

thing had to be done, and the amount of money set aside at the present time for repairs to rolling stock is not nearly adequate. Additional money will have to be made available for that purpose. The member for Northam (Mr. Hawke) asked whether any attempt had been made to classify the men out of employment. That matter is receiving attention. With the impetus that has been given to the building trade—although, according to members opposite, that does not matter—

Mr. Sampson: The members opposite are doing all they can to help in that way.

The MINISTER FOR EMPLOYMENT: That is so, especially with their criticism.

Mr. Patrick: We want a permanent solution, not a temporary expedient.

The MINISTER FOR EMPLOYMENT: It has been found that with the impetus given to the building trade, we cannot always get tradesmen when we require them.

Mr. Sampson: Hear, hear! More apprentices needed!

The MINISTER FOR EMPLOYMENT: No. Let me tell my friend opposite of another method. There are many tradesmen in the State who at present are employed upon work other than their trade. The question therefore arises of organising the workers of the State so as to have tradesmen available for work at their own trade when required. I am therefore having a list made of the callings of the various men who are on relief work at the present time. In addition, whilst making those investigations, I shall be able to place farm labourers when they are required. As we take the tradesmen away from relief work and place them in their different callings in private industry, I am hoping that the 3,700 who are still unemployed will receive an opportunity of securing work without increasing loan expenditure to any great extent. That will help to solve the problem with which we are faced. I desire to thank members for the generous manner in which they have received the Estimates. No doubt there are many shortcomings in the department. It is a rather difficult combination: there is the Employment Department, the Child Welfare Department, and the two departments which deal with what one may term the poorer activities of the State. I know much is left to be desired, but of course we have our

financial limitations. I trust the Vote will be agreed to.

Vote put and passed.

Votes—Unemployment Relief £361,857; State Labour Bureau £6,690; Council of Industrial Development £921—agreed to.

Progress reported.

House adjourned at 1.28 a.m. (Wednesday.)

Legislative Council,

Wednesday, 15th November, 1933.

	PAGE
Bills: Land, Com.	1898
Forests Act Amendment, 2R., Com. report ...	1902
Constitution Acts Amendment, 2R. ...	1907
Augusta Allotments, 2R.	1912
Land Tax and Income Tax, 2R.	1913
Motion: State Forests, to revoke dedication ...	1913

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

BILL—LAND.

In Committee.

Resumed from the previous day; Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 41—Restriction of rights of resumption without compensation:

Hon. J. NICHOLSON: I move an amendment—

That in line 2, after the words "Crown grant" there be inserted the words "or lease."

My object is to extend the operation of the clause to C.P. or other leases, in addition to Crown grants.

The HONORARY MINISTER: I cannot agree to the amendment. C.P. leases were deliberately excluded from this legislation. It is necessary to retain power over them.

Settlement usually precedes a railway. Very often land has to be resumed for railway purposes, and in order to give additional road access to various properties which have been already settled. If the amendment is carried the Government will not be able to resume land for these purposes without having to pay for it.

Hon. J. NICHOLSON: The reservations that are contained in a C.P. lease are very closely related to the reservations that are contained in a Crown grant. In the schedule of the Bill the form of C.P. lease is set out. Members are well aware of the right of the Crown to resume, without compensation, any portion of land held under lease up to one-twentieth of the area of the holding, but if there are any buildings or other improvements, compensation is allowed in respect of them. If the Minister again confers with the departmental authorities, he will find that the provisions included in the C.P. leases are in effect identical with those that are carried forward into the Crown grant when it is issued. Therefore it is clearly proper that the clause shall apply equally to C.P. leases as to Crown grants. The clause in the Bill is quite clear regarding the restriction of the right to resume without compensation. It means the importation of the betterment principle. Proposed public works, for which land may be resumed may tend to increase the value of the remainder of the holding affected as well as of contiguous areas, and that increased value is to be considered in assessing the compensation to be paid to the grantee. Under existing conditions, whether in respect of Crown grants or C.P. leases, it is compulsory for the Government, in the event of resumption being resorted to, to pay compensation for improvements. Let us assume that the value of the buildings on the land resumed represents £250, that the holding consists of 2,000 acres, and that, by reason of the work to be carried out by the Government, the value of the land is increased to the extent of 5s. or 10s. per acre. If we agree to the clause as it stands, we will deprive the grantee of the right he has at present to receive payment in cash representing the value of the actual improvements. If we take it that the land is worth £1 an acre, one-fourth of that betterment would mean that the value of the land was improved to the

extent of 5s. per acre which, on 1,000 acres, would represent £250, and the betterment by reason of the public works constructed, calculated on 2,000 acres, would represent £500. The grantee might not get a penny piece for his buildings and improvements. The Government would say, "You are bound by Section 141 which says that 'We are to deduct from the compensation payable to you the amount of the betterment.'" There are many men at present heavily involved, particularly those on the land, and if theirs is the misfortune to have a portion of their land resumed, say with farm buildings for which they would get no compensation, the position would be that they would probably have to vacate the farm. To pass the clause would be most detrimental to the farmers.

The CHAIRMAN: If I may be permitted to interpose, I think the hon. member's amendment is incomplete. It says, "or lease." Crown grant, as well as conditional purchase and pastoral lease, is interpreted in Clause 3 but "lease" is not interpreted.

Hon. J. NICHOLSON: I think there is a definition of "lease" in the body of the Act.

The CHAIRMAN: The hon. member could say in his amendment "or conditional purchase lease."

Hon. J. NICHOLSON: Very well, we can make it conditional purchase lease. The clause could end at the word "grant" in the sixth line, and the latter part of the clause could be eliminated, and so the objectionable feature about the compensation would be removed. As the matter stands, unless there is a safeguarding provision for the lessee or grantee to get compensation for buildings and improvements, to which he is entitled at the present time, the Committee would be doing a grave injury to many men in the country. My purpose is simply to preserve to the grantee or lessee the right to get the actual amount of compensation for buildings, etc., without having anything deducted because of the betterment principle.

The HONORARY MINISTER: Much of what the hon. member has said depends upon whether the other amendment standing in his name on the Notice Paper is agreed to. At present Crown grants and conditional purchase leases are in the same position; the Government have the right to resume up to one-twentieth for various pur-

poses. If on the land resumed there are buildings or improvements, the Government must pay compensation. The Government are of the opinion that it is not fair that they should retain that right for all time, and therefore they say to the holders of Crown grants, "We will give you a concession and waive the right to resume that land free of charge, and that you put a limit of five years on our right to resume." We say that if we desire to resume any land after a period of five years has elapsed, we must pay compensation, but if there should be some building on the property, or if it should happen that the land is improved, then we must set off that increase in value against the compensation. If the hon. member desires that the holders of C.P. leases shall still retain the right they possess to-day, then by amending the clause as he desires, without reference to his first amendment, he will be doing those people a disservice. It is often necessary to resume land for railways, roads and bridges, and consequently if we agree to the amendment, we shall be placing the various departments at a grave disadvantage by compelling them to pay for land for public purposes which to-day we would not have to pay for at all. So I cannot agree to the amendment.

Hon. J. NICHOLSON: Will you accept the other amendment?

The HONORARY MINISTER: No, I am opposing the other also. I suggest that we leave the matter as it is now. If Mr. Nicholson had his way, the Government would have to consider whether they could agree to carry on.

Hon. J. NICHOLSON: I contend that in place of giving concessions to the holders of Crown grants, the Government are placing the grantee in a position that is less favourable than that of the C.P. holder. The conditional purchase holder, if entirely omitted from this clause, will during the whole currency of his lease be entitled, in the event of the resumption of any portion of his land, to claim compensation for buildings and other improvements; and that without any deduction in respect of betterment brought about by the proposed public work. If the clause passes as it stands, compensation will be payable to the grantee after five years; but the compensation will be so mythical in character that it might amount to nothing, for the reasons I have stated previously. The betterment would be set off

against the claim for compensation. If the amendment is not carried, the clause should be rejected.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	13

Majority against 1

AYES.

Hon. L. B. Bolton	Hon. H. V. Piesse
Hon. E. H. H. Hall	Hon. A. Thomson
Hon. E. H. Harris	Hon. C. H. Wittenoom
Hon. J. M. Macfarlane	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. C. F. Baxter
Hon. R. G. Moore	(Teller.)
Hon. J. Nicholson	

NOES.

Hon. J. M. Drew	Hon. Sir C. Nathan
Hon. J. T. Franklin	Hon. E. Rose
Hon. G. Fraser	Hon. H. Seddon
Hon. E. H. Gray	Hon. C. B. Williams
Hon. W. H. Kitson	Hon. Sir E. Wittenoom
Hon. G. W. Miles	Hon. J. J. Holmes
Hon. T. Moore	(Teller.)

Amendment thus negatived.

Hon. J. NICHOLSON: I move an amendment—

That a subclause be added, as follows:—
 "This section shall not affect the provisions of any Crown grant whereby a resumption shall not be made without compensation for any part of the land granted or demised upon which buildings are erected or other improvements have been made; and such compensation shall be assessed at the value of such buildings or other improvements, without regard to any increase in the value of the remaining land of the grantee, and shall be payable without any deduction by a set-off against the value of such buildings or other improvements or any increase in the value of such remaining land of the grantee."

I have already explained the position. The Committee having decided to omit the conditional purchase holder, we are now dealing with the grantee, whose rights will differ from those of a conditional purchase holder.

Hon. A. Thomson: In effect there will be no compensation to the grantee.

Hon. J. NICHOLSON: That is so. It will be a serious matter for every farmer in Western Australia.

Hon. G. W. Miles: To have his property improved!

Hon. J. NICHOLSON: If the clause is carried without this amendment, grantees may be deprived of compensation for buildings, etc., in the case of resumption.

Hon. Sir EDWARD WITTENOOM: My experience of land resumption is that in the

case of buildings the Government resume everything up to one's door; that is, if one has good buildings.

Hon. R. G. MOORE: The clause as it stands is likely to inflict hardship. The fact of an owner being told that there is betterment of his property does not give him money to meet the cost of shifting buildings or other improvements. If the resumption includes land on which buildings have been erected, the owner is entitled, irrespective of betterment, to be reimbursed the cost of removing the buildings, if they can be removed. A man on the other side of him might have the same improvements and be put to no inconvenience whatever.

Hon. A. THOMSON: I congratulate Mr. Nicholson on having brought down this amendment. Mr. Miles by interjection said that resumption would improve a man's property. But that is not much consolation to a man whose buildings are taken from him by the Government in order that a roadway, or some other public utility, might be constructed.

Hon. SIR EDWARD WITTENOOM: I omitted just now to refer to the example of the Midland railway. Did they pay for any homesteads? No fear. As a rule, when the Government resume a station or holding, they resume anything but the buildings.

The HONORARY MINISTER: I repeat that I cannot accept the amendment. Only infrequently are any buildings resumed. It is only in the event of the remainder of the land being actually improved in value that there is to be a set-off at all. In many cases there would not be any set-off. The Bill was considered by a select committee of another place, who went into it very thoroughly and, I believe, gave careful attention to the clause now under discussion. No objection was raised to it until the Bill reached its present stage. The Government believe that by the clause they are giving a valuable concession to grantees, and do not feel called upon to go any farther. On a property carrying valuable buildings, whoever might be responsible for the assessment of values would give the grantee a fair deal at the very least.

Hon. J. Nicholson: They would not give him one penny piece.

The HONORARY MINISTER: It is very unfair for the hon. member to say such a thing. Suppose the homestead involved

was worth £2,000; would the hon. member say that no compensation would be paid? It would be impossible for any fair-minded man to argue that the improvement in value of the land would offset the value of such a homestead.

Hon. Sir Charles Nathan: What is the position at present?

The HONORARY MINISTER: Land may be resumed to the extent of one-twentieth of the holding without compensation at all, unless there is on the land buildings or gardens or water supplies, in which case the Government must pay compensation for those improvements.

Hon. C. F. Baxter: But the improvements include cultivation. I myself have had a successful action in that respect.

The HONORARY MINISTER: It is all contained in Section 45 of the Act; it is on the grounds therein contained that the Government can pay compensation. In point of Crown grants, after a period of five years has elapsed, if we resume we must pay; but because we are paying for the land resumed, it is only right that we should take into consideration the increased value of the remainder of the land. Mr. Nicholson, in stating his case, has gone to the extreme in every particular. The clause, as printed, is exceedingly fair.

Hon. H. V. PIESSE: In the case of land taken up and held for over 19 years, am I to understand that if it is under C.P. conditions it does not come within the 5-year provision?

Hon. J. Nicholson: No.

Hon. H. J. Yelland: No, it is only for five years after the issue of the C.P. grant.

Hon. H. V. PIESSE: I have been concerned in one or two cases of land resumption. When land was resumed for a water reserve at Katanning, one-twentieth of an area of property which was owned by me was resumed. In that case I did not receive any compensation for the improvements on the resumed portion.

Hon. C. F. Baxter: You should have.

Hon. H. V. PIESSE: I was told by the resumption board that I could fight the case, but that happened in 1915, and I was then about to proceed to the war. I therefore accepted the small amount of compensation that was awarded to me. It proved to be

just sufficient to pay off the mortgage. One-twentieth of the area of another property of mine at Kojonup, which was divided into eight or ten sheep paddocks, was resumed, and I received no compensation for the portion resumed. Subsequently I was threatened by the Railway Department with legal proceedings because 20 or 30 of my sheep happened to be run over by a train. I think it is iniquitous that a man should not receive compensation for the resumption of portion of land which he has taken up and improved, simply because it happens to be held under conditional purchase lease.

The HONORARY MINISTER: But under this Bill you would receive compensation. If land is resumed upon which improvements have been effected or buildings erected, the farmer is entitled to compensation for such improvements or buildings. If no improvements have been effected upon the portion resumed, then the farmer is not entitled to compensation.

Hon. H. J. YELLAND: It is unjust, because a railway happens to go through a person's property, that he should be penalised by having the remainder of his land increased in value and that increase taken into account when assessing compensation for the land resumed, while his neighbour, whose land is also increased in value, goes scot free.

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

Ayes	..	..	12
Noes	..	..	11
<hr/>			
Majority for	..	..	1
<hr/>			

AYES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. L. B. Bolton	Hon. H. V. Piesse
Hon. E. H. Harris	Hon. A. Thomson
Hon. J. M. Macfarlane	Hon. C. H. Wittenoom
Hon. W. J. Mann	Hon. H. J. Yelland
Hon. R. G. Moore	Hon. E. H. H. Hall
	(Teller.)

NOES.

Hon. J. M. Drew	Hon. Sir C. Nathan
Hon. E. H. Gray	Hon. E. Rose
Hon. J. J. Holmes	Hon. C. B. Williams
Hon. W. H. Kitson	Hon. Sir E. Wittenoom
Hon. G. W. Miles	Hon. H. Seddon
Hon. T. Moore	(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Progress reported.

BILL—FORESTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 9th November.

HON. H. SEDDON (North-East) [5.58]: One naturally desires to review the progress of reforestation in this State, particularly during the depression period. It is interesting to note from the Forests Department's report that the total revenue received from forest operations last year was about £65,800. While this is an improvement on the figures of the preceding year, it is a serious decline from what was received during previous years. The amount made available for reforestation from forestry revenue was £20,000, but the work has been extended and plans made to borrow nearly £134,000 from Loan funds, largely for the purpose of proceeding with reforestation and also providing unemployment relief. One cannot help thinking that if during the years of plenty we had retained the money appropriated for reforestation in the department, instead of paying it into Consolidated Revenue, the present proposed loan expenditure might have been avoided. It is interesting to note that the total forestry expenditure last year was £144,000. I wish to deal more particularly with the experiments in the re-growth of sandalwood. Unfortunately, those that were conducted on the goldfields were not too successful. We have had some very dry years, which have affected the growth of the plants. There has also been great trouble with rabbits.

Hon. W. J. Mann: Do away with them.

Hon. H. SEDDON: Some rather interesting things are being worked out by the Forestry officers. It would have been a sound policy if the Government had continued to protect these plants as far as possible, even to the extent of netting the smaller areas so that the work might continue in the dry districts. The report indicates that so far as the reforestation of sandalwood in the damper districts is concerned, there is not the same trouble with rabbits, and the plants grow better because of the wetter conditions. It would be worth while making investigations to compare the two types of plants for oil content. I gather that the oil content of trees which grow in the drier climates is richer than would be obtained from trees growing in districts where there

is a greater amount of moisture available. Experimental work frequently discloses some unexpected results. This might apply to the systematic continuation of the experiments in the re-growth of sandalwood on the goldfields. I would urge upon the Government to go on with that work, make available further sums for it, and place it in the hands of some expert officer who would see if it were not possible to retain what has been a source of wealth in the past, namely our sandalwood production. Owing to the depression, there has been a decreased demand for sandalwood oil. This commodity has great medicinal virtues. The supply of sandalwood in the world is limited, and for that fact alone this particular work demands the attention of the Government. On previous occasions I have advocated that research work should be carried out in fodder plants in the drier areas. The time is not ripe when we can look to the Government to extend this class of work about which, however, there is a good deal of urgency. Now that there are brighter prospects ahead of the pastoral industry, the question might well be revived, and the establishment of reserves on the goldfields given careful consideration. The work which was started at Koonamore in South Australia, has been well carried on by the Federal Government. Valuable information has been acquired and tabulated from that source, and inquiries have been made into those cases where the ground has already been seriously depleted of its natural plants. This work could be supplemented to a great extent if similar operations were carried on in our eastern goldfields areas, where the foddery have not been so severely dealt with. I commend the idea to the Government. I am sure that from research undertakings of this nature the Government would be well repaid in the years to come. One feature of the depression has been that Australia has been able to demonstrate that in the production of fine wool it still holds a monopoly in the world's markets. I make these suggestions in the hope that they may be embodied in future forestry plans. I support the second reading of the Bill.

HON. W. J. MANN (South-West) [6.4]: I do not intend to oppose the second reading of the Bill. Long ago it was agreed that the Government should adopt a reasonable

forests policy. In order that this might be carried out, certain moneys are necessary.

Hon. G. W. Miles: The Government are taking the money into revenue.

Hon. W. J. MANN: A small portion of it. The greater part is being expended in forestry work.

Hon. J. Nicholson: It is intended to legalise an omission that was made last year.

Hon. W. J. MANN: One of its objects is to validate an omission of last year. The House cannot reasonably offer any objection to the measure. For some time past unemployed relief work has very wisely been found in our forests for a large number of men. It is a pity they were not sent there earlier in the depression. It would have been wiser if some of the men who were sent to Blackboy had been put into the forests to do work of some real value. I understand there are already 1,250 men scattered about the forests doing much more useful work than is the case with many other forms of unemployment relief. So long as the depression lasts I hope work will be found in the forest areas. Unless special attention is devoted to this wonderful asset, our timber reserves are likely to suffer serious damage, at all events to be more seriously affected than when they are being systematically cut over. As one goes through the country which is not being handled by the Forests Department, one can see very little in the way of new growth. What new growth there is has been dwarfed and rendered almost useless by periodical fires. I congratulate the department on the success which has attended their fire control scheme during the last two or three years. It is remarkable that out of a very large area last year only about 500 acres were affected by fire, and then only to a comparatively small extent. This means that quite a lot of new growth will have been preserved. If this can be continued for a few years, the trees will have reached an age when they will be less liable to damage by fire. We know what takes place in the forests when a fire sweeps over seedlings about 18 inches in height, and how little of them is left when the fire has passed. In his last annual report the Conservator says that 132,932 acres have been added to the area permanently dedicated to forests, and only 5,800 acres have been excised and handed over to the Lands Department for settlement. How much of that 132,000 odd acres is actually forest country

I do not know. In the past the forestry authorities in their zeal and determination to do their best for our forests, have claimed quite a lot of land which should never have been classed as forest country. A good deal of the land they claimed had no marketable timber upon it and is never likely to have it. Portion of it is land they have since shown by their actions in allowing it to be selected, to be unsuitable for the growth of timber.

Hon. H. Seddon: Are they not supposed to retain 3,000,000 acres for reforestation.

Hon. W. J. MANN: I understand that is the area. That would not justify the department in locking up land that should be made available for agriculture. That there is a demand for such land within the forest area is shown by the report of the Conservator for last year. This indicates that 222 applications were received by the Lands Department for land within the forest boundaries. Of these, 149 were granted. This bears out my contention that there is a lot of good land which should not be held up by the department.

Hon. J. M. Macfarlane: On your own showing it has not been held up.

Hon. W. J. MANN: It has been held up. That 222 applications have been made and 149 allowed indicates that the department were wrong in the first place in holding up the land.

Hon. J. M. Macfarlane: How many acres of forest country have been alienated?

Hon. W. J. MANN: I do not know. The area covered by the 149 successful applications would be about 5,000 acres.

Hon. E. H. Harris: In what localities would they be?

Hon. W. J. MANN: If I told the hon. member he would not understand the names. I hope the department will in future recognise that they are not always right in their classification of good timber country. It is only comparatively recently that such applications were granted. Prior to that, the department were very hard to move.

Hon. J. M. Macfarlane: The Agricultural Bank has plenty of land for settlement.

Hon. W. J. MANN: Last year the timber industry reached a lower depth than has been evident for the last 15 years. That is a very serious thing for the country, and justifies us in asking that for the future every possible assistance should be given to the industry. Reductions have been made in

the royalties, but the Government have not gone far enough. Good markets still exist for our timber. It would be wise if the Government were to indulge in a little more advertising in the Eastern States and abroad.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. W. J. MANN: Prior to the tea adjournment, I was referring to the necessity for pushing the sale of our hardwoods, and had suggested that the Forests Department might consider the advisability of embarking upon an advertising scheme in order to keep before the people of the British Empire the advantage to be gained from using our timbers. Other countries and States, notably Queensland, continuously advertise their timbers with, I believe, marked effect. A scheme of advertising would be beneficial to Western Australia. I desire to refer briefly to the policy of the Forests Department regarding pine plantations.

The PRESIDENT: I would remind the hon. member that the Bill is for an Act to continue the operations of one section of the Forests Act. I hope he will not go beyond the scope of the Bill.

Hon. W. J. MANN: My intention is to connect up my remarks with the Bill.

Hon. G. W. Miles: The money should be used for reforestation purposes.

Hon. W. J. MANN: Yes, and the money for an advertising scheme would come from the same source. I have no particular objection to money having been expended on pine plantations, but I have taken exception to the methods adopted by the department in the past. Land has been taken adjacent to railways for forestry work. I have in mind land along the Flinders Bay railway which, for four and a half miles, passes through a forest reserve. A large part of that area has been cleared of natural timber with a view to establishing a pine plantation. My objection is that the land would be first-class for agricultural purposes. Some time ago the Mitchell Government sent a few hundred men 16 miles from that railway to clear land for agricultural purposes. There is no likelihood of any railway being constructed to that area within the next 50 years. I claim that the land adjacent to the Flinders Bay railway could have been put to better use by being devoted to agriculture, and if it were desired to plant pines, the Forests Department could have chosen an area farther back.

As the plantation could not reach maturity in less than 40 or 50 years, that course could have been adopted without harm to anyone concerned. A pleasing feature of the work of the Forests Department is in respect of what has been done in conjunction with the Government Chemical Laboratory in making tests of soils. That is necessary work, and had it been done in the past, much money would have been saved to the State. If the soil at Ludlow had been analysed years ago, the fiasco that followed the planting of pines there would have been avoided. *Pinus insignis* were planted there in country totally unsuited for that species, and after 20 years the plantation had to be cut down and the area replanted. I congratulate the forestry officials on the splendid achievements of the past, particularly with regard to fire control, and the patrol of the forests in summer. That represents a fine feature of the work, and I trust it will continue with the same beneficial results in the future as in the past.

HON. A. THOMSON (South-East) [7.35]: I congratulate Mr. Seddon on his remarks regarding the reforestation of sandalwood. The point he made is worthy of the consideration of the department. He suggested that they should protect the plantations by the erection of rabbit-proof netting. It is of little use planting seedlings if rabbits are allowed to eat them. I was particularly struck by Mr. Seddon's suggestion that if rabbit-proof netting were erected, the department could engage upon scientific research work regarding the establishment of new fodder plants. At first glance, that might seem to be outside the scope of the Forests Department, but I notice that in his annual report, the Auditor General points out that over £2,300 had been spent in an attempt to grow flax. The State has spent large sums of money in establishing the wheat, wool, and fruit growing industries, but the growth of pastures has been neglected to some extent. If fodder plants could be grown with success in areas where sandalwood experiments were being carried out, it would prove valuable to the State. If we can, by experiments, extend the period of the growth of green fodder for cattle and sheep, it will be of great value to the State. I congratulate the Forests Department upon acquiescing in requests made by the Wagon Municipal Council. In that district there is a large area of land lying

idle, and I agree with the remarks of Mr. Mann, that reforestation work is reproductive in that it provides a return for money expended in finding employment for men. I travelled through South Africa a few years ago, and I found, especially among the farmers in Natal, that efforts were made to plant certain areas with wattle for tanning purposes. That gave the farmers an assured source of income each year. The Forests Department of this State could consider that matter with advantage, and they might encourage the farmers in the Great Southern areas and elsewhere to establish mallet bark and wattle. If the farmers were to engage upon that work, it would represent a certain income to them, and practically every farmer has a certain proportion of stony or inferior land on his holding. The department has established successfully a mallet bark plantation outside Narrogin, and it is promising very well.

HON. J. NICHOLSON (Metropolitan) [7.43]: The Bill involves consideration of various aspects of importance. The Leader of the House and Mr. Seddon traced in an interesting manner much of what led to the present legislation. One of the chief features in fairly recent years, has been the authorisation of a certain proportion of the returns from the forests being diverted to Consolidated Revenue. In a way that action was possibly pardonable, but the Government should consider whether it is wise to perpetuate that system. I look upon forestry as one of the important industries of the State. At one stage it yielded a very handsome revenue, and was the means of providing employment for a large number of men. It is true that very large areas of marketable timber have been depleted and that we are now dependent upon the Conservator of Forests to try to restore and maintain the supply of our timbers. It is important—therefore, that an industry which has played for many years a very important part in the history of Western Australia should be maintained to the utmost. I am convinced that the present Government are, and past Governments, have been fully alive to that, but when we divert into Consolidated Revenue the funds which come from that particular source, we are lessening the possibility of maintaining an in-

dustry which we would like to see maintained at its highest point. I support the congratulations that have been extended to the Conservator and those associated with him for the splendid work they have done throughout the past year, and when one realises the responsibility that is theirs, it is necessary that we should give our fullest aid and co-operation towards extending the usefulness of the industry. I hope, therefore, that some heed will be paid to the necessity for expanding the industry still further. It has been pointed out that certain sums have been actually borrowed for the purpose of finding employment for men in the work of reforestation. It seems almost anomalous and ridiculous to say that we have to borrow money on account of this work when the money has actually been received.

Hon. G. W. Miles: It is Parliament's fault.

Hon. J. NICHOLSON: That has happened, I believe, in other departments where money has been received, paid into Consolidated Revenue, and then funds have had to be borrowed to carry on the work. There is probably no more useful or reproductive work in which to engage men who, unfortunately, have been thrown out of employment. In the restoration of our forests we can see the possibility of future revenue by building up the forests and making it possible to perpetuate the industry which has played such an important part in the development of the State. The only way in which that can properly be done is to reconsider at an early date the question of the re-allocation of these moneys, and I ask the Leader of the House to bring under the notice of his colleagues this aspect of the matter. There is another point to which I may be permitted to allude. In the report of the Conservator of Forests there is a reference to the danger from fires. I might be permitted to read this extract from the report:—

The principal hazard in a number of forests, particularly on "blow-up" days, is the danger of fires encroaching on the forest from adjoining private property, and a tightening-up in the enforcement of Bush Fire Prevention legislation is overdue. For example, the opening of the general burning season by *Gazette* notice as early as 1st February is a suicidal policy to farming as well as forestry interests. A study of meteorological data or the

records of past fire losses will bear out the contention that particularly bad bush-fire days occur every summer during the last half of January or the first half of February. If every settler, irrespective of weather conditions, has the right to set alight, on the first day of February, his patch of swamp, few acres of new clearing, or bush paddocks without special precautions in the way of ploughed breaks and belts of standing green trees rendered safe by early burning in the preceding spring, the outbreak of numerous bush fires is inevitable on the first day of high wind and low humidity.

This is a matter which, no doubt, has been very seriously considered. Whilst the report says there has been a little improvement in the industry during the past year, as compared with the previous year, one realises that with world conditions as they are, there is probably not the opportunity at the moment for the great expansion we would like to see in export timber. But now is the time when the development of our forests should proceed apace, and the absorption of our unemployed in useful work such as that would be beneficial to the State and to the men themselves.

HON. G. W. MILES (North) [7.53]: Once again I desire to enter my protest at the methods adopted by the Government in taking forestry money into Consolidated Revenue instead of putting it aside for reforestation purposes. Originally, in the Bill introduced in 1919, it was definitely stipulated that three-fifths of the revenue had to be used for reforestation. For some time we were successful in preventing the Government from taking this money into Consolidated Revenue, but later on members took up the attitude, as they are doing now, of allowing it to go through. So we have the farcical position created of paying this money into revenue and borrowing for reforestation, and another instance of imposing a burden on the rising generation. When the Bill was first introduced the argument was advanced that the Government of the time did not expect to get so much revenue out of sandalwood. It was the good fortune of the State, however, to receive a great deal more than was expected. Now, members declare that this should not be done, and that should not be done, but by their actions in this House they grant the Government power to do those things that should not be done. I hope the House will reject the Bill and so allow the money to go back into the forestry

fund for which it was originally intended. It is simply madness to proceed as we are doing. The same thing is happening in connection with the Fremantle harbour. The Harbour Trust allow their receipts to go into Consolidated Revenue and then borrow to carry out improvements or extend the harbour. It is said that finance is government and government is finance, but we have nothing of the kind in this State. God help us from the class of Governments we have had in the past. I oppose the second reading of the Bill.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central—in reply) [7.57]: I am inclined to fear that Mr. Nicholson's comments may mislead some members who are not acquainted with the provisions of the Forests Act. Mr. Miles did offer an explanation, but very briefly, as to what the provisions of the Act are. No Government has ever taken the whole of this revenue from timber.

Hon. J. Nicholson: I said a certain portion of it.

THE CHIEF SECRETARY: Governments have taken the revenue only in accordance with the Forests Act, 1918, a measure that was carefully considered. It contained a provision that three-fifths of the revenue should go to a reforestation fund and two-fifths to Consolidated Revenue. That was done for six years and then the Government of the day submitted a Bill making provision that the revenue from sandalwood should not go to the reforestation fund but should go into Consolidated Revenue. An amendment was moved in this House to the effect that £5,000 from sandalwood revenue should be set aside for the purposes of the re-growth of that timber. That was carried on from 1924 to 1929, a period of five years, and £25,000 was spent in connection with the re-growth of sandalwood. I brought down a similar Bill in 1929, but it was defeated in this House. The next year the succeeding Government submitted a measure making provision not only to take the whole of the revenue from sandalwood, but the revenue that had accumulated, and they got £32,000. Last year no Bill was submitted. This year we have submitted the Bill to make provision for the payment into revenue of £32,000, but we are benefiting only to the extent of £19,000 since the other £13,000 was paid into Consolidated Revenue last year. It is my intention to submit the various points that have been raised by members to the depart-

ment and I hope at a later stage to be able to make an interesting statement to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—CONSTITUTION ACTS AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. W. H. Kitson—West) [8.3] in moving the second reading said: The preamble of this Bill seems to me to explain clearly the constitutional reason for its introduction. When it was decided by the last Government to appoint a Lotteries Commission for the control of lotteries throughout the State, they considered that membership of that particular Commission would not constitute an office of profit under the Crown, and they were of opinion that the necessary provision had been made in the legislation to protect any member of Parliament who might be appointed a member of the Commission. The duration of the Act was only one year, and it would naturally expire on the 31st December next. It was therefore necessary for the present Government to introduce legislation to continue the operation of the measure and also, in the present Government's opinion, to amend it. It was not until notice of the amending Bill had been given in another place that the position of a member of this Chamber, in the person of Mr. Clydesdale, who had accepted a seat on the Commission, was challenged. In order to protect Mr. Clydesdale's interests it was decided to include in that Bill a provision whereby the Government's action, if there was any doubt about its legality, should be validated and, of course the hon. member's interests protected. Mr. Clydesdale's position having been challenged, it was thought that any step necessary for the protection of his interests ought to be taken. As we are well aware, another place agreed with that contention, passed the measure, and sent it to this Chamber. However, as you, Mr. Presi-

dent, have ruled that that measure cannot be proceeded with here, it has been thought advisable or necessary to bring down a Bill amending the Constitution Acts so as to remove any doubt there might be as to Mr. Clydesdale's position. I sincerely hope that members of this Chamber will agree with the action which has been taken, and that the appointment which in all good faith was offered by the previous Government and accepted by Mr. Clydesdale will be validated. We are bound to do everything possible to protect Mr. Clydesdale, or any other hon. member finding himself in a similar position.

Hon. E. H. Harris: Do you say that the purpose of this Bill is limited to the protection of Mr. Clydesdale?

The HONORARY MINISTER: I do not say so.

Hon. Sir Edward Wittenoom: Why do you bring in his name at all?

The HONORARY MINISTER: Because the necessity for the Bill arises from Mr. Clydesdale's appointment to the Lotteries Commission.

Hon. J. Nicholson: Because he has been challenged.

The HONORARY MINISTER: That is so.

Hon. E. H. Harris: If the Bill is not specially put up for Mr. Clydesdale, what are the other points?

The HONORARY MINISTER: I have said that Mr. Clydesdale's position having been challenged, it is necessary for the Government to do whatever they can in order to protect his interests.

Hon. E. H. Harris: But does not the Bill do other things?

The HONORARY MINISTER: I shall come to that aspect in a minute or two, and then the hon. member may speak with regard to it. The seat on the Lotteries Commission having been offered and accepted in all good faith, under the belief that there was no bar to a member of Parliament occupying the position and that he would not be subject to any penalty for accepting it, we must, if we can by any means at our disposal, remove any doubt that may possibly exist with regard to the situation. The present Bill seeks to amend several sections of the Constitution Acts Amendment Act, 1899, and also Section 6 of the Constitution Act, 1889. Clause 2 of the Bill validates what has been done up to date. In other words

it validates the appointment of a member of Parliament as a member of the Lotteries Commission until the 31st December of this year. Although, of course, Mr. Clydesdale's name is not mentioned in the measure, he is the member of Parliament who will be so vitally affected if anything should prove to be wrong in regard to the appointment he has accepted. Clause 3 goes a little further.

Hon. J. Cornell: It does not square with the preamble.

The HONORARY MINISTER: That may be the hon. member's opinion. He will have an opportunity of pointing out why that is so. Clause 3 proposes that in future the acceptance of a seat on the Lotteries Commission shall not be deemed a violation of the relevant sections of the Constitution Act. So that the Bill has two purposes—first, to validate what has already been done in regard to the constitution of the Lotteries Commission up to the 31st December next, the date when the Commission would automatically go out of existence if the Act were not continued; and secondly, to provide that if the Act is continued after the 31st December next, there shall be no bar to any member of Parliament being appointed to a seat on the Commission. I do not know that I am called upon to say any more on the subject at the present moment.

Hon. G. W. Miles: Are you not going to say anything to justify the acceptance by a member of Parliament of an office of profit under the Crown?

The HONORARY MINISTER: I do not admit that a seat on the Lotteries Commission is an office of profit under the Crown.

Hon. J. Cornell: You say it is by proposing to indemnify Mr. Clydesdale.

The HONORARY MINISTER: I say a doubt has been raised. The Government have never admitted that the office is an office of profit under the Crown, but in view of the circumstances with which we are faced we desire to take every possible step to ensure that there shall be no doubt in regard to that particular point.

Hon. J. Cornell: Is that as regards the present occupant, or as regards future occupants?

Hon. E. H. Harris: You are only attempting to remove a doubt?

The HONORARY MINISTER: I have said that on more than one occasion. Such

is the position; and I feel that in view of all the circumstances, in view of the fact that the previous Government were responsible for the appointment, the present Government not being in any way responsible for the situation which has arisen—

Hon. J. Cornell: It is all right up to Clause 2.

The HONORARY MINISTER: It is the duty of the present Government to do what they can to remove any possibility of the position being challenged. I move—

That the Bill be now read a second time.

HON. SIR EDWARD WITTENOOM (North) [8.14]: When I first heard about this matter I felt a great objection to it. Particularly did I object to the last Bill, which you, Mr. President, in my opinion so properly threw out. Since then I have further considered the position. I do not care twopence about Mr. Clydesdale or anybody else, but I have come to the conclusion that there is no reason why members of Parliament should not occupy positions of profit under the Crown. If they should not, we leave it open for all sorts of other people to be appointed to those positions. Surely to goodness members of Parliament are the select of the people. How are they here unless they are the select of the people? And if they are not fit to occupy positions of profit, then who are, and what sort of people are to be appointed to those positions? I say that members of Parliament who have been elected by the people should be considered the best for these appointments. If they are not fitted to hold an office of profit under the Crown, such an office would be left open to all sorts of appointments. Anybody might be appointed, even—

Hon. C. B. Williams: A man from Trades Hall.

Hon. Sir EDWARD WITTENOOM: There are many good men at the Trades Hall, but there are other people altogether who might be appointed. I will support the Bill, not because of Mr. Clydesdale whom I scarcely know, and to whom I have not spoken half a dozen words in my life, but because I agree with its principle. I repeat that if a member of Parliament is not fit to occupy an office of profit under the

Crown after he has been selected by the people, the position will be open to the appointment of all sorts of people.

HON. A. THOMSON (South-East) [8.17]: All are aware that a member of this House has been placed in an unfortunate position because the Government of the day requested him to accept a seat on the commission, which he in all good faith did, believing that it was not an office of profit under the Crown. I still maintain that the position is not an office of profit under the Crown.

Hon. E. H. Harris: Then the Bill is not wanted.

Hon. A. THOMSON: No, but the hon. member believes it is. The Government are to be commended for having taken this step to see that an injustice is not done to that gentleman who accepted the position at the invitation of the previous Government. I have always endeavoured to maintain the dignity of Parliament, but I deplore the fact that frequently members of Parliament have been the cause of a certain amount of discredit falling upon themselves. If the Lotteries Commission were a State concern it would be in the hands of the Government to do as they liked with. Only to-night Mr. Miles complained of the Government's action in taking money from the forestry funds. On previous occasions I have complained of the Government doing the same with the revenue of the Fremantle Harbour Trust. After the recent elections it was considered that two metropolitan members of Parliament who lost their seats had lost them in consequence of the creation of the Lotteries Commission. It was said that several newspapers had worked very hard against them, because those newspapers had suffered a serious loss as the result of the creation of the commission, those papers having previously been engaged in running lucrative gambling machines in the form of crossword puzzles. One of those two members of Parliament who occupied seats on the Lotteries Commission lost his parliamentary seat at the elections, and today he is considered a perfectly trustworthy and honourable gentleman, fully entitled to occupy a position of trust on the commission. But another member of Parliament who did not lose his seat at the elections, is not considered worthy of being trusted.

Hon. J. Nicholson: It does not mean that at all.

Hon. A. THOMSON: In effect it does; it means that a member of Parliament cannot be trusted to occupy a seat on the commission.

Hon. J. Cornell: All British constitutions say the same.

Hon. A. THOMSON: That may be so, but I consider it an insult to members of Parliament to say they are not worthy of occupying such positions. I agree with Sir Edward Wittenoom. I am not going to say whether we should have direct offices of profit under the Crown.

Hon. E. H. Harris: What is the difference between a direct one and an indirect one?

Hon. A. THOMSON: Many men would be liable to be expelled from Parliament if a strict interpretation of the Constitution were placed on the positions they occupy. However, I am not dealing with that just now, but am dealing with the Bill. I say a seat on the commission is not an office of profit under the Crown, because the Crown does not handle the money collected by the commission nor does it receive any of it. I will support the second reading, regarding the Bill as an earnest endeavour to do a measure of justice.

HON. J. CORNELL (South) [8.25]: The Bill is very important, because in many respects it goes much farther than a lotteries control Bill in indemnifying a member of Parliament taking a seat on the commission. The Bill is tantamount to an admission that to take a seat on the Lotteries Commission is to take an office of profit under the Crown according to our Constitution. That is the meaning of the Bill. The purpose of the Bill is to absolve any member of Parliament who has filled or may fill a seat on the commission. Therefore the Bill is one of far-reaching effect in amending the Constitution. It can be divided into two distinct parts, the first being to rectify an injustice brought about by a misconception. A member of Parliament accepted a seat on the commission at the invitation of the previous Government, understanding that he would not thus jeopardise his position as a member of this House. As I said on the second reading of the Bill which has since been ruled out, there are but two points worthy of consideration, the first being to

convince oneself that the position was accepted in the best of faith and that its consequences were not foreseen either by the appointing authority or by the appointee. That is one point. The other point I stressed was that this set of circumstances had arisen through a misconception on the part of the persons making the appointment and the appointee. It now appears that some person has commenced a Supreme Court action to test the validity of the appointment. Are we justified in legislating to remove a doubt that the Supreme Court has been asked to resolve? Those are the only two points to be considered at present. Very little pecuniary loss will be incurred by the person who has taken action in the Supreme Court if we pass this legislation to protect the member who is at present involved. At present, I am disposed to give my aid to rectify the mistake that has unwittingly been made. The preamble of the Bill states that doubts have arisen as to members of the Parliament of Western Australia having committed breaches of the provisions of the Constitution Act. Clause 2 of the Bill proceeds to implement the preamble and indemnify the member on account of his holding an office of profit under the Crown. However, I fail to see the connection between the preamble and Clause 3 of the Bill.

The Honorary Minister: Do you contend that is necessary?

Hon. J. CORNELL: I am not a lawyer, but I think about 85 per cent. of the Bill could be cut out. It could be expressed in this way, that notwithstanding anything contained in the Constitution, so and so shall be indemnified for accepting a position on the Commission. Clause 2 is an honest attempt to rectify a mistake. Clause 3 of the Bill, however, provides that irrespective of who may be a member of Parliament he shall not be considered as holding an office of profit under the Crown if he accepts an appointment to the Lotteries Commission.

Hon. E. H. Harris: Then the Bill is not limited to Mr. Clydesdale?

Hon. J. CORNELL: If the member in question to-day accepted office again on the Lotteries Commission, then on the 1st January, 1934, he would be in exactly the same position as he is now; except that in that case he would have accepted the position with his eyes open.

Hon. J. M. Macfarlane: So would we.

Hon. J. CORNELL: I am sure no member thinks that Mr. Clydesdale accepted the position with his eyes open.

Hon. J. M. Macfarlane: He will, if we pass the Bill.

Hon. J. CORNELL: According to my reading of the Bill, if it is passed to-night, and the third reading is passed to-morrow, and the Act put into operation on Monday next, Clause 2 would still only indemnify the man occupying the position.

Hon. J. J. Holmes: Is it not necessary to obtain the Royal assent?

Hon. J. CORNELL: I do not think so.

Hon. E. H. Harris: The Bill is so framed that it will not need the Royal assent.

Hon. J. CORNELL: Let us do the job properly. Let us face the position fairly and squarely and not side-track it, so that injustice may not be done to an innocent man, because there is a chance of the Bill passing the second reading. When it reaches the Committee stage, however, only a simple majority will be required to ensure the retention of a clause in the Bill. On the third reading, an absolute majority of 16 members of the House will be necessary to pass the Bill. I was hopeful that the Government, in their efforts to see that justice was done, would have divided the two principles concerned and brought down two Bills. What will be the result if Clause 3 is passed? We shall say that, notwithstanding anything contained in the Constitution Act, the appointment of a member of Parliament to the Lotteries Commission shall not be deemed an office of profit under the Crown. Yet we have this anomalous situation, that it is necessary for a member of this Chamber, who accepts a Ministerial portfolio, to submit himself for re-election.

Hon. E. H. Harris: Does he not accept an office of profit?

Hon. J. CORNELL: No. I submit with all humility that we shall be subjecting ourselves to proper and honest criticism if we amend the Constitution so as to permit members of Parliament to act on the Lotteries Commission. We shall say that an appointment on the Lotteries Commission shall not be deemed an office of profit under the Crown and therefore that a member of Parliament may accept it with impunity. It will be said that the Parliament of Western Australia, while it is prepared to deal

with a small anomaly, is prepared to let the larger anomalies go by the board. I am quite prepared to indemnify Mr. Clydesdale. I think he is entitled to indemnification, but I cannot agree to Clause 3 of the Bill. If it is not too late now—

The Chief Secretary: It can stand a lot of amendment.

Hon. J. CORNELL: I hope the Chief Secretary will yet be able to find a way out so that the indemnification question can be dealt with in a comprehensive manner. I hope between now and the final stage of the Bill he will be in a position to announce to the House that his colleagues are prepared this session to give Parliament an opportunity of saying that not only are members capable of serving on the Lotteries Commission, but of serving in some other position that is equally an office of profit under the Crown, but may not carry one-tenth of the emolument that is carried by the position of a lotteries commissioner.

Hon. J. J. Holmes: How does that fit in with the policy of one man one job?

Hon. C. B. Williams: I do not know what that has to do with the position?

Hon. J. CORNELL: I was once a soldier in the ranks of the party to which the Chief Secretary and his colleagues belong. That party, in its policy of one man one job, was as full of inconsistencies as possible. If a man was a lawyer he could practice to his heart's content and carry out his parliamentary duties. If he was a farmer he could farm to his heart's content and lose his money. If he was a trades union secretary and became a member of Parliament, he would have to relinquish the office and make room for someone else. The world is full of inconsistencies; if there were none there would be very few consistencies. I support Clause 2 of the Bill, although it is too full of verbiage, but I want it to be distinctly understood that there is nothing in Clause 3 that is in common with Clause 2. The major issue is indemnification for the man who has unwittingly got into this position. The risk we may run is that we may give place to the minor issue and lose the major one, and that we shall not accomplish what we set out to do. I support the second reading, and may yet speak on the third reading.

On motion by the Chief Secretary, debate adjourned.

BILL—AUGUSTA ALLOTMENTS.*Second Reading.*

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [8.50] in moving the second reading said: The purpose of this Bill is to revest in the Crown, certain allotments of land at Augusta. During the years 1831 to 1834, a number of lots were selected in the townsite of Augusta, under the regulations then obtaining, which provided that selectors, on the fulfilment of certain conditions, could obtain the Crown Grant without the payment of any purchase money. Some of these early settlers obtained their Crown grants in due course, but a number of them never claimed the grant; the land however is still registered in their names in the books of the Lands Department.

Owing to its isolated position and the expenses occasioned in protecting the settlers from the natives, it was finally decided to abandon Augusta, and, with this end in view, the Government of the day, offered land at Busselton to the settlers concerned, in lieu of what had been assigned to them at Augusta. There is no evidence to prove that the settlers accepted the offer, but there is good reason to believe that they abandoned the Augusta selections. None of the original settlers is now living, but every now and then a descendant endeavours to establish a claim to one or more of the lots. In only one instance was such a claim successful.

The question of clearing up the records of the Lands Department of these holdings has been brought up on a number of occasions during the last 40 years, but action to finalise the matter has never been completed.

The Crown Law Department has advised the Department that the only way out of the difficulty is to pass an Act of Parliament, vesting the land in the Crown, subject to a provision that any person who may establish a claim, and is desirous of obtaining a grant in fee simple may make application to the Minister for the fee simple, and provided the applicant is able to satisfy the Minister that he is entitled to make such application, the Governor may, on the recommendation of the Minister, and without monetary consideration grant to the applicant the fee simple of the land.

Hon. J. J. Holmes: What happens if the Crown sells the land before it is applied for?

The CHIEF SECRETARY: An interval of time must elapse before any action is taken. The Bill also provides that where any allotment was unoccupied at the commencement of the Act, or where any person entitled to make application fails to do so within the specified time, or where any claim is not established to the satisfaction of the Minister, the Governor may deal with the allotments as unalienated Crown land under the provisions of the Land Act.

The Bill makes provision in respect of a person who, for a period of not less than 5 years before the commencement of the Act, was occupying any allotment concerned, as if he were the owner of it, whereby such occupant shall within three months after the commencement of this Act or within such further time as the Minister may permit, make application in the form prescribed, and shall publish a copy of such application in the Government Gazette and in a newspaper circulating in the district. The Bill also provides that if such an application be made and the Minister is satisfied that the applicant is entitled to the land, the Governor may after the expiration of six months from the date of the last publication, grant the fee simple without consideration.

A further provision on the same lines is made in respect of persons, who, although they may consider themselves to be entitled, may not be in occupation of such lands. In the event of any such claims not being established, the land shall revert to the Crown and may be dealt with as Crown lands. Provision is also made whereby any person, who contrary to the Act remains in occupation of such land, after being requested, in writing, to vacate, shall be guilty of an offence and may be prosecuted accordingly. In view of past experience, it is not anticipated that any claim can be successfully sustained, but it is essential that the matter should be cleared up and the Bill provides the necessary machinery to enable this to be done. I move:—

That the Bill be now read a second time.

On motion by Hon. W. J. Mann, debate adjourned.

RESOLUTION—STATE FORESTS.*To Revoke Dedication.*

Message from the Assembly requesting concurrence in the following resolution now considered—

That the proposal for the partial revocation of State Forests Nos. 4, 14, 15, 22, 23, 24, 27, 29, 30, 33, 37, 38, 39, and 42, laid on the Table of the Legislative Council by the Command of His Excellency the Lieutenant-Governor on the 9th November, 1933, be carried out.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [8.58]: I move—

That the resolution be agreed to.

Under section 21 of the Forests Act, 1918, a dedication of Crown Lands as State forest may only be revoked in whole or in part in the following manner:—(a) The Governor shall cause to be laid on the Table of each House of Parliament a proposal for such revocation. (b) After such proposal has been laid before Parliament, the Governor, on a resolution being passed by both Houses that such proposal be carried out, shall, by Order in Council, revoke such dedication. (c) On any such revocation the land shall become Crown land within the meaning of the Land Act, 1898.

In this instance, it is proposed to excise 15 areas containing a total area of about 2,045 acres. This is in continuance of the policy of excising from State Forests any areas of agricultural land which are unsuitable for, or no longer required for forestry purposes. The papers I laid upon the Table of the House contain full information relating to the individual areas and localities.

For the information of members, I may state that before any such revocation is recommended the Conservator of Forests makes full investigations, and if he is satisfied that the land is no longer required for forestry purposes and is suitable for agricultural purposes, he then recommends that it be excised from the forest concerned. Once it is excised, it automatically becomes Crown lands and, as such, is available for selection, subject to the provisions of the Land and Act.

HON. W. J. MANN (South-West) [9.0]: I hope the motion will be agreed to. It is in conformity with the desires of the people in the South-West, where the whole of the land concerned is situated. Moreover,

it is in conformity with the sentiments I expressed earlier in the sitting, when discussing the Forests Act Amendment Bill. The whole of the areas enumerated in the motion have been desired by people for settlement purposes, and I trust the House will agree to the motion.

HON. E. ROSE (South-West) [9.1]: The reclassification of the forest areas should be undertaken. Much of the jarrah country contains many acres useless for timber but ideal for agriculture. These pockets of from five to ten acres should be eliminated from the forest reserves and, in fact, it would have been much better for the State had the land been reclassified long ago. Settlers at Greenbushes, Collie and elsewhere have been agitating for that course over a period of years, and I am pleased that the Minister has taken the matter in hand.

Question put and passed.

BILL—LAND TAX AND INCOME TAX.*Second Reading.*

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [9.4] in moving the second reading said: This measure is the annual one that is introduced each session to ensure the continuance of the Land Tax and Income Tax Act. It is identical with that introduced last year and it is not proposed to make any alteration whatever to the existing legislation, so that the land tax and income tax will be the same as last year. Owing to the continuance of low prices for primary products, it has been considered advisable to continue the exemptions previously granted, with the result that those engaged in agricultural, horticultural and pastoral or grazing pursuits will be exempt from land tax. It is recognised that those exemptions represent the sacrifice of a large amount of revenue, but, under existing circumstances, it is also realised that the people engaged in such pursuits are suffering severely from the depression and, in many cases, would be unable to pay land tax. There has been a consistent fall in the revenue both from land tax and income tax since 1929. For the financial year, 1929-30 the revenue derived from land tax amounted to £219,000, but in 1932-33 it had fallen to £130,000. It is estimated that we shall collect £135,000 this year, or £5,000 more than last year, but even

this figure shows a reduction of £74,000 in comparison with 1929-30. The receipts from income tax amounted to £340,000 in 1929-30 whilst for the last financial year, 1932-33, the collections totalled £169,000 only, or less than 50 per cent. of the amount received in 1929-30.

Hon. G. W. Miles: Were all the assessments sent out in time?

The CHIEF SECRETARY: Yes, but it was not the fault of the Government if they were not. It is estimated that the receipts for this year will amount to only £160,000. Such a serious fall in the receipts from these avenues of taxation have proved very embarrassing to the Treasurer—as it was to his predecessor—and he has naturally found it very difficult to carry on. As the purpose of the measure is simply to ensure the continuance of the present Act without alteration, I do not think that there is any necessity for me to detain members with an explanation of its clauses. I move—

That the Bill be now read a second time.

HON. J. NICHOLSON (Metropolitan) [9.9]: I have a word of praise and congratulation for the Government for bringing forward a measure that does not seek to add anything to the land tax and income tax imposed upon the people.

Hon. G. W. Miles: The Government gave that undertaking, and they are merely carrying out their word.

Hon. J. NICHOLSON: I am always pleased when the Government of the day, after giving Parliament their assurance that something will be done, promptly follow up their promise by introducing legislation in conformity with their declaration. For that reason, the people generally will appreciate the action of the Government.

Hon. G. W. Miles: This will be used against you some day.

Hon. J. NICHOLSON: That may be so. If anyone should desire to use it against me, he is welcome to do so. Earlier in the day I saw fit to criticise the Government and now, when a word of praise is due, I am glad to extend it.

Hon. G. W. Miles: What are you looking for?

The PRESIDENT: Order!

Hon. J. NICHOLSON: Despite the difficulties of these times, when Governments throughout the world are experiencing

trouble regarding finance, I hope it will be possible for the Minister to introduce a Bill next year which, if it will not decrease taxation, will certainly not increase it. In the meantime, I trust that the Government will be able to practise wise economies in every direction possible.

On motion by Hon. H. Seddon, debate adjourned.

House adjourned at 9.12 p.m.

Legislative Assembly,

Wednesday, 15th November, 1933.

	PAG
Question: Housing Trust	191
Bills: Fremantle City Council Lands Act Amendment, 1R.	191
Permanent Reserve (A1162), 1R.	191
Health Act Amendment (No. 2), 1R.	191
Annual Estimates: Votes discussed	191
Aborigines Native Stations	191
Railways, Tramways, etc.	191
State Trading Concerns	195

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

QUESTION—HOUSING TRUST.

Mr. F. C. L. SMITH asked the Premier
1. Was Senator Collett correct in stating in the Senate, during the debate on the Financial Relief Bill (*vide* Federal "Hansard" No. 23, p. 3862, October 25, 1933), that "in Western Australia there is what is known as a housing trust. Its function is to erect houses at an average cost of about £270, and let them to deserving people either on a free life tenancy or on the rent purchase system at the rate of 5s. weekly"? 2. If the statement is correct, will the Premier indicate how one of these houses can be secured?

The PREMIER replied: 1, Yes. Housing Trust Act, passed 1930. 2, These houses are