

Legislative Assembly,

Friday, 5th December, 1919.

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

PERSONAL EXPLANATION—MR. ROBINSON AND LAND ACT AMENDMENT BILL.

Mr. ROBINSON (Canning) [4.33]: I ask leave to make a personal explanation in connection with the statements made in regard to myself yesterday afternoon by the leader of the Opposition. I was not in the House yesterday afternoon, and did not know what the leader of the Opposition had said until I read it in the newspaper this morning. I did reply on the Land Act Amendment Bill, but I was not aware that he had made a personal charge against myself. The charge amounts to the fact that I was interested in putting a Bill through the House because I was connected with certain pastoral leases, and also by reason of the fact that my firm acted as solicitors for Mr. Butcher. I wish to say first of all that I have no interest in any pastoral lease in Western Australia, and never have had.

Hon. P. Collier: I did not assert that you had.

Mr. ROBINSON: There was an inference to that effect. Further, no one connected with me has any interest in any pastoral lease. Thirdly, neither I, my firm, nor any member of it, has ever acted for Mr. Butcher. There is a further inference in connection with companies that have been formed from time to time in connection with that Statute. If the hon. member wants to know who the solicitors are in connection with the flotation of those companies, a search in the Companies' Office at the Supreme Court will disclose their names to him.

Hon. P. COLLIER (Boulder) [4.35]: In explanation of the incident, may I say that however the report in the Press appears, I

think that those hon. members who were present in the House when I spoke will bear me out when I say that no charge against the hon. member was made by me, and that no inference to that effect can be drawn from my remarks, nor did I suggest that the hon. member was in any way himself interested in pastoral leases. I did say that I believed, or that I understood, that the hon. member's firm were solicitors for Mr. Butcher. Now that he has stated that I was incorrect, I wish to say that I am very sorry I made the statement. I was under the impression, and had been informed that it was so, that this was the case, and I regret having made that assertion. No other inference regarding the hon. member did I make in my remarks.

Mr. Robinson: I thank the hon. member.

QUESTION—ARBITRATION COURT, INSPECTION OF RAILWAY SYSTEM.

Mr. JONES (for Mr. Willcock) asked the Attorney General: 1, On whose authority was the Solicitor General asked for an opinion respecting the right of any member of the Arbitration Court to inspect any portion of the State railway system in connection with the hearing of a case before the court? 2, Is he aware that interference with the right of the workers' representative to inspect what he deemed necessary to see may have easily led to serious industrial trouble?

The ATTORNEY GENERAL replied: 1, Mr. Alcock, representing the Commissioner of Railways, asked the Solicitor General for an opinion on the interpretation of Section 67 of the Industrial Arbitration Act. No ministerial authority was sought or necessary. 2, No. If the workers' representative had complied with the provisions of the Act, Section 66 (Subsections xii., xiii., and xiv.) and Section 67, and had obtained a direction from the Court as provided by the Act, no difficulty would have arisen. I understand no such direction was obtained, and consequently there was no interference with the right of the workers' representative.

QUESTION—RAILWAY ARBITRATION CASE.

Payment to Mr. Alcock.

Mr. JONES (for Mr. Willcock) asked the Minister for Railways: 1, What remuneration has Mr. W. W. Alcock received as Arbitration Court agent for the Commissioner of Railways since 1st May, 1919? 2, On what basis was he paid? 3, What amount was paid on account of officers of the Railway Department detailed to assist Mr. Alcock in connection with the recent arbitration case between the Commissioner of Railways and the various unions?

The MINISTER FOR RAILWAYS replied: 1, From 1st May, 1919, to 31st October, 1919, £246 15s. 2, £3 3s. per day, except that for the first day in Court he re-

ceived £5 5s. per day and for the next four days £4 4s. per day. 3, Officers of the department were paid their ordinary salaries and received no special payment.

QUESTION—STATE TRADING CONCERNS.

Mr. VERYARD asked the Minister for Works: As the sale of the State Sawmills has not been effected, is it his intention to receive and consider offers for the purchase of the sawmills or any of the State enterprises in the future?

The MINISTER FOR WORKS replied: If offers for purchase are received, they must be considered and reported to Parliament.

QUESTION—PARLIAMENTARY OFFICIALS, SALARIES.

Mr. VERYARD asked the Premier: 1, Seeing that he has supported the members of the Assembly in increasing their own salaries, chiefly for the reason of the high cost of living, has he considered, for the same reason, the need of increasing the salaries of the Parliamentary officials? 2, If not, why not?

The PREMIER replied: 1 and 2, The increase in payment of members was supported because the salary provided is inadequate owing to the unavoidable deductions due to expenses entailed by members' duties, which leaves a small amount to live upon. The hon. gentleman presumably supported this payment because he neither spoke nor voted against the Bill. Increases to Parliamentary officers is a matter for the consideration of the House Committee.

QUESTION—CONSTITUTION ACT AMENDMENT BILL, DIVISION.

Mr. HARDWICK (without notice) asked the Speaker: 1, Did the House divide on the occasion of the passing of the third reading of the Constitution Act Amendment Bill No. 3, on Friday, 21st November? 2, If so, why is the division not recorded in the "Votes and Proceedings" and in "Hansard"?

Mr. SPEAKER replied: I cannot say the exact date on which the vote was taken, but I do remember that before putting the question to the House I pointed out to hon. members that it needed an absolute majority of members to carry the second and third reading of a Bill to amend the constitution. I put the question and there was one "No." I then stated, in view of the fact that this question needed an absolute majority to carry it, I would divide the House. I accordingly divided the House. I believe there were 32 members on my right and two on my left. It was unnecessary to appoint tellers to certify to the division, and I declared the third reading carried by an absolute majority. I

think that majority was 32, whereas only 26 was necessary. I cannot remember those who made up the 32, but I do remember the two members who were on my left. They were the member for Murchison (Mr. Holman), who called, "No," and who remained on my left, and the member for Fremantle (Mr. Jones), who also remained on my left.

BILLS (7)—RETURNED FROM THE COUNCIL.

- 1, Ajana-Geraldine Railway.
 - 2, Sand drift.
 - 3, Wyalcatchem - Mt. Marshall Railway Extension.
 - 4, Prices Regulation.
 - 5, Zoological Gardens Act Amendment.
 - 6, Presbyterian Church Act Amendment.
 - 7, Wickepin Racecourse.
- Without amendment.

Sitting suspended from 4.40 to 11.55 p.m.

BILL—LAND ACT AMENDMENT.

Council's Amendment.

Returned from the Council with an amendment, which was now considered.

In Committee.

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

The CHAIRMAN: The Council's amendment is as follows:—

Add a clause to stand as Clause 5—
 "Pastoral leases. 5. (1) After the commencement of this Act, no registered company, either local or foreign, shall be entitled to become a lessee of a pastoral lease under Part X. of the principal Act. (2) After the 31st day of December, 1921, no such company shall be entitled to hold a pastoral lease under this part of the Act. Provided nevertheless that this section shall not apply (a) to any such company which was registered prior to or held a pastoral lease or leases on the 28th February, 1917, and a shareholder therein shall be deemed to be beneficially interested in the land held under pastoral lease by that company to the extent only of any acreage proportionate to his interest in the share capital of the company; (b) to any such company which has declared its refusal to accept a new lease under Section 30 of the Land Act Amendment Act, 1917."

The PREMIER: When we discussed this clause the other night, it was generally stated that the intention of the Act was that no person should hold more than one million acres in any one division. It was contended that men who held more than a million acres had formed companies, and transferred to such companies the balance of their holdings. One man who held 1,700,000 acres kept a million acres for him-

self and transferred the balance to a company, and the principal shareholder in the company was the man who held the land prior to the passing of the 1917 Act. Members objected to that and the clause was struck out of the Bill. I told the Committee I would enforce all the powers conferred upon me by the Land Act between now and next session, when an amending Bill would be introduced. These powers are sufficient to prevent any such happenings in the future. This House agreed with me. I pointed out how undesirable it was to amend the Act this session and to have to amend it again next session. No matter how we amend the Act, we damage security. While the intention of Parliament will be given effect to, we should have some regard for the fact that we cannot year in and year out amend this Act. There are 240 million acres of pastoral leases involved, and all dealings in pastoral leases will be affected by the constant alterations. I asked the Committee to agree to give time to prepare a necessary amendment. We brought one down and it was found to be not perfect, and the House thought it better to defer consideration till next session. Another place has made another amendment which provides that no registered company shall be entitled to become a lessee of a pastoral holding. Members there contend that no pastoral land in this State should be worked by a company. That is to say, all the pastoral leases which have come into being since 1917 are to be wiped out, and no company in future is to be registered. I do not know how the Council propose that the companies should dispose of their holdings. I doubt if the Committee will agree to this proposal. We want to have our land worked. If half a dozen people with limited capital amalgamate that capital in order that they may work a lease of one million acres there is nothing to prevent that, and there is every reason why we should welcome such a company. I cannot understand how this ridiculous proposal ever found favour in another place. In regard to pastoral companies formed prior to the 28th February, 1917, no great objection can be taken to them. If a man held a one-tenth share in one million acres he would only hold 100,000 acres. The amendment is very impracticable, and I hope hon. members will reject it. I will introduce a Bill early next session dealing with the whole matter. I ask hon. members to trust us to deal fairly by the people and the State. The 1917 Act provided, amongst other things, that the rent was to be assessed after classification of the holdings. That classification will not be ready until this House meets again. The rent to be fixed will be a fair rental for the land held. The improvement clauses are also fairly drastic. If a man holds more than one million acres at present he must use it, and must pay its value. Will hon. members say that no two people are to combine and go upon a pastoral lease in future? I move —

That the Council's amendment be not agreed to.

[75]

Hon. T. WALKER: Unless I hear better arguments advanced than those put forward by the Premier against the acceptance of the Council's amendment, I hope the Committee will accept it. I have no doubt as to the good intentions of the Premier, and I believe he is desirous of protecting the interests of the State.

The Premier: This will not do it.

Hon. T. WALKER: It will do it until we can more thoroughly prepare effective legislation to deal with the situation. The Premier has asked us to accept that which is not a remedy, and to trust him that next session he will bring down a measure which will adequately meet the situation. The hon. member may not be Premier next session. Many things may prevent him from putting his good intentions into practice and fulfilling his promise. In the meantime the Committee must realise that large areas in the North-West and in other parts of the State are being gathered up by pastoral companies, not altogether in the interests of Western Australia or even of Australia. American competition is already in existence. America is taking advantage of the position and endeavouring to secure a complete monopoly over the meat supplies. It may be that between now and next session we might have our best areas alienated.

The Premier: They are locked up.

Hon. T. WALKER: Not necessarily. Companies may be formed to work them, and these big areas can get into the hands of combined companies, not Australian companies or worked in the interests of Australia, but directed by the Americans, who are anxious to gain complete control of the markets of the world as they affect the supply of meat. We are in the presence of an imminent danger, and I am anxious that we should walk carefully and cautiously about legislation of this description.

The Premier: You do not want to run a steam roller over everybody just because one or two people are likely to do something.

Hon. T. WALKER: No; but I want to hear better arguments for allowing present tendencies to continue unchecked. I am not inventing some prospective bogey. Already in Australia our pastoral areas are becoming the possessions of foreigners, if I may say so—of people who owe no allegiance to the Australian or the British flag. The Premier cannot deny that already the octopus is spreading its tentacles over our North-West. The hon. gentleman knows perfectly well that American trusts are in our midst.

The Premier: I do not know it.

Hon. T. WALKER: In his calmer moments the Premier will admit his consciousness of the existence here of those speculative enterprises.

The Premier: I will admit that they desire to get here.

Hon. T. WALKER: Yes; they are nibbling. We cannot make our safeguards too strong to keep them out. I question whether the rejection of this new clause would not

enable them to gain ground. The clause is imperative as a safeguard.

The Premier: I do not think it is.

Mr. Pilkington: If the octopus is here, it can take out leases in the names of individuals just as well as in the name of a company. A company can hold a million acres and an individual can hold a million acres.

Hon. T. WALKER: Exactly. I, as one controlling the meat supply, could hold governing shares in "A" company, and in "B" company, and in "C" company, and so on. That is the position which is to be dreaded.

Mr. Pilkington: The octopus could take up leases just as easily under the new clause.

Hon. T. Walker: I do not think so.

Mr. Pilkington: Will the new clause go further than the clause which we rejected?

Hon. T. WALKER: Yes. The clause which was rejected did not cover nearly the ground that this clause covers. I hope the Committee will hesitate before rejecting the Council's amendment. Whichever course we take, we are admittedly doing something that is imperfect. We shall have to wait for amending legislation in another session. Is it better to do something now that may tend to prevent the inroads of a foreign meat monopoly?

The Premier: That is not the position.

Hon. T. WALKER: That is the danger I dread. Or is it better to let matters proceed unchecked under the 1917 Act, pending the introduction of amending legislation next session? In six months a great deal can happen if the danger I fear is a real one. The wise course is to accept the Council's amendment as something tentative, pending the realisation of the Premier's assurance that next session he will place the matter beyond doubt by an amending Bill.

The ATTORNEY GENERAL: The argument advanced by the member for Kanowna is the expression of an earnest desire that the present state of things shall not be allowed to continue. Yesterday the Committee was discussing Clause 5, which related to pastoral leases. That clause the member for North-East Fremantle described as being clearly expressed. But, although it was quite clearly expressed, one could not assume that necessarily there were not some pitfalls in it, that necessarily there were no circumstances unprovided for which might defeat the object of the clause, and that necessarily there were no circumstances which might make the provision a hardship to certain individuals. The Committee agreed that generally speaking, there was some merit in that clause. But a majority of the Committee also agreed that at this late period of the session it was not advisable to introduce a clause dealing with so important a subject, because we had not time to consider all the aspects of the case and to provide safeguards against possible evasion and possible hardship. Hon. members will recollect that when that objection was put forward by the leader of the Opposition, the

Premier recognised the force of the argument that further time should be allowed for consideration, especially as the Bill had only been circulated that afternoon. What the Council's amendment means I do not know. Certainly the drafting of it is extraordinary, and no one would have sufficient imagination even vaguely to forecast its effect. By whomsoever drafted, it is incomprehensible. It starts off by making the extraordinary provision that no company shall hold pastoral land at all. The second sub-clause is equally sweeping and unreasonable in its effects, and then follow other sub-clauses which are of very doubtful meaning and uncertain effect. These facts, to my mind, afford far stronger reason for throwing out the Council's amendment at this stage, than there was for deleting the original clause 5 in this House. Possibly the Council's clause may have some merits discoverable on close scrutiny, and any such meritorious features, if found, will be embodied in the substantial measure to be submitted to Parliament next session. The member for Kanowna, who recognises the danger of passing legislation of this kind at the eleventh hour and without proper consideration, puts forward the plea that something must be done in order to prevent the formation of further pastoral companies; and I appreciate the force of his argument. The fact that nothing has been done in that direction is not the fault of this Chamber but is due to the attitude adopted by another place, which rejected, practically without debate, an amendment offered by the representative of the Government in lieu of the new clause we are now discussing. The amendment merely gives the Minister power which he has now, and it is put forward more as an assurance that the Government have a bona fide desire to do what is best for the State in connection with the administration of the Land Act. After the clear expression of opinion which has been given by hon. members, there can be little doubt as to what Parliament desires; it desires that any additional encouragement which might be necessary—I do not say that it is—in order to induce the Minister in charge to take full advantage of the powers conferred on him by the Land Act, should be given.

Mr. Johnston: He cannot stop the transfer of shares in companies.

The ATTORNEY GENERAL: It is desired that something should be done to prevent land being transferred in larger areas than was contemplated by the Act. After the expressions of opinion which have been given, the Minister can undoubtedly say, "I am not going to approve of a transfer," and there is no power on earth that can force a Minister of the Crown to do anything which in the opinion of that Minister is not in the best interests of the State. The Minister would be perfectly justified in saying, and I have no doubt would say, "This transfer you are asking me to register is for a company," and the limit may not exceed half a million acres. The Minister can say,

after the discussion which has taken place in Parliament, that it is necessary for him to make further inquiries, and that he must be supplied with the information he wants or he will refuse to register the transfer. The Minister has the power under the Act to refuse to approve of a transfer and that power can be exercised strictly. This undoubtedly will be done until we meet again when we can submit a measure which will settle this vexed question of pastoral leases once and for all. The amendment will certainly not have the effect of determining this question. I venture to assert that if the amendment were passed in its present form the only section of the community which would benefit would be the profession to which the member for Kanowna (Mr. Walker) and I belong. We could discuss the subject for hours, and of course the community would have to pay for it, but the ultimate benefit to the State would be infinitesimal. Having regard to the promise made by the Premier, it would be better to go into this question thoroughly during the recess and to bring down a Bill next session to settle the whole question. In the meantime it will be better to leave the matter in the hands of the Minister to exercise to the full the powers he possesses. An infinite amount of harm might be done by the passing of an amendment of this kind which would possibly affect those companies that did possess rights.

Mr. HARRISON: Has there been any company of returned soldiers formed since the Act was passed in 1917, and has any such company, if formed, acquired over a million acres? I understand the Government are encouraging returned men to collectively take up pastoral areas. Should this amendment be passed what will be the effect of it on such companies?

The ATTORNEY GENERAL: I am not aware of any body of soldiers having banded themselves together to form a company to take up a million acres of pastoral land.

Mr. Harrison: Will this amendment prevent that?

he ATTORNEY GENERAL: What the hon. member suggests might be done, but I do not think that a body of returned soldiers would have sufficient business knowledge to form themselves into a company of that kind and then carry on the work of pastoralists.

Mr. Pilkington: Anyhow, they could not do it if they wanted to.

The ATTORNEY GENERAL: That is so.

Mr. PICKERING: The amendment could not have had the same consideration as that submitted by the Government, and from what we gather from the Premier, it will not meet the purpose that the Legislative Council desires to effect. We would therefore be ill-advised to accept it without very mature consideration.

Mr. GRIFFITHS: It would be inadvisable for us to hastily pass an amendment of this nature, particularly when we remember what happened on the previous occasion. I am satisfied to accept the assurance of the

Premier that with the powers he already possesses he will safeguard the position until such time as something definite can be submitted to control the operations of those trusts which we believe exist, and whose object is to try to acquire the whole of the food and meat supplies of the world. We should be quite justified in rejecting the amendment. I will oppose it.

Hon. T. WALKER: I cannot quite understand the enthusiasm with which the motion is received by the Country party. Those members are taking assurances which, although well meant, are not law and do not bind anybody. The Premier has promised us that he will watch to the utmost.

The Premier: A good promise is better than a bad clause.

Hon. T. WALKER: A good promise is merely a promise, whilst this clause is not a bad one. The Premier promised to watch the situation and carefully refuse to grant transfers of pastoral areas until we have more satisfactory legislation. If a company is lawfully formed, the Minister must act reasonably and cannot irrationally refuse a transfer.

The Attorney General: A Minister of the Crown cannot be compelled to give reasons.

Hon. T. WALKER: If he persistently refuses a transfer to a registered company lawfully formed it will be irrational. What the law authorises must be carried out by the person administering the law.

The Premier: Why has the Minister discretionary power?

Hon. T. WALKER: To enable the Minister to exercise that discretion which protects the State and protects the law.

The Premier: This clause will require a lot of protection.

Hon. T. WALKER: The Premier is there to administer the law, and not to stand in its way.

The Premier: How would it work in the case of a gold mining lease?

Hon. T. WALKER: That is an entirely different question. Even with the small combines we have had in the Commonwealth the prices of all commodities, particularly of meat, have been increased.

The Premier: Through want of shipping.

Hon. T. WALKER: No, not through that alone. The hon. member knows there is such a thing as cornering supplies for the purpose of keeping up prices. What will happen if America gets her claws on our pastoral country?

The Premier: She cannot.

Hon. T. WALKER: But she can. Her agents are here now. What will happen? Our meat supplies will be sent wherever directed by the combine, and our people will have to pay higher prices for inferior classes of meat. The amendment sent us from another place is a more secure safeguard than the mere promise of the Minister against the dangers that threaten. I trust the Committee will accept the amendment.

[1 o'clock a.m.]

The PREMIER: I do not think the hon. member is justified in asking the Committee to believe that companies are formed here to control prices in the metropolitan area. Meat has been available in the North-West in large quantities during the last four years, but ships have not been available to bring it down. That is the sole cause of the high prices we have had. One of the objections I have to the amendment is that it provides that no companies at all shall hold pastoral leases.

Hon. T. Walker: Our food supply is a different thing.

The PREMIER: What about the timber companies?

Hon. T. Walker: The timber company has been a curse to the country.

The PREMIER: There is a company of workers with a mill. They have done a lot of work and paid a lot of money in wages. Mr. Lane Poole's idea seems to be to make people believe there is no timber in the country and that only fools have handled the timber in the past. Miller's have been cutting for the last 40 years and, according to him, they know nothing about it. Miller's have provided more employment and have been of far more value to the State than a gold mining company having its office in London. Yet the hon. member contends there should not be a combination of persons to develop pastoral property.

Hon. T. Walker: One is dealing with our food supply which is vital.

The PREMIER: And another with the roof under which we live. The hon. member need not fear for the food supply. No company could get its fingers on any large area of this State. A monopoly to be successful must get control of the lands of the State, and no company would be permitted to get possession of large areas of country.

Mr. Johnston: They are getting possession of stations in the North now.

The PREMIER: To which company does the hon. member refer?

Mr. Johnston: Rubin's.

The PREMIER: Mr. Rubin made a lot of money out of pearling and business generally and elected to put it into pastoral land. He has not used his land to the detriment of the State or the people. He has used it fairly, openly and squarely as any other respectable and desirable pastoral lessee. Because he holds a million acres of land—

Mr. Johnston: More than a million, I think.

The PREMIER: I do not think so. He paid a good price for it. He is not a company; there are individuals with enough money to take up large areas.

Hon. T. Walker: A single individual cannot monopolise.

The PREMIER: Does the hon. member object to ten men having a limited area?

Hon. T. Walker: It depends on who they are.

The PREMIER: What about ten members of this House. What about the "Hansard" staff or the clerks? It would be ridiculous to say that a party of men shall not put their money together to work our pastoral lands. No one man could work the Kimberley country. The soldiers in parties of ten or a dozen are taking up pastoral leases. They have to go together to protect themselves against the niggers. There are 40 million acres of pastoral land around the freezing works. Would the hon. member say there should be no combination of men to work that area? It would be absurd. If the hon. member asked the Committee to provide that no American company or no company controlled by the American meat trust should take possession of pastoral leases, there would be something in it, but to penalise our own people because of a possible danger would be quite wrong. The Act needs to be amended, but this is not the way to amend it. I have hung up transfers which probably will not go through. I propose to exercise my power during the next six months where the limit exceeds a million acres. The Committee should consider the harm the amendment will do. We should not for a moment accept it.

Mr. JOHNSTON: We have reached an extraordinary position in regard to the limitation of areas to be held by pastoralists. Members of both Houses practically agree that something should be done and 75 per cent. of them want it done to-day. I fail to see why a satisfactory amendment has not been drafted since this measure was introduced. The fact that the Government introduced a clause shows that they recognise it is necessary something should be done. The acceptance of the Government's original proposal would be better than nothing. Members of another place with big interests in the pastoral industry state that American companies are acquiring interests in the North-West and have drafted these counter proposals to protect the public.

The Premier: You know jolly well that is not the reason at all.

Mr. JOHNSTON: That is the reason members in another place have given and they are representative of the pastoral industry.

The Premier: There is nothing at all in that.

Mr. JOHNSTON: The Government's original proposal commended itself to me. Now we have a proposal originating in another place. While I prefer the Premier's first proposal, I would sooner accept the amendment of another place than do nothing.

The Premier: Their proposal is really ridiculous.

Mr. JOHNSTON: But it shows a desire on the part of Parliament to meet a need for reform which the Premier recognises.

The Premier: That is not because there are any monopolist companies here.

Mr. JOHNSTON: We ought to do something at once. I fail to see why the Pre-

mier and Attorney General could not have drawn up the necessary amendment to-day. The day has been practically wasted.

The Premier: I have not wasted the day.

Mr. JOHNSTON: The House has been suspended practically since 4.30.

The Premier: It would have been impossible to draw up one clause in the time.

Mr. JOHNSTON: The Attorney General could have done it to our satisfaction in that time. Instead of having a direct limitation prescribed by law, we are asked to accept the promise of the Premier to scrutinise every application personally.

Hon. T. Walker: He cannot arbitrarily do that.

Mr. JOHNSTON: I understand the Minister cannot refuse a transfer if the lessee has complied with the conditions.

The Premier: I can and have refused, too.

Hon. T. Walker: You cannot arbitrarily refuse your consent to what the law permits.

Mr. JOHNSTON: I was under the impression that, if the parties were bona fide and the conditions had been complied with, the permissive power became mandatory. Even if the Minister is going to prevent an aggregation of big areas by refusing transfers, there is a greater danger in the possible formation of more companies. If half a dozen lawyer's clerks requested a transfer the Minister would grant it and, once a company is registered, there is no power to prevent the controlling influence in that company being transferred to a nominee of the American meat trust. If the Minister can control the transfer of shares within these companies when the companies are formed I shall be pleased to hear from him. Unless he can control the transfer of shares I think the Government would be wise, either to accept the amendment of the Council or some amendment on lines framed by a sub-committee. I am loth to suggest calling in the services of the member for Canning, who helped us out of a difficulty in regard to pastoral interests on a previous occasion. When he did so, and after using a great deal of tact in getting many conflicting interests together and arriving at a compromise, he not only got no thanks but found the task a very ungrateful one. I suggest, however, that a sub-committee consisting of the member for Kanowna, the member for Canning, and the Attorney General should be appointed to consider this amendment and put it into proper shape with a view to meeting the wishes of another place. I suggest—

The Premier: I will not take any notice of it.

Mr. JOHNSTON: This committee could deal with the question of putting on the statute-book the desires expressed by the Government in the Bill as originally introduced, namely, to limit the area of pastoral leases held by certain corporations.

The PREMIER: I hope hon. members will not listen to the member for Williams-Narrogin. We have more than one way of hand-

ling this situation. The pastoral leases have to be classified and rents will have to be adjusted, and that will not be done within 12 months from now.

Mr. Pickering: You will not permit transfers?

The PREMIER: Yes, within certain limits, but not transfers that I think would tend to the aggregation of holdings. There are many dangers which have to be met. We have to meet the question of the cornering of meat, and the taking of this article of food, which ought to be used by our own people. That situation has to be met by legislation. This amendment of the Council will not protect us in the slightest degree. It simply says that our own people cannot come together and work the land. I know the position can be safeguarded without this clause. We must not tinker with the 240 million acres of land that are held by a great number of people, and whose securities are affected every time we have such a discussion as this. Something will have to be done, and something will be done, but I hope the Committee will refuse to accept this amendment.

Mr. LUTEY: I regret that the Government did not carry their original clause. It was clear and acceptable to most of us. Doubts, however, were created by the legal members of this Chamber and it was thrown out. The father of this amendment was Mr. Holmes, a man interested in pastoral areas and one who must know what he is talking about. Whether the amendment will meet the situation or not I do not know, but I think the suggestion of the member for Williams-Narrogin, that a sub-committee of this House be appointed to draft another amendment which would be acceptable to both Houses, might be the best way of dealing with the situation. There is a danger from the American meat trusts. I am informed that there are agents in Western Australia representing Vestey Bros. and others. Whether the Premier can safeguard the interests of the State by not granting leases to these people remains to be seen. Such people would probably have dummys, and would be able to hide their transactions.

The Premier: We will legislate so that they shall not have their leases, but in this case it is our own people who will be affected.

Mr. LUTEY: I regret that the Government did not stick to the clause as it was originally introduced. The Returned Soldiers' Association have distributed a pamphlet urging that 20 million acres of pastoral land should be made available in the Murchison district to be cut up into 1,000 stations of 20,000 acres for returned soldiers. They state that each of these stations would carry 1,100 to 1,200 ewes, and that the income resulting from lambs and wool would amount to £600 or £300 per annum. The association complain that the farms on which soldiers are being settled cost them an average of £2 14s. per acre, on the basis of which price the soldiers will find it almost impossible to succeed. I hope that even at this late hour something

will be done to put the Council's clause into proper shape.

Hon. T. WALKER: I have listened to the debate in the hope of discovering some solid reason for helping the Government to reject the new clause, but I have heard none. The need for amendment of the Act has been obvious since 1917, and the Attorney General must be conscious of the imperfections and dangers of the measure. Ministers admit there is a gap in this Bill, but they are willing to leave the hiatus for six months, when they say they will give the public the protection that is needed. We trust Ministers as honourable men, but the road to hell is paved with good intentions, and we always prefer the written word to the spoken. Since the Government's clause was withdrawn the other night, has not the Attorney General had opportunity, with the assistance of the Parliamentary draftsman, to frame a clause that will meet the situation? The Council's amendment at all events is an honest attempt to deal with the difficulty. I want to expose the sophism of the Premier when he ridiculed the idea of companies not being able to effectively work the land. We know well that companies do not get hold of land for working purposes; it is the product of the land that they want to manipulate and manage. Companies are formed to take the proceeds. We know what these companies mean when they get hold of the sheep and cattle supplies of the world. They manipulate the meat supply of the world and become a menace to the world's welfare.

Mr. HOLMAN: I cannot understand why this amendment was sent down; I have never before heard of an amendment the object of which was to prevent any company, local or foreign, from becoming a lessee of the lands of the State. Why has this been done? Do those who were responsible for the amendment require a monopoly of the land for themselves? It is my intention to oppose the amendment sent to us by another place. We should encourage local syndicates or companies to take up land in Western Australia. If we attempt to destroy these companies we destroy ourselves. If it is desired to prevent people like Vestey's getting a hold in the State, I am out to assist, but in the amendment before us there seems to be a veiled motive behind it, and I would like to know what it is. I agree with the Government in opposing the amendment. I am pleased to know they have taken a firm stand. Why should we prevent any section of the people from taking up pastoral lands?

[2 o'clock a.m.]

The Honorary Minister: To follow it to its logical conclusion we must break up all companies.

Mr. HOLMAN: The amendment contains an incredible proposition. I should like to see all pastoral lands taken up and used to their full capacity. This can never come

about without the formation of small local companies. I cannot understand why we should be asked to penalise small companies formed since 1917. No individual returned soldier can hope to take up pastoral land and stock it; but, banded together in companies, the soldiers could do it with most successful results. As showing what the individual soldier would be up against, let us consider what the very fences would cost.

Mr. Johnston: Over £80 a mile in the South-West.

Mr. HOLMAN: What chance would an individual soldier have of building a ring fence round half a million acres at such a price, to say nothing of his dividing fences? I am told that an hon. member proposes to move a modification on the Council's amendment. I shall wait until I hear it before I say whether or not I will support it. But it is my intention to oppose the amendment sent from another place.

Mr. ROCKE: It is generally agreed that the amendment from another place is extremely dangerous. I move a modification on the Council's amendment—

That all the words after "Act" in line 1 be struck out and the following inserted in lieu:—“(1) Notwithstanding anything contained in the principal Act, or in any Act amending the same, the Minister may in his absolute discretion refuse to approve of the transfer of any Crown lands under Part X of the principal Act to any company incorporated after the passing of this Act. (2) For the purpose of this section the Minister may require any director, shareholder or officer of any such company to make one or more statutory declarations containing such information as the Minister deems necessary to enable the Minister to exercise his discretion as aforesaid.”

This modification will overcome a very obvious difficulty. Under it the Minister will be given full control and if a director or shareholder does not supply him with sufficient information he will have power to call upon any officer of the company to supply him with any information he may deem necessary.

Mr. PICKERING: I am of opinion that these hastily considered amendments are not likely to ensure sound legislation. "Hansard" shows that the Minister for Lands, in moving the second reading of the Bill of 1917, said—

Prior to the year 1898 all the land laws of Western Australia were provided by regulation, except as regards the granting of homestead leases, for which there was an Act. In 1898 the first Land Act was introduced into the Parliament of this State by the late Hon. G. Throssell, as Minister for Lands. Since that date there have been ten amending Acts. Thus, we now have, besides the principal Act, no less than ten measures dealing with the questions of land settlement and land tenure. That fact makes it highly difficult

in these days to follow a Bill amending the preceding Acts.

There has been a great deal of land legislation in this State, and the more hastily we deal with this legislation the more occasion will there be for amending it later. I think the modification of the amendment is very arbitrary indeed. It gives the Minister a great deal of power. Still it will go a long way towards meeting the objections raised by the member for Williams-Narrogin. It is my sincere desire that the utmost protection should be afforded in respect of anything this State is capable of producing. The interests of the Empire should be safeguarded. If there is a choice between the two evils, I prefer the amendment as modified by the member for South Fremantle.

Mr. JOHNSTON: Could not the modification be carried a little further? It will meet objections in regard to the transfer of land, but the crux of the matter is the transfer of shares in pastoral companies after they have been registered. If a number of companies are formed, there is nothing to prevent the shares in those several companies passing into the hands of the American meat trust. If the same declarations were required, the Government would have absolute control over the monopolies to which so much reference has been made in another place.

The ATTORNEY GENERAL: It would not be easy to draft an amendment now to meet all the difficulties which might arise. I think an amendment of the Companies Act would be necessary because, under the Companies Act, all shares are transferable. I am not prepared to draft an amendment of this nature at the moment. It would not be fair to the House or to the public. If we give the Minister the power, that is the best way to meet the difficulty at present.

Mr. GRIFFITHS: I protest against dealing with the amendment at this hour of the morning. Members are not sufficiently clear-headed to see all the pitfalls. I very much mistrust the action of the gentleman who is the father of the Council's amendment. In 1917 I voted in the small hours of the morning for a thing I have regretted ever since.

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

[The Deputy Speaker took the Chair.]

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

Sitting suspended from 2.25 to 3.40 a.m.

BILL—LAND ACT AMENDMENT. Council's Message.

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

BILLS (3)—RETURNED FROM THE COUNCIL.

- 1, Appropriation.
- 2, Loan, £3,339,000.
- 3, Parliamentary Allowances Act Amendment.

Without amendment.

ADJOURNMENT—CLOSE OF SESSION.

Complimentary Remarks.

The PREMIER (Hon. J. Mitchell—Northam) [3.42 a.m.]: I move—

That the House at its rising adjourn until the 3rd January, 1920.

Before we part may I congratulate you, Sir, on the work of the session. I suppose there never has been a session where members have devoted themselves so wholeheartedly to the work and business of the House. We have met for over four months, and during the whole of that time we were engaged in earnest attention to the business brought before us. We have passed a record number of Bills, and in many ways the session has been a record. The work of the House has been pleasant, after we got rid of the first no-confidence motion, by which we also established a record, there being only two speeches, one on the other side of the House, one on this side, and then the vote. I am grateful to the 35 members sitting on this side of the House, and to the 15 sitting on the other side of the House. The session has been a hard-working one, but the work has been pleasant. Everyone has been perfectly friendly and helpful, and has done his level best in the interests of the country. I want to offer my thanks to the officers of the House, the Clerks, and the members of the "Hansard" staff, and the staff generally. We are approaching the festive season, and before I sit down I wish you, Mr. Speaker, the members of the House, and the staff a Merry Christmas and a Happy New Year.

Hon. T. WALKER (Kanowna) [3.45]: In the absence of the leader of the Opposition, and in the absence of the member for North-East Fremantle (Mr. Angwin) through a sad bereavement which I very much regret, and feel that every member in the House will also regret, I desire to say a few words. I deem it my duty to echo the sentiments expressed by the Premier to you, Sir, at this approaching season of festivity, and in grateful recognition of all the manifold kindnesses which have been offered by you not only to members on the Government side of the House but on this side of the House, as well as to the clerks and messengers, and the officers of this Assembly. After a long acquaintance with you, having been associated with you when you were, as I may say, in genuine harness, and having a distinct recollection tingling in my ears to-night of the time when this Chamber resounded with the high flights of your natural

oratory, I see you now as the guardian of our liberties, preserver of our rights and the first commoner in the land, which is a fitting climax to a long and pleasant association with you, Sir, within the precincts of these halls. I sometimes wonder if the old times or these times are better. There was a time when every member taking his seat in the House had a preliminary thrill of expectation of what was going to happen before the night was over, and when these galleries were filled by persons showing their interest in the doings of and the speeches by their representatives here. We have had nothing but kindly feelings shown throughout the session which has just closed. I do not know whether it augurs for good altogether. I am one of those who firmly believes in the contest of thought by which the edge of wisdom is brightened. It is not by rushing Bills through the House that the country can advance and improve. I say this without any reflection upon the nature of the legislation of this session. I believe that if we can get the real genuine spirit of earnestness in our hearts, so that our tongue produces truly what is in our hopes and desires for the betterment of the land, the people at large will be more sympathetic to us. But I am greatly afraid that we are getting our institutions too machine-like, too lifeless, too formal, lacking a good deal of that soul which animated the past. I may be wrong in that. It may be that I am ageing and looking to the Arcadia of bygone days for the wishes of my life. But certainly the good feeling that has existed in all parts of the House this session has been a genuine pleasure to me. There may have been banter; there may have been a few crossings of swords; there may have been a few words uttered that for the moment have been like stings, but they have left no wound. There is nothing to make us feel sad or to regret our association with each other. In that respect, the past session has been one of the best. I venture to say a good deal of that happy result is due to you, Sir. Mr. Speaker, by his large commonsense view of things, by his knowledge of members, by his aptitude for appreciating the strength and weakness alike of hon. members, can create the very atmosphere of the Chamber in which he presides. He can so direct the business and proceedings that they shall eventuate with the least possible friction. I think that has been exemplified during the past session. As for the officers of the House, no one could wish to be better served or more kindly and considerately treated than we have been treated by those gentlemen during the past session. I hope our future relations will be as pleasant, and I echo sincerely the wish that you and all concerned in the management of this great institution may have a genuinely Merry Christmas and a Happy New Year and that you and all of them may be long preserved to continue your useful services to your country and to preserve that dignity and high standing which a House representing the people should have.

Mr. STUBBS (Wagin) [3.54]: May I express to you, Sir, my best thanks for the great assistance you have rendered to me in my endeavour to maintain my position as Chairman of Committees, and also my best thanks to hon. members for the courtesy and kindness they have extended to me during the session. I venture to say that no more honourable 50 members of Parliament could be banded together in any part of the world. I say also there is no hon. member in the Chamber who could not have put more money into his pocket by attending to his own private business. I think this State is to be congratulated on having a set of men who have sacrificed so much in the interests of the State. It has been one of the most pleasant sessions I have had during 13 years in Parliament. To the officers of the House I say I feel sure that Western Australia is fortunate in having such capable men to assist in the conduct of the House. I wish you, Sir, and your family a Merry Christmas and a Happy New Year.

Mr. HARRISON (Avon) [3.55]: I wish to support what the Premier and the member for Kanowna (Mr. Walker) have said in regard to yourself, Sir, and the courtesy you have shown, and to add my regrets to those of the member for Kanowna in respect of the bereavement which has overtaken the member for North-East Fremantle (Mr. Angwin). We all recognise that the member for North-East Fremantle is a solid, earnest worker in the interests of the State, and I wish to endorse the sympathy expressed with him by the member for Kanowna. I hope the State will reach that prosperity which we all desire and I trust the work of the session will make to that end.

Mr. SPEAKER [3.56]: I thank you all for the kindly sentiments you have expressed regarding me. I do not know that I wholly deserve them. I could not preserve decorum in this Chamber unless I had your support. Whatever I have done, in respect of parties, I know none. I have endeavoured to treat all members on the same footing. If I have failed in this, it is not my fault. I am pleased to hear from what you have said to-night that the decorum of the Chamber has been fully maintained. We have had during the session less trouble in our Parliament than has been experienced in any other Parliament of the Commonwealth. That has not been wholly due to myself. It is due largely to hon. members, who have assisted me to carry out my duties as Speaker, presiding over this august body. I have done my best. I have tried to do what I thought was the proper thing. I am pleased to know from what I have heard to-night that I have in a large degree accomplished that. The member for Kanowna (Mr. Walker) reminded me of a time some years ago. It brought back pleasant memories. However, in my position here as Speaker it does not count. The day may come when I shall be again on the floor of the House. If so, I hope I shall stand advocating those principles which appeal to me.

Although perhaps my advocacy will be less vigorous than it was in years gone by, still I will endeavour to do my best in that particular. I thank those who have spoken for their kindly remarks in regard not only to myself but to the officers of the House for the work they have done. We have had a long and strenuous session; we have completed a very large volume of work. I do not think that in the history of the State so large a volume of work has previously been compressed into one session with so little discord. I hope the dignity of this Chamber will be maintained always. Let me thank the Chairman of Committees, the Clerks of the House, the members of the "Hansard" staff and the messengers, together with the Sergeant at Arms, for the efficiency with which they have carried out their duties. The Sergeant at Arms has a

very hard row to hoe. Fortunately for him he has not this session been called upon to render any very strenuous service. I thank hon. members for their congratulations on the little success I have been able to achieve, and in this direction I would say that this would not have been possible but for the assistance and support that I have received from the officers of the House. I hope hon. members will enjoy the respite from their labours and that they will return with fresh vigour and strength and be prepared at a later date to give of their best for the constituencies they represent. I again thank hon. members for their kind references to myself, and I wish all the compliments of the season.

House adjourned at 4.3 a.m. (Saturday).

Parliament was prorogued to the 17th February, 1920, by Proclamation issued in the *Government Gazette* published on Friday, 19th December, 1919.