINISTER: No. This advance will be made when 300,000 shares of the value of 10s. each have been allotted, and in addition it is specially stated that £100,000 must be spent by the company before the advance is made.

Hon. A. Sanderson: How much has been collected?

The HONORARY MINISTER: I understand the company have had applications for 240,000 shares and there are 60,000 yet to be disposed of. It is understood that the Federal Government will take a mortgage over the assets of the company for the amount they are advancing, but so far as Western Australia's position is concerned, the State is not advancing any money. All that is being done is to provide the sites. With regard to the sites, the Government are only responsible for allotting those that are required on Crown lands. Any sites required on private property will have to be purchased by the elevators company. There are special conditions laid down by the Government of Western Australia to safeguard the position as far as our interests here are concerned. One of the conditions is that the company cannot trade in wheat, which of course is very desirable when they have control of the elevators, otherwise they would have a monopoly. All wheat must be handled at the same price irrespective of whether that wheat may be the property of a shareholder or not. It is not expected that every wheat grower in Western Australia will become a shareholder in the company. In addition to this, the wheat growers will not be compelled to send the wheat in bulk. The system prevailing now will still prevail for those who desire that no change shall be made. If they do not like to send the wheat in bulk, they can send it in bags. The profits will be allotted to shareholders with a limit of eight per cent.

Hon. A. Sanderson: Who will receive the profits?

The HONORARY MINISTER: Any profits outside of the dividends payable, as already stated, and the amount paid into the reserve fund will be paid to those who put the wheat through the elevators. It is provided in the Bill that the Fremantle elevators must be completed in four years and those at Albany, Bunbury, and Geraldton in five years. Farmers are not obliged to take shares in this company; it is optional. The only clause of importance in the Bill is Clause 2, Subclause 1, which gives the company the sole right to construct elevators for the term of 25 years from the commencement of the legislation on conditions which are set out. Subclause 2 of the same clause gives the company the right to handle the whole of the grain raised in the districts referred to. Paragraph (b) states that the

elevators shall be constructed within the stated periods which I have already mentioned. Paragraph (c) provides that the company shall handle grain without discrimination between shareholders and those who are not shareholders. Paragraph (d) provides that the dividends or profits to be distributed shall not exceed eight per cent. of the paid-up capital of the company. Paragraph (e) declares that the net profits of the company shall be distributed amongst its members on the basis of the grain delivered. Paragraph (f) prohibits the company from dealing or trafficking in grain. Paragraph (g) will prevent the company from altering or modifying its agreement without the authority of the Governor-in-Council. Subclause 3 provides that in the event of the failure of the company to perform conditions contained in the previous clauses, the Government may revoke the right which has been conferred. If we can find a company with capital which is prepared to establish bulk handling without cost to the Government, I do not hesitate to say that we should take advantage of the position and provide the sites. New South Wales has gone in for bulk handling, but we are not yet able to say whether their scheme is successful or not. The system in that State, however, is a costly one. Just what line will be followed here I do not know, but that is not a concern of the Government. I move—

That the Bill be now read a second time.

On motion by Hon. A. Sanderson, debate adjourned.

#### BILL—GENERAL LOAN AND INSCRIBED STOCK ACT AMENDMENT.

##### Assembly's Message.

Message received from the Assembly notifying that the amendment requested by the Council had been made.

##### In Committee, etc.

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

Title—agreed to.

Bill reported, and the report adopted.

Read a third time and passed.

#### BILL—STAMP ACT AMENDMENT.

##### Assembly's Message.

Message received from the Assembly notifying that the amendment requested by the Council had been made.

##### In Committee, etc.

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

Title—agreed to

Bill reported, and the report adopted.

Read a third time and passed.

## BILL—LUNACY ACT AMENDMENT.

## Assembly's Message.

Message received from the Assembly notifying that the amendments requested by the Council had been made.

## In Committee, etc.

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

Title—agreed to.

Bill reported and the report adopted.

## BILL—DENTISTS.

## Second reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [11.48] in moving the second reading said: This Bill when introduced in the Legislative Assembly was a lengthy Bill of some 40 clauses. It was introduced during the early part of the session, but, for reasons with which I am not acquainted, its consideration was deferred from time to time, and not until the present week did it finally emerge from that House. There was a realisation that an attempt should not be made at that stage of the session to pass a Bill containing a great deal of contentious matter, and consequently everything was cut out of the measure, except half a dozen clauses which relate to the question of registration of persons entitled to practise as dentists. It is some years now since a Bill was first introduced having the purposes of the present Bill.

Hon. H. Stewart: How many years ago?

The MINISTER FOR EDUCATION: I think the first Bill of this kind was introduced in 1917. That was a private Bill. However, in a later session, either the last session or the session before, the Government introduced a Dentists Bill. Although it will be contended, and quite rightly contended, that a Bill of this sort, or indeed a Bill of any sort, should not be introduced to this House at so very late a stage in the session, I hope hon. members will consider what the effect of their action would be if they rejected this measure. The effect, in my opinion, would be to refuse justice to a comparatively small number of people, as well as to prejudice the public interest. Such could be the only effect of the rejection of the measure. From the point of view of the public, it is interesting to know that at the present time in Victoria there is one registered dentist to every 1,462 persons, and in New South Wales one registered dentist to every 1,234 persons, while in Western Australia there is one registered dentist to every 5,062 persons. The disparity is very striking indeed. In proportion to population, Victoria and New South Wales have four registered dentists to

every one that Western Australia has.

Hon. H. Stewart: The population is denser in those States.

The MINISTER FOR EDUCATION: Yes, in those States there is denser population, which fact would justify a larger number of inhabitants to each dentist. A population of a scattered nature requires more dentists, in proportion, than a dense population. I think the hon. member will agree with that. If one has all the population grouped into a packed area, one does not require so many dentists, nor so many practitioners of other callings, to serve the needs of the population. Our State, in view of its scattered population, I say, calls for a larger proportion of dentists and other professional practitioners generally, than do the other States, where population is gathered more closely together. The fact is that in Western Australia we have not one-fourth of the dentists, in proportion to our population, that Victoria and New South Wales have in proportion to their populations. That, undoubtedly, is a condition of affairs which seriously prejudices the public. I am sure every member of the House must be aware of the fact that there are not enough registered dentists in this State. There is no question about it. In 1899 there were 52 dentists in Western Australia—21 years ago, that is. Since then there has been an increase of 140,000 in our population, and to-day there are 53 registered dentists in Western Australia, being an addition of one to the number there were 21 years ago, during which period our population has increased, as I say, by 140,000. I consider that that fact in itself is conclusive evidence that our Dentists Act needs amending.

Hon. J. Nicholson: But we must avoid making the practice of dentistry a close corporation.

The MINISTER FOR EDUCATION: It is absolutely the closest corporation we now have.

Hon. H. Stewart: There is nothing to prevent qualified dentists coming here from other parts of the world.

The MINISTER FOR EDUCATION: If this Bill passes, opportunity for registration will be given to between 30 and 40 persons, and that after passing an examination. In Clause 4, a paragraph has been inserted by the Assembly since its introduction into that House, and possibly some exception may be taken to that paragraph, which is lettered (d). I make mention of that paragraph (d) because I believe the Dental Association do not approve of it. But they do not object to any other feature of the Bill. The purpose of the measure is to repeal Section 10 of the principal Act, which makes provision for the admission of dentists, and to set up in its place Clauses 3, 4, 5 and 6 of this Bill. So far as Clause 3 is concerned, it does not differ very materially from the corresponding pro-

visions in the parent Act. The clause provides that—

Every person (male or female) shall be entitled to be registered as a dentist under the principal Act who is above the age of twenty-one years and of good character, and who, having observed the rules, shall prove to the satisfaction of the Board—(a) that he has for not less than four years continuously practised dentistry in the United Kingdom or in some part of His Majesty's Dominions or in the United States of America, and holds such certificate, diploma, or degree as may be prescribed by the rules, and has passed such examinations (if any) as may, in like manner, be prescribed; or (b) that he holds the diploma of the Royal College of Surgeons of England, of Ireland, Edinburgh, or Glasgow, or holds a University degree of dental surgery or dental science of an Australian University, or holds the diploma of Licentiate of Dental Surgery of the Australian College of Dentistry, and which diploma was granted after the date when such college was affiliated with the University of Melbourne; (c) that he has during a period of not less than four years been continuously engaged in Western Australia as an apprentice to a dentist under registered articles of apprenticeship, and has passed such examinations as may be prescribed by the rules.

That clause, to all intents and purposes, re-enacts the provisions of the Dentists Act as it stands to-day. The extending clause is Clause 4, and it is to that clause I would invite the close attention of hon. members, so that they may satisfy themselves that no person is going to be admitted to the practice of dentistry who can possibly be a menace to the public. Clause 4 provides—

Every person (male or female) shall be entitled to be registered as a dentist under the principal Act who is above the age of twenty-one years and of good character, and who, having observed the rules shall—

These are the only conditions under which registration can be secured.

(a) prove to the satisfaction of the Board that he has been engaged in both operative and prosthetic dentistry in Western Australia for periods totalling six years: Provided that all time spent by the applicant on active service with the Australian Imperial Forces shall be counted as part of such six years;

That is the first qualification. The second is that such a person shall—

(b) apply for registration within six calendar months after the passing of this Act: Provided that in the case of a soldier who has enlisted, and is still serving with the Australian Imperial Forces at the passing of this Act, such application may be made within twelve calendar months after his discharge;

And these are not alternative qualifications.

Hon. Sir E. H. Wittenoom: They are additional?

The MINISTER FOR EDUCATION: Yes. A candidate for registration has to comply with the whole of them. A further requirement is that the person shall—

(c) within three years after he has applied for registration as aforesaid pass an examination to the satisfaction of the Board on the subjects and syllabus, and in the manner set out in the Schedule:

The schedule is a comprehensive schedule as regards both practical tests in dentistry and theoretical examinations.

Hon. H. Stewart: What would be the position of a man until he had passed the examination? Would he be on probation?

The MINISTER FOR EDUCATION: His position would be exactly the same as it is now. He does not obtain registration until he has passed the examination. Until then, he will not be a registered dentist. So far as that portion of the clause is concerned, I do not see how the faintest objection can be offered to it by anyone. In fact, to reject that portion of the clause would be to do a manifest injustice to these persons, and also an injustice to the community, for there can be no question that the community is underserved at the present time. The minority serving the community in this respect are a close corporation, and are an extremely small number of persons in comparison with the number of persons requiring dental services. I can myself see reasons for objection to paragraph (d) of Clause 4 which reads—

(d) Provided that the following persons shall be entitled forthwith to be registered by the Board as dentists, that is to say—

Every person who for seven years prior to the 1st day of August, 1920, has been engaged in Western Australia in the work of a dental surgery assistant by the performance of dental operations in the mouth, and who was on the 1st day of August, 1920, alone or with co-partners an employer of or in partnership with any dentist.

The difference between that qualification and the qualification mentioned in the preceding paragraphs of Clause 4 is that examination is dispensed with. I think there is ample precedent for what is proposed to be done even under this provision. The New South Wales Act of 1916 makes this provision—

Any person who proves to the satisfaction of the board that he has practised in dentistry in New South Wales on his own account for not less than eight years prior to the commencement of this Act shall be entitled to be registered under the Act.

Hon. A. J. H. Saw: Is that a new Act? 12 o'clock midnight.

The MINISTER FOR EDUCATION: No, an amending Act. If it were a new Act the argument would not apply. In Victoria an Act was passed in 1910 amending the Act of 1890 and there again a similar provision was made. When the Bill reaches Committee I shall be quite prepared to discuss exhaustively paragraph (d), because I freely admit there

is room for difference of opinion. I cannot see any room for difference of opinion with regard to Clause 4 excepting with respect to paragraph (d) which does admit persons without examination. Clause 5 refers to the privileges granted to persons who served with the Australian Imperial Forces. It states—

Where an applicant for registration under paragraph (c) of section three or under section four has, by reason of his service with the Australian Imperial Forces, been unable to complete his period of apprenticeship or his period of practice in Western Australia, as the case may be, the board may reduce such period to not less than two years, if satisfied that the applicant is otherwise qualified.

That is an entirely reasonable provision and I believe it is similar to the provision which applies to solicitors.

Hon. J. Nicholson: There is a rule to that effect.

The MINISTER FOR EDUCATION: Yes, there is nothing exceptional about this. Clause 6 empowers the board to take evidence in the ordinary way. I sincerely hope that the House will pass this Bill. It has been a long time promised and it is not only necessary as a matter of justice to those who desire admission and who with the exception of paragraph (d) of Clause 4 will not be able to secure admission except by examination, but it is also something which the public require. It is not a fair thing that we should have the same number of dentists that we had in Western Australia 21 years ago. It is not a fair thing that we in this State in comparison to population should have only one-fourth of the number of dentists that are practising in Victoria and New South Wales. For these reasons I hope the Bill will be agreed to. I have an open mind with regard to paragraph (d) of Clause 4 and I am quite prepared to consider it on its merits. I move—

That the Bill be now read a second time.

Hon. A. J. H. SAW (Metropolitan-Suburban) [12.5]: I do not intend to oppose the second reading because, although it is a step towards lowering the status of the dentists which in some respects may not be in the interests of the public, I recognise the fact pointed out by the leader of the House that the number of dentists at present practising does not appear to be sufficient for the needs of the public. It is to be regretted that dentists have not been supplied through the ordinary avenues by persons acquiring a professional knowledge of dentistry. I cannot imagine what the reason is because the profession of a dentist is regarded with esteem by the public and I believe is a very lucrative one, but for some reason or other there is a shortage of dentists in this State. There is one thing, however, to which I hope the House will not agree and that is the registration of any dentist without examination. It was quite

the proper thing when the Dental Act first came into force that those who had been practising and who perhaps did not possess full qualifications should not be deprived of their means of livelihood.

Hon. J. Cornell: If it was right then, what is wrong with it now?

Hon. A. J. H. SAW: They have been practising without the sanction of the Act. It was perfectly legitimate to register those who were practising before the passing of the Act, but the position at the present time is very different, and I trust that in future no one will be admitted unless he has passed a proper examination. A dentist is really a very responsible person. With no offence to Mr. Nicholson, the case of a dentist is not like that of an optician. Every time the dentist performs an operation, especially an extensive operation under an anaesthetic, he takes the life of his patient in his hands. To show that this is no theoretical expression of opinion, I may say that during the years I have been practising as a general practitioner, I know of at least two of my patients who died as a result of dental operations, and those operations were performed by highly qualified men. If the result of a dental operation may be that the patient dies, it behoves us to see that the public are safeguarded in every possible way before we allow men who have not passed a proper examination to practise. I do not intend to take up the time of the House any further but when the Bill reaches Committee I shall move an amendment to deal with this aspect.

Hon. J. EWING: I move—

That the debate be adjourned.

Motion put and negatived.

Hon. J. EWING (South-West) [12.9]: The reason I sought an adjournment of the debate was on account of the particular clause which has been emphasised by the leader of the House, regarding which I desired to make some inquiry.

The Minister for Education: I do not propose to take the Bill into Committee tonight.

Hon. J. EWING: That being so, I shall be satisfied not to further press for an adjournment or oppose the second reading. That particular clause is very important and members have had no opportunity to peruse the Bill, much less to make any inquiries which would justify them in supporting this particular provision.

Question put and passed.

Bill read a second time.

## BILL—DIVORCE ACT AMENDMENT.

### Assembly's Message.

Message received from the Assembly notifying that it had agreed to Council's amendment No. 2, had disagreed to Council's amendments Nos. 1 and 3, and had agreed to No. 4 subject to a modification.

## BILL—GRAIN ELEVATORS (No. 1).

Received from the Assembly and read a first time.

## Second Reading.

The HONORARY MINISTER (Hon. C. F. Baxter—East) [12.12] in moving the second reading said: This is only a short measure in which the wheat board are authorised to pay the West Australian Grain Growers' Company dividends out of the coming pool on behalf of farmers who have applied for shares in that company. This charge will be subject to all prior encumbrances. The application will be an order to pay on presentation. It must be accompanied by the wheat certificates for endorsement. Payment cannot be made without the certificates being produced. The holders of those certificates will be fully protected. The Industries Assistance Board farmers with accounts in a satisfactory condition will be permitted to take shares in the company. The shareholders must be grain-growers, and the directors must be shareholders.

Hon. J. Nicholson: On what qualification; how many shares?

The HONORARY MINISTER: I do not think anything is specified in that respect, but I understand it is provided that the shareholders have to contribute according to the quantity of wheat they put into the pool.

Hon. H. Stewart: They must take shares in accordance with the quantity of wheat they grow?

The HONORARY MINISTER: No; the quantity they deliver to the pool. Mr. Sanderson asked for the Bill which passed through the Federal House. I have it here for the information of hon. members. It authorises the advances made by the Federal Government to this company. The cost of the present scheme is estimated at £800,000. The Federal Government have agreed to lend the company two-thirds of that amount. The advance is to begin when 300,000 shares are taken up and £100,000 spent on the erection of elevators. Already 264,000 shares have been taken up. I do not know what number the Industries Assistance Board farmers will take up. The shareholders are to provide £266,000 of the cost of construction. The State is not asked to accept any financial responsibility. It was never consulted by the Federal Government, who are doing the financing. All we are asked to do is to provide elevator sites along the railways and wharves, wherever required. It does not mean any expenditure at all. The security of tenure is 25 years. The Federal Government have to approve of the sites. On a previous Bill I stated that the interest to be paid on the advances from the Federal Government is at six per cent. and 10 per cent. compound interest on overdue amounts. The amount advanced by the Federal Government is repayable in 20 annual instalments from a date to be fixed. The Federal Government

will take into consideration the progress made in the erection of elevators. I move—

That the Bill be now read a second time.

Hon. J. CORNELL (South) [12.18]: The points put forward by the Honorary Minister are all quite irrelevant to the Bill. The Bill is to empower the wheat pool to deduct 6d. per bushel from the value of wheat delivered by the farmers to the pool. It has nothing whatever to do with the erection of silos and elevators. That is another question altogether. If the Bill providing for that is rejected and this Bill becomes law, there will be no need to put this Bill into operation. I never thought the wheat pool would develop into a collecting agency for the furtherance of certain projects. However, I have no objection to the passage of the Bill. Its efficacy will be decided on what the House does in respect to that other Bill.

Hon. H. STEWART (South-East) [12.20]: I do not want this Bill to be passed until the people have been able very carefully to go through it. It seems to make provision for the pool to pay, on behalf of the shareholders of this company, 6d. per bushel against the wheat that they have in the pool. I do not want the position to arise that wheat growers who have wheat in the pool must have these payments made whether they like it or not. We should at least have time to read the Bill which has been placed before us only during the last few minutes.

The Honorary Minister: If a farmer has not applied for shares he will not be liable.

Hon. V. HAMERSLEY (East) [12.22]: On e has not had time to look into this Bill. I wonder what the position is with regard to all those who have wheat in the pool, and who are subject to the help that they receive from the Industries Assistance Board. I should like the Minister to go very fully into this matter. There are many persons who are on the board owing money to creditors, and these creditors have looked upon the Government as trustees to safeguard their interests. In some cases I know of these clients of the board have applied for shares in the company. I do not know whether they will be liable for 10s. shares or for £1 shares. Some of the growers of wheat have had considerable quantities of wheat in the pool and they would perhaps be applying for some hundreds of shares. Many of these have perhaps sold their farms. I know that several farms have changed hands lately. There is a danger of the creditors of these men being left in the cold. I should like some information before the House passes this measure. It would be a good thing for the country if wheat elevators were constructed, but it would be advisable that the hands of those concerned should be held until such time as the elevators could be built at a reasonable price. If I thought there was any intention of constructing them at present, I should be the more inclined to vote against the Bill. We cannot go in for work of this nature and pay the Government a matter of six per cent. on the money we have to put into it. We should give careful consideration to the position before we come to a final decision.

The Honorary Minister: They are committed to construct them within four years.

Hon. A. SANDERSON (Metropolitan-Suburban) [12-25]: I suppose we are discussing the second reading of the West Australian Grain Growers Co-operative Elevators, Ltd., Bill providing for the payment of calls on shares from dividends payable under the wheat scheme.

The PRESIDENT: That is so.

Hon. A. SANDERSON: This Bill should have been introduced with the other Bill providing for the erection of elevators. I am going to establish beyond contradiction the intimate connection that exists between the Country party, the Westralian Farmers, Ltd., and this Bill. If I say anything about the Country party or the Westralian Farmers, Ltd., or the grain elevator company, the remarks will all be intimately connected. I could not expect anyone in the Chamber, unless they were aware of the circumstances, to believe that this intimate relation exists, because it is a scandal of the first magnitude both in the political and the financial arena. I am going to give chapter and verse for everything I say, realising the importance of the matter and understanding that it is of vital interest to many people, and indeed the whole community. To establish the connection between the Farmers' and Settlers' Association and the Westralian Farmers, Ltd., I intend to quote no less an authority than the president of the Farmers' and Settlers' Association, who is reported in the "Primary Producer" of Friday the 11th July, 1919, as saying, in proposing the co-operative movement—

The delegates were apt to forget that the parent of the movement—

That is the co-operative movement—

was the Farmers' and Settlers' Association. He would like them always to remember that they had to thank the association for having brought into effect the Westralian Farmers, Ltd.

That is a pretty clear statement. It establishes beyond any possibility of contradiction the undoubted connection there is between the Westralian Farmers, Ltd., and the executive of the Country party. I am going to establish also beyond any possibility of contradiction by any one the intimate connection there is between the Westralian Farmers, Ltd., and this West Australian Grain Growers' Co-operative Elevators Ltd. I intend to quote from the directors' report and balance sheet of the Westralian Farmers, Ltd., for the year ended 31st May, 1920. This report was presented to the meeting of shareholders held on Wednesday the 16th October, 1920, only a few weeks ago—

It is pleasing—

It is pleasing from one aspect of the question, but it is a scandal that it should be possible to be able to trace this connection.

to be able to report that your company—

That is the Westralian Farmers, Ltd.—has been chiefly instrumental in promoting a company to bring about the introduction of the bulk handling system under the company's control, and the West Australian Grain Growers' Co-operative Elevators, Ltd., has now been registered.

Is there anyone, after these quotations I have given, with the date and the names, who will

deny the intimate connection that exists between the Country party, whose spokesman we have before us, the Westralian Farmers, Ltd., and this Bill under discussion? Therefore I say without hesitation I am going to deal with these three bodies as they crop up in different directions in connection with the Bill. One is not permitted to say it is a scandal to sit here at 12-30 a.m. to deal with such a measure. It is a severe tax upon us and upon everyone connected with this Chamber, from you, Mr. President, to the lowest official compelled to sit here. It is certainly a tax upon each individual member, and I can say with certain knowledge that there are several members in this Chamber who are ill and can trace their illness to these late sittings we are compelled to indulge in, in order to do our work. That, Sir, however, is by the way. What have we before us? The Bill provides for an Act to provide for the payment of calls on shares in the Western Australian Grain Growers Co-operative Elevators, Ltd., out of dividends payable under the Wheat Marketing Acts. The title of the Bill covers a subject which calls for some comment on the part of members. If we were to ask members to give it that consideration which they should, we would probably find that, at the present juncture, there would not be half the members available to deal with this important matter. What will this Bill do if it passes? Before it is passed, it will get from me very considerable discussion, both on the second reading and during the Committee stage. It is quite true that most members are acquainted with these Wheat Marketing Acts, with the circumstances under which the pool has been formed, and how it has shut out private enterprise. The present Government were brought into power to protect private enterprise. When we look into this problem we find that to-day no person in Western Australia can sell one bag of wheat without the permission of the Minister or the wheat marketing board, or whatever it is called. We heard the other evening protests from every quarter of the Chamber on account of that aspect. We do not wish to deal with that question now because we had a sufficient opportunity the other day. I ask members to bear in mind very carefully indeed what we have already done in that connection. Now we come to the question of dividends. We secured a pool under the Act, and the pool was formed. Dividends entirely depend upon the wheat markets of the world, and the business management of the committee. I ask hon. members to say where is the evidence of the business capacity of the Westralian Farmers, Ltd., and where is the evidence of their capacity to guide the wheat grower as to the price of his commodity? I am quoting from a document which was placed on the Table of the House at my request by the Honorary Minister. I thank him for it. This is an extract from a report of the board of directors. I wish to cut this matter short, but I am afraid that by the time I have finished it will be fairly lengthy. The portion of the report I desire to quote says—

There is every prospect of high wheat prices ruling—

I ask the Honorary Minister to attend to this point, if he has not already read the report. -

—for some time to come, values on the basis of London quotations being, at the time of writing, 13s. 6d. per bushel f.o.b. Fremantle.

This report was published in October and will be sent broadcast to the shareholders of the company. They should attach the same importance to their directors' report as anyone else interested in wheat or wool or financial matters would attach to reports from such a source coming before them. The Bill provides that not only are the shareholders compelled to contribute, but applicants for shares in addition are compelled to do so. Why should the applicants for shares be compelled to contribute? What has an applicant to do with it? Does that mean that anybody who has been induced to indicate that he is willing to subscribe to these shares, is to be compelled to contribute his share?

The Honorary Minister: Yes. If a man applies to become a shareholder, he will be committed under this Bill.

Hon. A. SANDERSON: That is a point on which we should consult ordinary business men and legal men. Is it right to regard a man who has simply applied for shares, as having subscribed for them? Unfortunately we have a very small House at the present juncture. I will not say to-night one word of which I am not positive. It seems remarkable to me, and somewhat unusual, that an applicant for shares—never mind how he has been induced to apply for these shares, never mind the false pretences very often availed of to sway the public to take up shares—should be placed in the position of having actually taken shares up, as though he had paid in his money. Even in these days, I have seldom come across a more outrageous proposal. There must be hundreds of these farmers who have been induced to participate in this company. There must be hundreds of farmers whose interests we are expected to look after in this Chamber, and who will look to us to defeat a measure of this kind. The arguments which have been advanced should be given the fullest prominence, for they can be absolutely shattered by those with a knowledge of the position. Is the State to be placed in a position of becoming collector for this company? If there were a blush in any Minister, it would come to his cheek on realising what had been done in connection with this matter. I admit that I speak in a measure unprepared. This Bill which we are now considering, which the Honorary Minister had the effrontery to say we had not before us and to which, therefore, no reference would be permitted by him—by him, let it be marked!—is undoubtedly—this must be perfectly obvious even to the most Boeotian intellect—connected with the other Bill. The two Bills should be, and must be, taken together.

The Honorary Minister: I had not a copy of the second Bill at the time. I had only the first one then.

Hon. A. SANDERSON: What does the Honorary Minister mean by that extraordinary interjection? That he was ignorant of the other Bill when he was usurping your functions, Sir, and attempting to keep us in order by saying that he would not permit reference to this Bill when we were discussing that Bill? Or did he imagine that members like myself, who take

some interest in these affairs, were not sufficiently acquainted with what was going on, had not sufficient intelligence and sufficient industry to gather themselves to follow very closely what was occurring in connection with these two Bills? I frankly admit that I am not quite so intimately acquainted as I would wish to be with the procedure—whether or not one is permitted on this Bill to make any reference to the other Bill giving the West Australian Grain Growers Co-operative Elevators, Ltd., the sole right to construct and operate elevators for a term of 25 years. In order to be on the safe side, I shall not make one reference further to that Bill, but shall confine my remarks entirely to the particular measure before the House. I will venture to call on hon. members, even if it is a great effort for them, to pull themselves together for an hour or two in order that this measure may be dealt with and discussed to the fullest extent, because the more the Bill is discussed, the more evidence there is to us, as legislators for the whole country, that the measure ought to be rejected. I am going to take the opportunity of defining quite clearly what my attitude is towards the Westralian Farmers, Ltd.

The PRESIDENT: What have they got to do with this Bill?

Hon. A. SANDERSON: I thought that I had established an intimate connection between the Westralian Farmers and the West Australian Grain Growers Co-operative Elevators. Otherwise I could not ask you, Sir, or any member here to credit that there is any connection between the two concerns. There should be no connection. I could not possibly ask anyone to imagine that there is a connection between the report and balance sheet of the Westralian Farmers, Ltd., and this Bill unless I am permitted to read once more the three or four lines in which the report of the Westralian Farmers says that "this company (the Westralian Farmers, Ltd.) has been chiefly instrumental in promoting a company to bring about the introduction of the bulk handling system under the growers' control." That is the connection, and it is a most intimate connection, and therefore I am going to define most clearly my attitude towards the two companies. I admit that it is just as outrageous a proceeding as the introduction of this Bill if a member of Parliament takes upon him to make any criticising mention of a public company, much less an attack upon a public company, unless the company comes into the public arena. That is my attitude. Any comment I am compelled to make on the West Australian Grain Growers Co-operative Elevators Ltd., who are at the back of this Bill, who have so to speak introduced the Bill, has nothing whatever to do with the company's financial position or the company's directors. I wish to limit my remarks and comments wholly and solely to the public effect which the company's incursion has. I shall have ample opportunity of referring to this matter again, because we shall have to go into Committee on this Bill if we cannot defeat the second reading. And there is not only this Bill, but we have the adjourned debate on the other Bill. Thus I shall have four opportunities of dealing with the subject: and I am going to avail myself to the fullest extent of those four opportunities in order to



defeat, if it is possible, what I say is a scandal of the first magnitude both in the political and in the financial history of Western Australia.

On motion by Hon. A. Lovekin debate adjourned.

**THE HONORARY MINISTER:** May I lay on the Table certain papers referring to the Bill before the House?

**THE PREMIER:** Yes.

**THE HONORARY MINISTER** laid the papers on the Table.

*House adjourned at 12.47 a.m. (Thursday).*

## Legislative Assembly,

*Wednesday, 22nd December, 1920.*

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

### QUESTION—STIRLING DRAINAGE SCHEME.

**MR. PICKERING** asked the Minister for Works: 1. Has a report been received in connection with the Stirling drainage scheme? 2. If so, will he state what is the intention of the Government with a view to making the scheme effective?

**THE MINISTER FOR WORKS** replied: 1. Yes. 2. The scheme is claimed to be effective,

but certain minor improvements and repairs are reported on as necessary, and will be carried out.

### QUESTION—IMMIGRATION.

*Commonwealth Officers in States.*

**HON. W. C. ANGLIN** asked the Premier: 1. Is it the intention of the Commonwealth Government to open an Immigration Department in this State, thereby duplicating immigration officers? 2. If not, what is the reason for the advertisement in the "West Australian" newspaper on Saturday, 18th December, which reads—"Commonwealth Public Service, £0/42/6. —Applications are invited for appointment as Immigration Officer (five positions), Prime Minister's Department, at Sydney, Brisbane, Adelaide, Perth, and Hobart. The positions are temporary, and the term of engagement will be for three years. Salary is £540 per annum, and preference for appointment will be given to returned sailors and soldiers. Applications, showing age and qualifications, close with the Commonwealth Public Service Inspector in the State concerned on December 23, 1920. W. B. Edwards, Acting Commissioner." 3. Will the Government, as soon as this additional Immigration Office is established, introduce legislation to hand over the work of the State Department to the Commonwealth Government in order to avoid duplication?

**THE PREMIER** replied: 1. All I know of the proposal is what appears in the advertisement, which I heard for the first time when read in the House. 2. Answered by No. 1. 3. No. I am writing to the Prime Minister protesting against the duplication, and pointing out that there can be no interference with the handling of immigrants in the State.

### SWEARING-IN OF MEMBER.

**MR. SPEAKER:** I have received a writ for the electoral district of Mt. Leonora, from which it appears that Thomas John Heron has been elected.

**MR. HERON** took and subscribed the oath, as required by Statute, and signed the roll.

### LEAVE OF ABSENCE.

On motion by Mr. O'Loughlin leave of absence for two weeks granted to the member for Fremantle (Mr. Jones) on the ground of urgent private business.

### BILL—GRAIN ELEVATORS (No. 2).

Third Reading.

**THE PREMIER** (Hon. J. MITCHELL—Northam) 1 move—

That the Bill be now read a third time.

**HON. W. C. ANGLIN:** North-East Fremantle [4.36]: I move an amendment—

That the Bill be recommitted for the purpose of re-considering Subclause 3 of Clause 2.