

## Legislative Council,

Tuesday, 4th December, 1906.

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THE PRESIDENT took the Chair at 4.30 o'clock p.m.

## PRAYERS.

## LAND TAX ASSESSMENT BILL.

## TO REINSTATE.

THE COLONIAL SECRETARY (Hon. J. D. Connolly) gave notice that on Thursday he would move:—

That the resolution of this House passed on the 28th November, "That the Committee on the Land Tax Assessment Bill have leave to sit again this day six months," be rescinded, and that the House do resolve itself into Committee to farther consider Message 31 from the Legislative Assembly.

## QUESTION—RAILWAY SUNDAY EXPRESS TO GOLDFIELDS.

HON. T. F. O. BRIMAGE asked the Colonial Secretary: Have the Government done anything in the matter of train alteration, so that the goldfields express can leave Perth on Sundays during the summer months?

THE COLONIAL SECRETARY replied: The Government have deferred taking action, as the Commissioner of Railways has reported that the change would involve a cost to the State of at least £75 per week.

## BILL—EVIDENCE.

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

## BILL—AGRICULTURAL BANK.

## COUNCIL'S AMENDMENT.

The Assembly's reasons for declining to make one of the amendments requested

by the Council were now considered in Committee.

No. 2—Clause 28, Subclause 3, line 2, insert after the word "to" the words "three-fourths of."

THE COLONIAL SECRETARY moved—

That the request be not insisted on.

The clause as it passed the Assembly provided that the Agricultural Bank could advance £300 for certain improvements to the full value of the security. The Council afterwards requested the Assembly to insert the words "three-fourths," so as to make the amount three-fourths of the full value of the security; but if that request from the Council had been agreed to by the Assembly the settler would only get an advance up to £300 on three-fourths of the value of the improvements, and a farther advance up to £200 on half the value of farther improvements, or practically in all £500; whereas the Assembly claimed that such amendment would make the Bill less liberal than the Act now in force, which provided for an advance up to £1,000 on a 75 per cent. basis. The Bill was primarily to assist settlers during the first few years on the land, and the Government considered that there was no undue risk taken in advancing to the full value of improvements up to £300. He understood that members who had supported the amendment did not desire to insist on it now that they had made their protest, if the Government cared to take the responsibility.

HON. J. W. HACKETT: Were we to use the word "insist"?

THE CHAIRMAN thought so.

HON. J. M. DREW: Liberality could sometimes go to the extent of rashness, and it seemed so in this instance. It was not a question of how much the bank would advance; it was a question of seeing that safeguards were taken for the money advanced. The result of advancing loans to the full value of improvements would mean that land would be taken up by men solely with the object of getting the cost of the improvements, and then allowing the land to fall back again on the hands of the Government. He (Mr. Drew) was now exactly of the same opinion as when the amendment was put forward.

HON. G. RANDELL: Objection was taken to the clause on the ground that the Government were taking undue risks, but as the Council had made known its views on the subject members were now willing to leave the responsibility upon the shoulders of the Government of the day. After all it was a question of what the manager would do, to a large extent. The same principles that had guided the manager hitherto would guide him in the future; though perhaps he might be influenced by the fact that the Government intended to be as liberal as possible.

THE HONORARY MINISTER: The argument that a man would take up land for the purpose of borrowing to the full value of improvements would apply if the money was advanced to the extent of only three-fourths of the improvements. It was impossible to prevent roguery.

Question passed, the Council's request not insisted on.

Title—agreed to.

Bill reported with the amendments agreed to by the Assembly; the report adopted.

#### BILL—LAND ACT AMENDMENT.

##### IN COMMITTEE.

Resumed from the previous day.

New Clause:

THE HONORARY MINISTER moved that the following be inserted as Clause 6 (in lieu of clause previously struck out):—

Sections 17 and 18 of the principal Act are repealed, and the following inserted in lieu thereof:—"All applications for land under this Act shall be made in the prescribed forms, and shall take priority according to the order of their being lodged or received through the post with the prescribed deposit, at the Lands and Surveys Office, Perth, or at such other places and offices as the Governor shall notify in the *Government Gazette*: Provided that if two or more applications for the same land are lodged or received through the post as aforesaid on the same day, such applications shall be deemed to be lodged or received at the same time."

This clause was in keeping with what the select committee recommended, being worded exactly the same, except that it was a little more exhaustive. Presumably the members of the select committee would not object to it. It had been

thought out, and it was considered that the clause would be much better in this form.

HON. J. M. DREW: This new clause meant precisely what the original Clause 6 meant, but the selector in order to discover what that clause meant would have to wade through various amending Acts, two or three, so it was thought it would be better to convey in explicit language what was intended.

Question passed, the clause inserted.

New Clause—Certain Special Leases convertible into freehold:

HON. J. T. GLOWREY moved that the following be added as Clause 72:—

The Governor may, in the case of any land the subject of a special lease under Subsection (3) of Section 152 of the principal Act, provided all the conditions to be observed by the lessee have been duly complied with, and also provided the full purchase money and prescribed fee have been paid, issue a Crown grant in respect of such land.

According to Section 152 of the Land Act of 1898 certain areas might be set aside under lease for 25 years. According to Subsection 3, provision was made for stores, bakeries, and such like business places. What he (Mr. Glowrey) desired was to allow those who held such areas an opportunity of converting them into freeholds. In some of the other States provision was made in the Land Act for what were known as business areas, and after a certain period these could be sold. If this amendment were carried, it would have the desired effect. Many people put up substantial buildings, but were unable through want of a title to obtain financial assistance, and consequently they were very seriously embarrassed. There were numerous cases on the goldfields in which such a clause as this was wanted.

THE HONORARY MINISTER: This was in keeping with what the House passed a day or two ago in dealing with residential leases. The Government saw no objection to its acceptance.

HON. J. M. DREW would like an explanation as to how the full amount of the purchase money was to be arrived at. He did not think there was any provision in the regulations. It was never contemplated that lands leased under Section 152 of the Act would have to be sold. There were special reasons why they

should not be sold, but the Crown had no objection to grant leases up to 21 years. If the House decided that it was wise to sell land for stores and similar buildings, some more definite provision should be made by which the amount of the purchase money should be arrived at. He presumed it would not be arrived at on the basis of £3 a year rental.

**THE HONORARY MINISTER:** It would be arrived at in the ordinary manner. The lessees would pay the actual value of the land, taking into consideration the locality and the surrounding circumstances.

Question passed, the clause added.

**New Clause—Register of Caveats to be kept:**

**HON. J. M. DREW** moved that the following be added as Clause 87:—

It shall be the duty of every officer in charge of a district land office to send a duplicate copy of every caveat lodged with him forthwith to the head office of the Lands and Surveys Department in Perth, where a register shall be kept of all caveats lodged either there or in any land district open to the inspection of the public at all times during office hours in payment of a prescribed fee.

Under the Bill as originally drafted caveats would have had to be lodged in the various land districts, and not at the central office. The select committee deemed it advisable to make it also incumbent on the district land officers to at once send duplicate copies of the caveats to the head office in Perth, so that business people, if they wished to discover whether or not there was a caveat lodged against a man, would not have to send round to the various land offices of the State. All that it would be necessary for them to do would be to apply to the head office in Perth.

Question passed, the clause added.

Title—agreed to.

Bill reported with amendments.

#### RECOMMITTAL.

On motion by the Honorary Minister, Bill recommitted for farther amendment of three clauses.

**Clause 1—Short Title—amended** by adding a subclause: "This Act shall come into operation on a day to be fixed by proclamation by the Governor, pub-

lished in the *Government Gazette*." This would give time for preparing the requisite stationery to suit the amendments of the principal Act.

**Clause 16—amended** by inserting after "duplicate" the words "or office copy."

**Clause 34—amended** consequentially.

Bill reported with farther amendments; the report adopted.

#### BILLS (2)—FIRST READING.

Loan Bill and Appropriation Bill, received from the Legislative Assembly.

#### BILL—BREAD ACT AMENDMENT.

The Council having made three amendments, and the Assembly agreeing to two, also to the third with a farther amendment, the third was now considered in Committee.

**Clause 3—Between** the words "month" and "shall" in line 2 insert the words "except the months in which Good Friday and Christmas Day occur":

On motion by the **HON. J. W. LANGSFORD** (in charge of the Bill), the farther amendment agreed to.

Bill reported with amendment; the report adopted.

#### BILL—EMPLOYMENT BROKERS ACT AMENDMENT.

##### SECOND READING.

**HON. J. T. GLOWREY** (South): In moving the second reading of this Bill, received from another place, I may say there has been no legislation on the subject since 1897; and it is generally admitted that cases occurring from time to time warrant some amending legislation in this State. There are numerous employment brokers who no doubt conduct their businesses on just and business-like methods; but there are others who, it must be confessed, use very little caution in their choice when sending servants away into the country to situations. This Bill will protect to some extent both employer and employee. Numerous cases are on record in which servants seeking places have been sent to remote parts of the State, though totally unfitted for the positions which they

were sent to fill. It seems to me that the great desire on the part of employment brokers has been in many cases to secure the fee, irrespective of whether the situation would suit the particular client or not. Provision is made in the Bill for regulating the scale of fees to be charged; and in this respect numerous cases have occurred in which heavy fees have been extorted from servants who were sent sometimes long distances to positions for which they were unsuited. None of the provisions of the Bill will in any way inflict hardship or injustice on those labour agencies in the State which are well conducted. It has been often stated, when servants were being sent to vacant positions, that if the situations proved unsuitable, the employment broker would find them others. No doubt in the case of the legitimate broker that promise is kept fairly well; but it does not always follow. In many cases the fees are collected and servants sent away, and in a week or a fortnight those servants being found unsuitable or the work not fitted for them, they are either dismissed or have to leave because they cannot do the work. This Bill seeks in some degree to protect these persons from the operations of unscrupulous brokers—if I may so call them—who would do this kind of thing. Some legislation in this direction is required, and the Bill has been introduced and passed in another place with the view to meeting these wants which have been brought under notice from time to time. I move that the Bill be now read a second time.

On motion by the Hon. G. RANDELL, debate adjourned.

#### ADJOURNMENT.

The House adjourned at 5:23 o'clock, until 7:30 on the next evening (the Exhibition of Manufactures to be opened on the Wednesday afternoon).

## Legislative Assembly,

*Tuesday, 4th December, 1906.*

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THE SPEAKER took the Chair at 3 o'clock p.m.

#### PRAYERS.

#### PAPER PRESENTED.

By the MINISTER FOR MINES: Papers in connection with Gold-mining Lease No. 1473 (Legacy West).

#### QUESTION—CIRCUIT COURT, GERALDTON.

MR. T. L. BROWN asked the Attorney General: 1, Is it the intention of the Government to establish Circuit Courts in the Geraldton District? 2, If so, when? 3, In view of about 40 witnesses in the Sibley and Wren case, from Cue, having to be brought from Cue to Perth, could the hearing not take place in Geraldton, thereby saving considerably the expense to the Crown?

THE ATTORNEY GENERAL replied: 1 and 2, Whenever the requirements of public convenience and economy in administration of the law require it, cases whether civil or criminal requiring to be tried before a Supreme Court Judge will be tried at Geraldton or other suitable place. 3, The case of *Rex v. Wren* will be tried in Perth, this being the more economic course to pursue having regard to the special issues likely to arise in the case. The case of *Rex v. Sibley* will be tried at Geraldton.

#### REPORT—SWEATING INQUIRY.

MR. TROY brought up the report of the select committee on sweating in the State.

Report received, read, and ordered to be printed.