poses for which it was supposed to be planted.

THE PREMIER: The pines planted consisted principally of the species known as *pinus insignis*, which grew rapidly; and the nurseryman in charge had previously been in charge of a nursery in South Australia, where similar pines were reared. The trees matured early, and in South Australia their wood was being used largely in the manufacture of fruit-cases, suitable timber for which was wanting in this State. Our timbers, jarrah for instance, were too heavy for the purpose. The trees were profitable, seldom "missed," and appeared to suit the climate. A few firs and some Norfolk Island pines were also grown, but the nursery consisted principally of *pinus insignis*.

MR. TROY: Where were the sandalwood plantations?

THE PREMIER: East of Pingelly.

MR. TROY: Had any steps been taken to give effect to the suggestion made by the Timber Commission, that experiments in tree-planting should be made on the Murchison?

THE PREMIER: It would be an expensive business to put trees down on the Murchison, where the ground was as hard as cement. The only trees which did any good in that country were the indigenous eucalypti, the saplings and suckers of which grew to a fair size; but the mulga and other local trees, once cut down, failed to show sprouts. The gums grew only on the banks of creeks; hence it would be an expensive matter to raise a plantation there.

Other items agreed to, and the vote passed.

This completed the Lands Department Estimates.

Progress reported, and leave given to sit again.

PAPERS PRESENTED.

By the PREMIER: 1, Caves Board, Fifth Annual Report. 2, By-laws passed by the Municipalities of Perth and Victoria Park.

By the MINISTER FOR RAILWAYS: 1, Government Railways Report and Returns under Sections 54 and 83 of the Railways Act.

ELECTORAL—RESIGNATION OF A MEMBER.

MOUNT LEONORA.

MR. SPEAKER: I have received the following letter, dated 1st November, 1906:—

I beg to tender my resignation as member of the Legislative Assembly of Western Australia, for the district of Mt. Leonora.—P. J. LYNCH.

On motion by the PREMIER, seat declared vacant.

ADJOURNMENT.

The House adjourned at 10·35 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 6th November, 1906.

THE PRESIDENT took the Chair at 4·30 o'clock p.m.

PRAYERS.

URGENCY MOTION—MUNICIPAL PETITIONS.

HON. W. MALEY (South-East): I move that the House at its rising do adjourn until Tuesday next, and I take this somewhat unusual step on a matter of great moment and public urgency. I do so because this may be the last chance perhaps that I shall have to refer to a matter which has been of intense interest

in the province I have the honour to represent, and affects municipal government to a great degree, not only in that province but throughout the State. The urgency arises because there is a Bill before this Chamber now in the Committee stage dealing with municipalities, and there is an Act of Parliament under which municipalities have enjoyed a somewhat lengthy existence of six years, and the Act of 1900 now in force will have to make way for the new Bill now before Parliament. This then would probably be the last time with which one may be able to deal properly with the point I wish to raise. I trust members who have much work before them will not look with disgust on the stand I am taking to-day in dealing with the matter, because I think I shall put such a case before them that they will see the matter is of such urgency that it is necessary for me to take the step I do. On occasions such as this members must put themselves right with their constituents, and a member of the Legislative Council is in duty bound, when a petition and a counter-petition are before the Ministry, to put himself right with his province and the town affected. On these grounds I claim the privilege of moving the adjournment. Then, when one makes a statement, it can never be asserted that the member has had anything to do with a matter that cannot be understood. On the 27th July, 1906, a petition for the formation of a municipality at Katanning was presented to His Excellency the Governor. Katanning is a town of some importance on the Great Southern Railway, and of quite equal importance to Wagin or Narrogin, which already enjoy municipal government under the Act. It is only reasonable that such a petition should be forwarded, for the Act provides that the Governor may, subject to the provisions of the Act, from time to time by proclamation declare any town or locality containing rateable property capable of yielding upon a rate not exceeding one shilling in the pound on the annual value thereof, calculated under the provisions of the Act, a sum of three hundred pounds, to be a municipality. These conditions were complied with, and a large petition, influentially signed, was presented. That petition contained no less than 146 signatures, all verified as is necessary by declaration under the Act. Section 28 provides that if within one month after the publication of any petition praying for the constitution of a municipality, or the division or redivision of or the alteration or abolition of the divisions in any municipality, a counter-petition in accordance with the provisions of the Act, signed by an equal or larger number of persons qualified to sign a like petition than have signed the petition be presented, no proclamation shall be made on such petition. That provision has never been complied with. An equal or larger number of persons has never signed a counter-petition, only 91 persons having signed the counter-petition. Section 30 provides that a solemn verification of the signatures must be made. This clause is so important that I may read it as follows:—

> The signatures to any petition or counter-petition shall be verified by solemn declaration made before any justice of the peace of some person signing the petition; and such declaration shall be in the form or to the effect in the Second Schedule hereto; and no petition or counter-petition shall be received by the Minister unless the same be accompanied by a declaration in accordance with the provisions of this section.

Then by Section 31 a scrutiny of the signatures has to be made, and in the event of certain improper acts being committed it shall be lawful for the Minister to cause inquiry to be held. The counter-petition requested an inquiry to be held, and it was open for the Minister to call for an inquiry or a public inquiry. Those signing the counter-petition asked for an inquiry. The Minister wrote that he had received a counter-petition, and asked for their reply to that. A reply was sent on the 24th September to the Colonial Secretary as follows:—

> In reply to your favour of the 11th instant, on behalf of my committee I beg to state:—1. In reference to the statement attached marked F, being evidently a similar copy to the one you have from the counter-petitioners marked A, you will observe that it is only a comparative statement showing what the town would produce in revenue under the roads board and proposed municipality, provided the assessed value reached £8,000, and is not an exhaustive one, nor calculated to unduly influence the petitioners.

As will be seen by the printed document, it is a "comparative statement" in big head lines, so that nothing is misleading

in putting this before the public as a comparative statement, which I believe the petitioners allege to be a statement of fact. The letter goes on:—

In fact, very few of the petitioners saw the statement until after signing the petition (even if they had done so). At a public meeting at which about 300 to 350 people were present held a few days before the petition was presented, the matter was thoroughly threshed out, and near its conclusion the writer in a public address invited any who had signed the petition and wished to erase their names to apply to him on the following day. In lieu of any names being erased, however, ten additional names were added, which would clearly show that the signatories were not unduly influenced in signing the petition. 2, It being a comparative statement, shown on the head line in bold type, is a plain contradiction to the words that it was "issued as a statement of facts." It clearly states that it is a comparative statement. 3, When the counter petition was presented the deputation could not but have known that it was making incorrect statements, as the above and following items go to show, and on these grounds also the counter-petition should, we think, carry no weight. 4, The roads board rate book, made up to the 30th June last, shows the assessed value of the proposed municipality to be £7,171. Adding to this properties omitted from the rate book which should have been assessed at fair valuation gives £664 10s., (see list C attached). Also add buildings assessable when the deputation went to Perth with the counter-petition, £142 10s. (see list D attached), which gives a total assessment of rateable property to the value of £7,978. Whilst since then there are buildings being constructed and others spoken of which will be ready for assessment by the time the municipal council is formed, and will add considerably to the above figures. The above figures of omissions were plainly shown on a large placard in the public hall at Katanning on the night of August 20th at a crowded public meeting, at which both Mr. A. E. Piesse and Mr. A. D. Smith were present, the gentlemen who formed the deputation bearing the counter-petition, the former being the chairman of the Roads Board, as also was the valuator of the Roads Board, Mr. William Pemble, none of whom, or other speakers, attempted to refute the figures, although ample opportunity was given. 5, If the people were induced to sign the petition on account of the comparative statement, the foregoing shows they did so on a basis of fact, and not under misrepresentation. 6, Regarding the incomes of £1,600 and £1,100 respectively, you will readily see that the figures are not erroneous, but correct, allowing a £2 to £1 subsidy, which when the statement was printed was being granted by the Government, and although since that time the Government, we understand, has arranged to reduce the subsidy by 20 per cent., we would point out that the Premier, speaking at the municipal banquet, stated that "New municipalities would necessarily have to be spoon-fed," and your own reply to the deputation that we could rely upon the Government treating new municipalities as liberally as possible, so that even now the gross income should be so nearly equal to the comparative statement that it would not materially affect the issue. 7, Regarding the common interest of the town and country of Katanning, we believe that in no district where a municipality has been formed is there any friction, nor need there be (see Beverley, Narrogin, Wagin, etc.), and on the contrary it seems to us that in both the town and country better care can be taken of both by each having its own governing body. Neither does it seem right to expect money raised outside the town to be spent inside the town. Last year in the central ward of Katanning, £424 4s. 4d., including administration, was spent by the roads board, whilst very poor roads exist in part of the country district that badly require attention, and it does not appear just that the roads board should be expected to spend either time or money on a town large enough to govern itself. 8, page 2, para. 1. It cannot be denied that it costs more to control two bodies than one, though the difference should not be great, and in regard to the town, as shown in statement attached, E, the revenue derivable from other sources that are not available to a roads board would materially assist in meeting the extra cost of administration. 9, page 2, para. 1, 2, 3, refer to what may possibly occur in the future, and do not actually come within the scope of the present issues, but were they to do so a clause would undoubtedly be inserted to provide for any municipality to come under such proposed Act if it so desired. 10, page 2, para. 4. A few people have signed both petitions, but considering that the counter-petitioners had some four weeks after the petition was forwarded to you in which to obtain signatures, using the arguments set forth in the counter-petition and making every effort to secure names appearing on the former petition, the fact that they were able to induce only seven or eight out of 146 to do so, especially when we have reason to believe that some of them understood that they were signing for an inquiry only, and not a direct counter-petition, clearly shows the trend of public opinion. 11, For the reasons herein stated, and those presented by the deputation, and recognising the large majority who favour a municipality, we trust that you will grant the prayer of the petitioners at the earliest possible moment, to enable the proposed municipality of Katanning to be formed in time to open with the municipal year commencing the 1st November next.—Thanking you in anticipation of an early and favourable reply (signed).

I may say that I have read this to the House in preference to making a state-

ment myself. I have attended none of the public meetings, I have not attached myself in any way to any party, and I have very little interest in the town of Katanning, but I think where a majority makes a request to a certain Government that request should be listened to, and it is always wise to give people, where it can be done under the legislation in force, the power to administer their own affairs. It must be borne in mind that up to the present moment everything is being anticipated in regard to the passing of legislation, and so far as I have heard up to the present no good grounds have been given, and the public are wanting the grounds to be given for refusing the municipality. I propose to read the reply given by the Colonial Secretary, dated 23rd October, in answer to the letter I have just read:—

Sir,—With reference to the petition praying that Katanning be proclaimed a municipality, I have the honour to inform you that the Government have carefully considered the petition and the counter-petition, and are of opinion that it would be well for the petitioners to wait till next year, when they can again bring forward their desire, if then of the same opinion. The Government have decided this in view of the somewhat divided opinion of ratepayers, but more particularly on account of the amendment which was made in the new Municipal Act, namely increasing the annual rateable value from £300 to £750, and according to the value set out in your petition based on the 1s. in the pound rate, a less sum would be yielded than Parliament has provided for in the new Act.

I hope members will notice this word "Parliament."

Since Parliament has clearly expressed the view that municipalities should be confined to the larger towns——

Here the word "Parliament" is used again in order to influence the people of Katanning and satisfy them that the Minister had done his best, and the blame is apparently put on Parliament—

namely those yielding £750 on the assessed annual value, I have to inform you that the Government does not, in the circumstances, feel justified in recommending to his Excellency the Governor that the request of the petitioners be acceded to. I might also mention that the Government has now under consideration an amendment to the Roads Board Act on the lines of the Queensland divisional boards and the Victorian shire councils, and such legislation would, I believe, be preferable to the present Municipal Act. For the foregoing reasons, therefore, the Government cannot accede to the prayer of the petitioners.

It appears to me somewhat childish—I do not use the word in any offensive sense—at any rate unreasonable, to ask the petitioners of that municipality with a large majority to wait for a year, and then in subsequent paragraphs of the letter say that certain legislation is being introduced which will alter the condition of things and practically make it impossible to get the municipality asked for. I have laid stress on the fact that the word "Parliament" has been used. It might have been used inadvertently. Certainly the Legislative Assembly has agreed to £750, but this Chamber, which is a deliberative Chamber, has not. This Chamber may not have much influence in the country, but I hold it has, and it is incorrect to say that Parliament has decided upon a certain course, and to refer in this letter to a Bill as an Act. It is a measure which is not in force, which has not been passed by the Legislative Council. It is unreasonable to put such statements as statements of fact to satisfy people like those residing at Katanning. I did my best at several interviews with the Minister to induce him to grant that municipality, because the majority wished it. It has pained me considerably to have to move any motion which would affect any of my constituents, and I only do it as a public duty so that the country may see the exact position, and to give the Minister a chance of explaining the attitude he has taken up. It may be a satisfactory one, but it does not appear to me to be satisfactory to a country where the people are supposed to rule, where the majority are supposed to govern. Had the petitioners done anything wrong or asked for something outside the scope of the Act, the Minister could have refused. But take the period from the date I have mentioned, the 27th July to the present time. The refusal to grant the petition on the eve of the passing through this Chamber of a particular measure calls for an explanation, and it should be reasonable, and one which would not only satisfy this House but satisfy the country. The refusal given is not within the scope of the Act. It was never intended that the Minister should refuse the petition of the majority.

The Minister has powers in relation to certain wrong acts. It is provided that it shall be lawful to have an inquiry. So far as the petitioners are aware no inquiry has been held. The petitioners themselves requested a public inquiry, and everything was to be open to the light of day. And if the Minister had conceded that reasonable request in the petition, or the request in the counter-petition, for they also asked for an inquiry though not a public one, he would have merited the applause of the people in that part of the State, which is not an unimportant portion of Western Australia, and it would have produced much good. I will not take up the time of the House any more. I have stated what I consider the plain facts of the case, with very few elaborations, and I trust that members will not be misled by anything I have said. I have endeavoured to put an unvarnished statement before the House.

HON. J. M. DREW: I second the motion.

THE COLONIAL SECRETARY (Hon. J. D. Connolly): I do not think that this is a question of urgency on which the adjournment of the House should be moved, nor do I think it is of any great interest to the country at large. It is of interest perhaps to a part of the town in the province which Mr. Maley represents; but I fail to see of what public interest it can be to any other part of the country. Therefore I do not think it was at all necessary to delay the time of the House by moving the adjournment of the House. Briefly, the position is this. Some two or three months ago a deputation waited on me with a petition for the formation of Katanning into a municipality. Some stress has been laid on the fact that there has been considerable delay. If the hon. member looks at the Act, he can see that no Government can grant a request for a municipality under two months.

HON. W. MALEY: You have taken no steps.

THE COLONIAL SECRETARY: The Act provides in the first place that any petition received shall be gazetted for four weeks, and after that we have to remain for another month. This deputation was introduced by the member for the district, the Hon. F. H. Piesse, and a petition was handed to me for forming Katanning into a municipality. There was also a deputation which presented a petition against the formation of Katanning into a municipality, and this deputation represented leading townsmen and people in the district almost equal in number to those who signed the original petition. As in duty bound, I took the petition and the counter-petition into consideration; and I also took the trouble to have a copy of the counter-petition made and forwarded to the petitioners, so that they might see the arguments used by the counter-petitioners. The hon. member says we had no power to refuse the petition, and he read a clause in the Act which says that the Governor-in-Council may inquire into the genuineness of the signatures of a petition generally. But the hon. member should be aware that Section 25 of the Act deals with the formation of a municipality, and says it shall be at the discretion of the Governor-in-Council to refuse the prayer of any petition, or to grant the whole or any part thereof. If the counter-petition had more signatures in this case, or even if the number were equal, the Government would have had no option but to refuse the petition. It devolved on the Government to say whether the formation of a municipality at Katanning was in the best interests of the country; and the Government decided it was not in the best interests of the country that Katanning should be granted municipal government at present. A letter setting forth the reasons for the refusal of the petitioners' prayer was forwarded to the petitioners, and that letter has been read by Mr. Maley. The first reason was that a new Bill was before the Legislative Assembly — the letter certainly said "Parliament," but that was a mistake; it should have been "Legislative Assembly." The letter stated that the Legislative Assembly had altered the Bill and raised the status of the annual value from £300 to £750. I pointed out in the letter that as this was the expressed opinion of Parliament—I did not say the Legislative Assembly, though it should have been put that way – Katanning would need to be of greater size than was set forth in the petition, that it

was thought well the matter should remain over for a time, and that when the new Act came into force they could, if they so desired, petition again. I also pointed out that the Government contemplated bringing in a new Bill next session on the lines of the Shire Councils Act of Victoria and the Divisional Boards Act of Queensland. The latter Act is briefly this. The town must be of greater dimensions in Queensland than in Western Australia before it becomes a municipality, because they recognise in Queensland that it is a waste of money to have two governing bodies in small country towns. In Katanning we would have a municipal council controlling perhaps a district a mile or half a mile square, while there would be another local authority controlling the district outside. The Queensland Act provides that the divisional board may strike a special rate on the town contained within the boundaries of the board and spend it in the town; so they have all the benefits of the municipal council, but the whole district is controlled by one governing body only. Briefly those were the reasons why the Government decided to advise His Excellency to refuse the prayer of the petition of part of the people of Katanning. It seems to be rather a grievance with Mr. Maley that Wagin and Narrogin, two towns in a similar district, were granted municipal government and not Katanning; but the hon. member knows that two wrongs do not make a right. Municipalities have been formed, and later on it has been found that the districts have been too small and the municipalities have been abandoned. All that has been done is that the people of Katanning are asked to leave the matter over until the new measure is passed. Then they may apply again if they so desire to be formed into a municipality, or they may elect to wait until a Shire Councils Act is passed. The Government consider that a Shire Councils Act will serve country towns better than a Municipal Corporations Act. The people of Katanning may elect to come either under the Shire Councils Act or under the Municipal Corporations Act. There was no need for the adjournment of the House to be moved. If the people of Katanning were not satisfied with the decision of the Government, they could have forwarded another petition saying that they had considered all the circumstances and still asked to be formed into a municipality; but as far as I am aware at the present they have not replied to my letter. If the people of Katanning saw fit to reply to that letter and said that they were of opinion that they would be better served by a municipality, and desired to be formed into a municipality, the Government would have considered the petition. I trust that I have given a satisfactory explanation to the House.

HON. W. MALEY (in reply): I could not quite follow the Leader of the House, but I do not wish to press the matter any farther, and I withdrew the motion.

Motion by leave withdrawn.

ELECTORAL—RESIGNATION OF A MEMBER.

NORTH PROVINCE.

THE PRESIDENT: I have received the following letter:—

SIR,—I have the honour to place in your hands my resignation as a member of the Legislative Council for the North Province.—Yours faithfully, E. H. WITTENOOM.

Geraldton, 30th Oct.

On motion by the COLONIAL SECRETARY, the seat was declared vacant.

QUESTION—POLICE, CHARGES AGAINST AN INSPECTOR.

HON. W. PATRICK (for Mr. Wright) asked the Colonial Secretary: 1, Has the Government received communications from ex-Corporal F. Tyler, making charges against Inspector Newlands. 2, Is it the intention of the Government to investigate such charges? 3, If so, at what date?

THE COLONIAL SECRETARY replied: 1, Yes. 2, No; the charges have already been investigated by a board of Inquiry held at Northam in April, 1905, and the papers dealing with the matter are now on the table of the Legislative Assembly. 3, Answered by No. 2.

REPORT—FISHING INDUSTRY INQUIRY.

HON. W. KINGSMILL brought up the report of the joint select committee on the fishing industry.

Report received, and ordered to be printed.

PAPERS—POLICE SERGEANT HOULAHAN.

HON. M. L. MOSS had given notice to move that there be laid on the table all papers in connection with the services of Sergeant Houlahan in the police force, and particularly in connection with his removal from Fremantle.

These papers having been placed at the hon. member's disposal, he now found it unnecessary to move.

BILL—BOAT LICENSING ACT AMENDMENT.

SECOND READING.

Resumed from the 30th October.

HON. T. F. O. BRIMAGE (North-East): In regard to this measure, I think it is nearly time we had a consolidating Bill. I believe there are already two or three amendments in addition to the principal Act. It would be much better if the Government were to bring down a consolidating measure this year instead of trying to pass these few amendments contained in the Bill. One thing strikes me as unnecessary in this Bill. In Clause 2 it is provided that anybody who owns a motor launch must obtain a license as well as a certificate.

THE COLONIAL SECRETARY: There is nothing about machinery in this Bill.

HON. T. F. O. BRIMAGE: Well, I believe it is so. It is wrong to compel people who own launches to pass unnecessary examinations. I secured the adjournment of the debate for that particular reason, and I think myself at the present stage it would be much better if the Bill were shelved, and a consolidating measure brought down next session.

HON. R. LAURIE (West): I think I can make it clear to the member who has just spoken that this Bill is not for the purpose of making persons who own motor launches hold a certificate to drive. The Bill is amending the present Act, which badly needs amending, because the principal Act passed in 1878 gives little or no power The members of licensing boards have no power to deal with any question of engines and boilers, which come under the Machinery Act. The clause provides for the insertion of the words "or other motive," and relates to motive power other than steam power. Clause 3 simply applies to vessels plying for hire, and, what is probably of more consequence, vessels held for hire. If a motor launch is lying at Perth and is owned by a person who lets out boats, it is of much consequence that it shall be in charge of someone who knows something about such boats, instead of being in charge of some boy who supposes he has a knowledge of engines. In view of what has taken place, and has taken place for a number of years, it is only right and proper that a steam launch or oil launch let for hire should be in charge of someone who knows something about it.

HON. T. F. O. BRIMAGE: That is my contention.

HON. R. LAURIE: I took the contention of the hon. member to be that if a man owned a launch not held for hire, he should not be subject to the examinations. A privately owned launch should not be hired unless there are some competent people to control it. We should look after people who let out boats for hire, and have someone in charge who knows something about boats. The regulations will provide for the licensing of steamers, or boats plying for hire or held for hire. It will mean that the licensing board, instead of being a licensing board in name, will be a licensing board in fact. At present, as happened three weeks ago, a boy 18 years of age can hire a boat, take six or eight persons on board in Perth, and take her down to Crawley or any other part of the river, and pick up an additional number, so that there may be 26 or 28 on board; and there is no power to get at that boy. I do not say it is the fault of the man who has the boat for hire that a boat is overcrowded. When a boat is plying for hire it is usually in charge of a man who knows something about a boat, and there should be power to punish a person who invites on board perhaps 10 or 12 persons more than the boat is capable of holding.

MEMBER: Is there no rule as to the number?

HON. R. LAURIE: At the present time there is absolutely nothing. Let me

refer to Clause 5. Clause 5 repeals Sections 13 and 14 of the principal Act. Section 13 provides that a vessel on the river shall carry a dingey. That is all it provides. Section 14 provides that the licensing board shall state what size the dingey shall be.

HON. G. RANDELL: A boat and a lifebuoy.

HON. R. LAURIE: A boat and a lifebuoy. What is the use of having a licensing board which can only say what size a dingey shall be, and whether there shall be a lifebuoy carried or not? Is it not absurd that a boat can leave Perth with many hundreds of people on board and have one dingey astern. Let us have a board alive to what is required. Regulations drawn up by the licensing board will be of such a character as those which are in operation in every part of the world. At the present time we have a beautiful river which is being made use of, and from year to year is being made use of to a greater extent; but we had a very striking example a fortnight ago in relation to the police boat, and we had some people writing to the Press stating that we should have more of these boats on the river to look after people. I venture to say that the man who knows most about boating is the most careful man. I know there are times when I would not go out on the river. You will find that those who do not know much about boats will get boats for hire. A man letting out a boat does not intend that she shall have more than six or eight on board, but before she gets far she has 20, and it is the duty of the Legislature to see that certain regulations shall be put into force. I feel it is a pity that the old Act was not repealed altogether, and a complete measure introduced making the position clear. Still, at the same time, at this late hour of the session it is just as well that this should go through. This will provide all that is required. It has been very carefully and well thought out. I have been a member of the licensing board for 3½ years; and what are our duties? I speak with some knowledge. At the present time you will have two steamers making for Applecross, and they get jockeying each other. Anyone who knows anything about two steamers getting alongside each other and jockeying knows the danger; there are perhaps 105 or 200 on the one boat and 150 on the other, and people get round to the side of the vessel; so we may have a very serious accident. [Interjection.] My hon. friend says there is a solution to it. I am sure it has not been found this afternoon. I want in all seriousness to say I think it is only right that the board which has to give a license to the person running these vessels, that is to the man in command, should have a right to revoke the license if he does something wrong, something likely to imperil the safety of persons he is carrying. At the same time the board should have a right to punish the offender. It is not always right to punish the owner of the vessel. I believe that at the present time a license may be taken from the vessel. You do not want to punish the owner of the vessel because his servant has done some wrong, as in the case I referred to where jockeying took place between two steamers going to Applecross. What was the result of that jockeying? When a prosecution was set on foot it was found that all that could be done in the matter was to suspend the certificate, or deal with a person in the same way as with a man who is committed for trial in the criminal court. Under the Act of 1878 that was the only course open. In many cases, under proper regulations the board could deal with a man who did wrong. It is well to provide the necessary machinery for taking action. It will be satisfactory even to those persons who have to hire a boat to know that they themselves must not become offenders in the manner in which persons have been offenders in the past. The Bill will, I am sure, commend itself to this House, and I trust it will become law.

Question put and passed.

Bill read a second time.

BILL—AGRICULTURAL BANK.

CONSOLIDATION AND AMENDMENT.

SECOND READING MOVED.

THE COLONIAL SECRETARY (Hon. J. D. Connolly): In moving the second reading of this important Bill, I wish to say that it is a necessary measure relating to an Act which has been in force in the State since 1894. The Bill now before the House makes slight amendments in the Act and intro-

duces some new principles. It is a Bill consolidating the present Act and several amendments thereto. It has been necessary to amend the Act almost every session since it was enacted, not because the Act was found to be faulty—certainly it was in some little respects—but because each session it was necessary to increase the capital. The bank started, I think, with a capital of £100,000, and to-day the capital is £600,000. The amount has had to be increased almost yearly. The Act has been in force some 12 years, and when introduced it was, I believe, regarded as somewhat exceptional legislation. It was so regarded because the first legislation of the kind in Australia. I am sure it must be gratifying to members who helped to pass the Act to see what a very useful piece of legislation it has been to this State. This was the first State which thought fit to go in for an agricultural bank. Every other State, I think without exception, has followed on the same lines, and some States, Queensland particularly, have followed our Act almost word for word.

HON. G. RANDELL: Some good can come out of Nazareth.

THE COLONIAL SECRETARY: Yes. I think, as the hon. member has remarked, we have led the way in this instance, and it has proved to be a very good way. Members must know that this bank has worked a great amount of good, I suppose a greater amount of good than any other institution in Western Australia. The capital at the present time is £600,000, and that is almost expended. We have advanced £395,000, and there was authorised some little time ago, when these figures were made up, £550,000. I dare say the whole of the £600,000 has been authorised now, and it is mainly for the purpose of increasing the capital which will be necessary that this Bill is introduced. It is proposed to increase the capital from £600,000 to a million. That is an increase of £400,000. It is rather a bigger increase than has usually been sought. I think the usual amount is £100,000; in fact in one year there had to be two amendments, each authorising an additional £100,000. The bank is likely to have bigger business in the future than it has had in the past, and it is, I repeat, proposed to increase the capital from £600,000 to a million. Of the amount already named, £395,000, the advances made for clearing and ring-barking amount to £326,000, advances for paying off mortgages £26,000, advances for the buying of stock for breeding purposes £33,500, and the advances for plant and fertilisers £9,850; making a total of £395,000. That is the amount of the capital paid out up to about a month ago, when these figures were brought out. There have been repayments to the extent of £70,000 odd. These do not go back to the capital account of the bank, but to the Treasury; that is to say, the bank does not advance the money twice. The total area cleared in this State is now 779,000 acres; and it is said that the bank is responsible, directly and indirectly, for the clearing and cultivation of at least half of that area. That is a big thing to say.

HON. J. W. HACKETT: Can members of Parliament borrow under this Bill?

THE COLONIAL SECRETARY: I am not aware. Can they under the principal Act?

HON. F. CONNOR: They ought to be able to borrow, if they cannot.

THE COLONIAL SECRETARY: Members will be gratified to know that though only a small margin of profit, one per cent., is allowed to work on, there was last year a net profit of £3,754. The bank is not a trading concern, therefore its purpose is not to make profits. At the same time, it is satisfactory to know that whilst it assists land settlement it is not losing. Since the passing of the principal Act the principle has been found to work well; and the Bill proposes in some respects to extend the principle. The first proposed alteration is a change in the management of the bank by placing it under trustees. The present manager will be chairman of trustees, and manager as he is now. There will be two trustees to assist and advise him. Those trustees will not be permanent officials. They are to receive not more than two guineas a sitting for each board meeting, and the total amount received by them is not to exceed £105 a year. It is calculated that they will have to meet at least once a week; but probably they will have to meet oftener. The change is intended to

make the bank more independent. It is felt there has been at times unnecessary delay through advances having to be submitted to the Cabinet and the Governor-in-Council; and the trustees will be able, without reference to the Ministry, to deal with applications for loans. One important alteration which, apart from the increase of capital, is the object of the Bill, is set forth in Clause 28. At the present time advances to the amount of £1,000 can be made to any person. It is proposed to reduce the maximum to £500, as it is thought, and I believe rightly thought, far better to advance to two settlers £500 each than to advance to one settler £1,000. As members know, if a man is in a position to borrow a sum exceeding £500, he can get that sum from any joint-stock bank. The Bill is intended to assist only the small farmer, the beginner, to clear his land; therefore it is thought well to make this reduction. Another new departure is also contained in Clause 28. The settler will be advanced the full amount of £300 if his improvements are of that value. At first glance it looks rather unbusiness-like to advance up to the full value of a man's security; but I do not think members, particularly country members, will say that the Government are taking any undue risk. On the other hand, this provision will considerably assist land settlement. Seeing that every acre of land is to be cleared and fenced, and water found, the struggle is in the first three years. If the man with little or no capital settles on land, he finds it almost impossible to succeed; and it is thought that under the clause a good and energetic man may succeed very well indeed with practically no capital at all. The purposes for which the advances shall be made are set out: for ringbarking, clearing, fencing, draining, and water conservation, for the purpose of discharging any mortgage already existing, and for the purchase of stock for breeding purposes. The system proposed to be followed is in a word to put a man on contract work on his own land. That is to say, he settles on a 500-acre block and does a certain amount of say ringbarking. He has to do the work in the order set out in the Bill. Let us assume that the ringbarking is worth 2s. an acre. That will entitle him to an advance of £50. Then when he has effected clearing to the value of £25 he will be advanced £25. With that sum he will be able to buy food, and may go on clearing the land. With the money thus received he will be able to erect his fences. He will then receive an advance representing the full value of the fencing; and we estimate that in this manner a settler will be able to draw on his own labour, as against his selection and improvements, about £100 a year, so that in three years he will have drawn the £300 I have mentioned. After the three years it is anticipated the land will be in a fit state to give him a return. Then if he so desires he can have a farther advance of £200 at a 50-per-cent. margin, making the total £500 to which he is entitled.

HON. F. CONNOR: Will you give him the freehold if he has made the improvements?

THE COLONIAL SECRETARY: That question does not arise under this Bill, but under the Land Act. This is really a new feature in the Bill. It is the idea of the Honorary Minister in charge of the Agricultural Department (Hon. J. Mitchell); and members will agree it is a well-thought-out and badly-needed provision. There has always been great trouble and hardship in settling on the land people who have not the few hundred pounds required; and the Bill will completely overcome the difficulty. I do not know that I need mention any other features in the Bill, which, except for the provisions mentioned, is an exact copy of the existing Act. I should like to draw attention to the third schedule, which clearly sets out how the repayments are to be made. The advances to settlers are made for 30 years; and to give a new settler a still better chance, he is not asked to repay any portion of the advance for the first five years. He is asked to pay interest at the low rate of five per cent. for the first five years, and subsequently he is asked to pay interest and a little capital each year towards sinking fund; so that after 50 half-yearly payments, both interest and principal shall have been paid off. The schedule shows that the advances will be made in sums of £25; but a settler wishing to borrow £100 has only to multiply the schedule figures by four in order to know exactly what payments he will have to make each year.

HON. J. W. HACKETT: Can he pay off the balance at any reasonable time?

THE COLONIAL SECRETARY: Yes. Whenever he so desires he can pay off the balance; and then he has no more interest or principal to pay. The schedule will show him exactly what he has to pay if in any particular year he wishes to pay off the balance.

HON. E. M. CLARKE: What about Subclause (*d.*) of Clause 28.

THE COLONIAL SECRETARY: It provides that advances may be made for discharging any mortgage already existing on any holding. That proviso is not contained in the existing Act. A man cannot now borrow money for the express purpose of discharging a mortgage. He is therefore forced to borrow more money than he really needs for improvements, so that he may pay off the mortgage with the surplus. By the Bill an advance may be made for the exact amount needed to redeem the mortgage; but it does not always follow that the trustees will advance the full amount of the mortgage.

HON. G. RANDELL: Subclause 5 provides for a three-fourths advance.

THE COLONIAL SECRETARY: Yes. While the full amount will be advanced for new improvements, on old improvements only three-fourths will be advanced, it being much harder to value old improvements than new.

HON. F. CONNOR: I should think the provision for borrowing more money than is needed will be very popular.

THE COLONIAL SECRETARY: I think this will be very popular legislation, for it is a step in the right direction. It assists people who are seeking to settle on the land. I do not know that there is anything else I can add to what I have said. I have every confidence in recommending the Bill to the House.

HON. G. RANDELL (Metropolitan): There are one or two matters not of much importance which I would like to draw the attention of the Colonial Secretary to. In Clause 17 a hard and fast line is drawn which I think is too severe. It says that "no interest shall become payable on any bond after the due date for the payment of the principal." I think there ought to be some such words as "unless otherwise arranged" inserted. It is not a big matter, but should receive the attention of the Government. Then Clauses 24 and 25 I think are misplaced. Clause 23 says that "upon the repayment of the principal moneys secured by the mortgage bonds which have been withdrawn from circulation in the manner aforesaid, the said bonds shall be forthwith forwarded by the Treasurer to the Auditor General, who will in the presence of the Treasurer cause the said mortgage bonds to be destroyed." Then immediately following it says, "any such mortgage bonds." I take it that "such" would apply to Clause 23. I think the proper place for these clauses should be immediately after Clause 20. I draw the Minister's attention to that, as I think it requires alteration. In most other respects I think the Bill is certainly a considerable advance on the present Act, especially the amount of money available. The principle of placing the bank under trustees appears to be a good one, especially when the bank is dealing with large sums. I see that the Treasurer is to issue bonds. That is a safeguard. It is exceedingly convenient that the first schedule has been added to the Bill, because when the measure is passed it will be spread broadcast throughout the country, especially amongst those borrowing from the Government. Therefore it will be useful for them to calculate their position from time to time. I notice there is to be a period of five years before the repayment of the borrowed money begins. That is a good provision. The repayments extend over 30 years. That will give persons borrowing money an excellent opportunity of establishing themselves on the land. The Colonial Secretary referred to profit. I think there should be a profit in the administration of this bank, for however careful the trustees may be there is a liability of small debts accruing from time to time, therefore it is necessary that there should be a profit on the transactions of the bank. It is only reasonable and right. We employ trustees and servants, we incur many expenses, and we should be protected by some small profit. I do not think any person borrowing money would have any right to complain. I would like to see a larger profit even

than the £3,700 which was made last year, for the purpose of providing a kind of reserve or sinking fund to meet debts that may from time to time accrue.

On motion by the HON. J. M. DREW, debate adjourned.

BILL—LAND TAX.

TO IMPOSE A TAX.

SECOND READING.

Debate resumed from 23rd October on motion for the second reading and on amendment by the Hon. C. E. Dempster, "That the Bill be read a second time this day six months."

HON. F. CONNOR (North): I promise not to take up much time of the House in discussing this question, for my ideas were fully explained on a former occasion when this question was before the House. I am prepared to support the amendment moved by Mr. Dempster on the grounds which I have already explained and which I have seen no reason to change. I would like to suggest to members that in voting on the question whether or not we are to have a land tax, they should take into consideration that if we are to have a land tax, we should have a tax that will be of some use to the Treasury. I am not one who is prepared to vote in the House in a mongrel fashion, saying I am opposed—as certain members say—to a principle but shall vote for it and try to smash it up in another way. I shall vote with Mr. Dempster, and I hope his amendment will be carried, that the Bill be read this day six months. If the amendment is not carried and the Bill goes into Committee, then if we are to have a land tax of benefit to the country we should not curtail it, and if members think that this tax should be a benefit to the Treasury they should not alter it in Committee.

HON. S. J. HAYNES (South-East): So far as this Bill is concerned, it is to arrive at what the amount of the tax shall be. I think members may be influenced in their decision as to what the tax shall be by the manner in which the amendments to the Land Tax Assessment Bill are dealt with in another place. I do not think we are in a position, permit me to say so, to deal with the Bill as fairly and justly as we should do until we know the result of our amendments to the Assessment Bill in another place. Important amendments were suggested by this House in the Land Tax Assessment Bill, and if those amendments are agreed to, they may modify the ideas members have in regard to the amount of the tax. If the amendments are not agreed to, then the Land Tax Assessment Bill now in another place may perhaps be dealt with in a different manner from which it was on the last occasion when before this House. I think we should postpone the consideration of this measure until we receive the Land Tax Assessment Bill from another place. I am suggesting this for the consideration of members on these grounds: I am opposed to the machinery Bill absolutely, and will vote against it if occasion requires, or if the occasion arises, and I hope the occasion will arise; that is my personal opinion, but I know a majority of members are against that opinion, and in their wisdom they have sent the Assessment Bill to the Assembly asking concurrence in certain amendments. If the majority deal with the present Bill on the amendment proposed by Mr. Dempster, I think it will be treating another place somewhat unfairly because we shall emasculate the Bill that has gone to the Assembly. If the present amendment goes to a vote I am bound, as a matter of conscience, to vote for that amendment. I do not want to do so until I and other members have had an opportunity of dealing with the Land Tax Assessment Bill when it is received back from the Assembly. All through this session another place and this House have dealt with these Bills side by side. I therefore move that the debate be adjourned until to-morrow.

THE COLONIAL SECRETARY: You cannot do that.

HON. S. J. HAYNES: Then I move "That progress be reported."

THE PRESIDENT: We are not in Committee.

HON. S. J. HAYNES: I have given my reasons, and I think they are proper ones which should be considered by members. I shall be considerably pained in voting on the amendment in view of

the fact that the Assessment Bill is in another place.

HON. W. KINGSMILL: Why is it not here? They have had it long enough.

HON. S. J. HAYNES: The Bill has not come back, and I would like an opportunity of seeing the other Bill before dealing stringently with this measure.

THE COLONIAL SECRETARY (Hon. J. D. Connolly): I want to say a few words on Mr. Dempster's amendment. I was surprised that this amendment was moved, or indeed any discussion taking place on the Bill, which is after all a part of the measure we have already passed.

HON. M. L. MOSS: I think everyone of the supporters said they supported it on the understanding that the tax should be reduced.

THE COLONIAL SECRETARY: After all, it is part of the measure we have already passed; I repeat that. This matter was dealt with in two Bills as I have already explained, because it was thought well to do so. This House ought to recognise that this course will afford an opportunity every year for the House to say whether we shall have a land tax or not. If there were only one Bill, members might never have another opportunity of saying that. I cannot understand why there has been any discussion on this Bill at all. It went through in another place without dission, and I thought it would go through this House without discussion. I cannot understand the attitude of Mr. Haynes in asking for a farther adjournment. The hon. member knows that it was at his particular request that the debate was adjourned for a fortnight. The House would have carried the second reading a fortnight ago had it not been for the earnest request of Mr. Haynes that a fortnight's adjournment should be granted. Now he asks for a still farther adjournment.

HON. S. J. HAYNES (in explanation): What the Minister says is quite accurate; but meanwhile the other House has not dealt with our amendments to the Assessment Bill, one of the important Bills which we might have expected to be returned to us ere this.

THE COLONIAL SECRETARY: Members have spoken fully on the Assessment Bill, and through this amendment have had an opportunity of speaking twice on this Bill. I asked them to pass step by step the Committee stage of the Assessment Bill, and the second reading of this Bill. There is another reason why this Bill should be passed at once. The Estimates now under consideration in another place were introduced on the basis of this Bill as it now stands; and it is highly desirable that the Bill should pass this House before another place makes farther progress with the Estimates. I think I can rely on the House not to carry Mr. Dempster's amendment. I believe members have too much sense to stultify themselves in that manner, after passing the Assessment Bill with numerous amendments and returning it to another Chamber.

HON. R. F. SHOLL (North): I think I made myself clear with regard to the two Bills, the Machinery Bill that passed this House with amendments and was returned to the Assembly, and the Tax Bill generally. At the same time I realise the difficulty in which members are placed. Those opposed to the land tax made certain amendments in the Assessment Bill when its second reading was passed against their wish. They have thus acknowledged that this House favours the principle of land taxation. By a majority the House has decided that it is in favour of that principle; and certain amendments made in the Assessment Bill have not yet been considered by another place. I cannot help thinking there is much in Mr. Haynes's remark that we ought not to consider this Bill till we know how another place is prepared to deal with our amendments in the Assessment Bill; whether it is prepared to accept or to reject them. We shall then be in a position to say again we are opposed to land taxation, and shall vote against any tax. But if we pass this Bill imposing a tax of 1d., and allow the measure to go into Committee, we may find our amendments in the Assessment Bill not agreed to by another place. I think this discussion should be adjourned until we receive from the other House a message notifying us whether our amendments are or are not agreed to. I disagree with

the Colonial Secretary's statement that this Bill is part and parcel of the machinery Bill. If the machinery Bill is passed, it remains on the statute-book. If this Bill is rejected, it does not become law. Machinery will then exist which can be used as soon as a Tax Bill is passed. I do not like to disagree with an old friend like Mr. Dempster; but in view of the fact that this House has agreed to the principle of land taxation I am not in favour of rejecting this Bill. But I am in favour of, and will support, a motion that this debate be adjourned until we hear the result of the consideration of our amendments in another place. If the Government force the present question to a division, I shall certainly vote for the six-months amendment of Mr. Dempster.

HON. M. L. MOSS (West): I take up a position exactly similar to Mr. Sholl's. I do not wish to vote against the second reading of this measure.

HON. J. A. THOMSON: That is exactly what Mr. Sholl said.

HON. M. L. MOSS: I will be the judge of what I say, and will not take my cue from Mr. Thomson. It is necessary to explain my attitude. At one time during the debate on the machinery measure I said I would give members an opportunity of declaring their attitude. I altered my determination. [MEMBER: As usual.] No; I generally stick to what I say, and give a reason for so doing; and if the reason is not satisfactory to the hon. member it is generally satisfactory to me. I have now risen not to excuse myself for what was done on another occasion, but to give my reasons for the step I shall take now. If this question be pressed to a division I must vote with Mr. Dempster, and that I do not wish to do. I therefore hope some member will move an adjournment of this debate until we see exactly what attitude another place assumes with regard to the exemptions; because whatever attitude I assume on this Bill is adopted on the ground that another place will agree to striking out the exemptions objected to by this Chamber. I do not hesitate to say, if the Assessment Bill comes back to this House with our amendments disagreed to and the exemptions as it were retained, the position I shall take with regard to the Bill will be altogether different from my present position. If there is one attitude I have assumed throughout the debates on the machinery measure it is that the burden of the tax must be fairly and evenly distributed on everyone's shoulders; that there must not be the considerable exemptions proposed by the Government. And the more I think the more satisfied I become that the Government were wrong in placing the exemption clauses in the machinery measure instead of in the Bill imposing a tax, because while we shall be empowered year by year to fix the exact land tax, we shall not have the same right to review the exemptions.

HON. J. W. HACKETT: We can make the machinery Bill an annual measure.

HON. M. L. MOSS: That is quite true; but if it were a machinery measure pure and simple with the exemptions cut out, we could consider the exemptions every year. I think I have already said that assuming the tax should be fixed at ½d. and 1d., instead of ¾d. and 1½d., I was induced not to take up the position I at one time threatened; and if I am not mistaken I think many members who supported the Government in the land taxation proposals have also expressed a similar opinion. So I think it will be rather idle for another place to assume as a matter of course that the Government proposal of ¾d. and 1½d. will be mildly accepted in this Chamber. I hardly think the Colonial Secretary has a right to assume for a moment that the Government are justified in framing their Estimates on the assumption that this House will agree to ¾d. and 1½d. I do not wish to cast a hasty vote on this question; but if Mr. Dempster's six-months amendment goes to a division this afternoon, the remarks I have just made will be necessary as a justification for the vote I purpose casting.

HON. V. HAMERSLEY (East): I move that the debate be adjourned till this day week.

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

Ayes	...	...	16
Noes	...	...	11
Majority for	...	...	5

Ayes.	Noes.
Hon. E. M. Clarke	Hon. G. Bellingham
Hon. F. Connor	Hon. T. F. O. Brimage
Hon. C. E. Dempster	Hon. J. D. Connolly
Hon. V. Hamersley	Hon. J. T. Glowrey
Hon. S. J. Haynes	Hon. J. W. Hackett
Hon. W. Kingsmill	Hon. R. Lauric
Hon. J. W. Langsford	Hon. R. D. McKenzie
Hon. W. T. Loton	Hon. W. Oats
Hon. W. Maley	Hon. C. A. Piesse
Hon. E. McLarty	Hon. J. A. homson
Hon. M. L. Moss	Hon. J. M. Drew (*Teller*).
Hon. W. Patrick	
Hon. G. Randell	
Hon. R. F. Sholl	
Hon. C. Sommers	
Hon. Z. Lane (*Teller*).	

Motion thus passed, the debate adjourned.

BILL—LAND ACT AMENDMENT.

SECOND READING.

Resumed from the 30th October.

HON. J. M. DREW (Central): There may be some objectionable clauses in this Bill, but I think it will be found from a careful perusal of the measure that there is a fair proportion of desirable clauses. When one comes to balance the Bill I think it will be found that the desirable clauses are far in excess of the undesirable. The principal undesirable feature of the Bill, in my opinion, is its retrospective nature; but I notice from the newspapers that it is the intention of the Minister in charge of the Bill to make such amendments as will remove this feature at which members have taken umbrage. Previous to the introduction of this Bill—and now if this Bill is passed without this objectionable feature—it was not possible to select conditional purchase blocks in the North-West Division of this State; but if this Bill as originally proposed were passed irrespective of existing contracts, it would be possible for any person to select under the conditional purchase clauses of the original Act land in the whole of the North-West portion of Western Australia. It seems to me that would be an undue and unwarrantable interference with existing contracts, and not at all justifiable. I admit it is a most unfortunate thing that there are millions of acres in the North-West locked up against settlement and against cultivation, but it must be locked up for a great number of years. It seems to me that if it is necessary in the interests of say sugar plantations, or for the production of other products which can be grown in tropical climates, to secure land, the Government should amply compensate the holders of pastoral leases. I think they should come to some agreement with the holders of pastoral leases to purchase the land required at a price satisfactory to the lessees and satisfactory also to the State; but I think it is undesirable that legislation should be introduced whereby rights secured perhaps 10 or 15 years ago by pastoral lessees should be interfered with. It is my opinion that even if the Bill were passed in its present form containing this objectionable feature, it would be impossible to carry out the provisions because the Constitution Act would override the particular clause to which I have referred. Some time ago I heard of a station in the North-West being sold for something like £27,000. The man who purchased the station did not have the money himself, or all the money, and he had to appeal to a financial institution in Western Australia for a large portion of the money, and the financial institution lent him the money he required. Why? Because they thought they had the security of his pastoral lease up to 1926, I think it was; but if this clause were passed that security would seriously deteriorate, and we might expect to hear that the financial institution referred to would come down on this man, that it would foreclose and demand prompt payment of the sum advanced. I think the gentleman who has charge of this Bill is to be complimented on the fact that he has seen that it would be unwise to press this clause, and that he has had the good sense to make such amendment as will remove the objectionable feature. I am glad to see that he does not propose to remove the clause, except as regards its retrospective effect; because it must be realised that from time to time there will be new pastoral leases taken up in these districts, and it is most necessary that provision should be made in future pastoral leases for agricultural and closer settlement if the interests of the State demand it. I notice that Clause 6 repeals the sections of the Act relating to priority by lot. It was the custom years ago, when there was more than one applicant for a block of land, to decide the priority by lot. Being decided by lot, the result was that persons got to know that land could be

obtained under this system, and the rich man with plenty of money, who wished to get a block, put in 20 or 30 applications for the block by medium of his friends and relatives—I have known cases like that to occur—and the poor unfortunate man who perhaps had only sufficent money to pay the one application fee had no chance with the man who could pay for twenty applications, and so the rich man got the block. That system has been abolished by the Lands Department, and now the applications are to be referred to a board. At the present time the Act gives power to decide by lot as to who shall have the land. Now it is proposed to establish land boards in various parts of the State for the determining of applications and for the conduct of various business now conducted by the Lands Department in Perth. After carefully going through these provisions, I think that larger powers have been given to these land boards than is advisable in the interests of the State, but I shall refer to this probably later on. I may say at this stage, however, that they have power not only to determine applications, but also to impose fines or forfeiture or to enforce conditions. That is a very large power to give to a land board. It is a power which the Minister himself does not possess now. If any matter like that has to be considered at present, the Minister makes a recommendation to Cabinet, and Cabinet decides; but if the Bill is passed as it stands, it will be left to a land board, consisting of persons probably without a large amount of responsibility, not only to decide applications—I think they should have the power to decide applications—but also to impose fines or forfeiture, or to enforce certain conditions. I think we should approach this matter very cautiously, and consider well whether it is advisable to give land boards such power. I admit it will take a lot of work out of the hands of the Minister; the Minister for Lands must be excessively worked; but at the same time I think we should provide him with sufficient relief without entrusting to the hands of irresponsible persons a power which cannot be justified by a serious consideration of the whole of the circumstances. There is one very useful provision, that is that witnesses before a land board shall be examined on oath. This has not obtained in the past. There is no power at all in the present Act to compel witnesses to be examined on oath. When the board sits to decide who is the most suitable person to secure a block, the Lands Department sends out notices to the different applicants. They can appear personally or they can write letters, stating their qualifications and their intentions. Very often they do not attend personally, but they will write letters, and probably a man will say that he has £1,500 in the bank, that he has had 25 years' experience of farming, and that he has been successful in some other part of the State. This is accepted as good evidence, and in many cases to my knowledge men have got land simply because they have lied harder than other men. Clause 18 enables the Minister to grant an extension of time in making improvements, without the approval of the Governor. Under the present Act the Minister has no such power. He must make a recommendation to Cabinet if he recommends an extension of time. He has power to refuse an extension, but if he wishes to make an extension he must do it through Cabinet, and I think the same system should continue now. It is very great power to give a Minister to allow him to override the Act. It is quite different when it is submitted to Cabinet. All the Ministers would then know whether these extensions were made on too large a scale, and they could form a good idea as to whether there was favouritism or not. [HON. J. W. HACKETT: They would all be responsible.] It is very desirable that they should have knowledge of what is happening in matters of this kind. Clause 20 seems to me to be a desirable amendment, enabling the Lands Department to give a title where it would cost too much to secure probate. A man may have taken up a conditional purchase block of 100 acres and may have paid only the first instalment before his decease, and in order to secure the title the heir must approach the Supreme Court, must either get letters of administration or prove a will, and as a rule that costs something like £16, from what I have heard. The result is that these blocks are very often abandoned and the persons rightfully entitled to them cannot obtain

them, because it costs too much money to approach the Supreme Court. This clause allows the title to go to the person who should secure the land on the death of the owner. There is only one rather dangerous feature about it so far as I can see. Supposing the person who died was in debt, there is no provision in regard to that. It would be hardly fair that the heirs should secure the land from the Lands Department without the debt being wiped out. Of course it cannot be dealt with until six months have expired. I suppose the object of that is to enable the creditors to enter objection. Apart from that I think the clause is worthy of support, and that it will greatly assist the Lands Department in conveying land to the persons to whom it should be rightly conveyed without those persons having to incur needless expenditure. By Clause 21 the Minister may remit forfeiture and remit fines for the nonobservance of any covenant or condition. The same argument I used on another clause will apply to this, but I notice that the same power is given to land boards, and the arguments against the Minister having this power can be more strongly applied to land boards, the members of which are not responsible.

HON. J. W. HACKETT: Where is that provision?

HON. J. M. DREW: I think it is dealt with under the heading of land boards. It gives the land boards exactly the same power as the Governor-in-Council enjoys at the present time. In Clause 24, it is provided that no one may acquire more than 2,000 acres of land. At first sight this seems very desirable. In New Zealand I notice that the Premier has proposed to limit the acreage any person can hold to 1,000 acres, and at the expiration of 10 years no one must possess more than £50,000 worth of land. There are many people in Western Australia now who hold 2,000 acres of land. If they wished to sell, the position would be that they could not sell to anyone holding more than 2,000 acres now. It will limit the area of purchasers, and consequently will depreciate the value of land. If you have 1,500 acres you cannot sell the land to a man who has 600 acres now; you can only sell to a man who has no land now and consequently very often has no money.

At 6·30, the PRESIDENT left the Chair.
At 7·30, Chair resumed.

HON. J. M. DREW (continuing): I think I mentioned during the course of my speech that the same powers would be given to the land boards as were possessed by the Minister, but I also added the same powers as are possessed by the Executive Council at the present time. I had not made a note of the particular clause of the Act to which I referred, but I knew perfectly well that the clause was there. It is Clause 13, which reads:—

> The district land board shall, if required so to do by the Minister, decide as to whether the conditions under which any land in the district is held have been complied with, and, with the sanction of the Minister, may exercise any of the powers or authorities conferred upon the Minister relating to fine or forfeiture, or as to the enforcement of the conditions under which the land is held.

I maintain that the Minister should not have the right to give this power to irresponsible persons, subordinate officers of the Lands Department, as I suppose they will be. I trust the House will not pass the clause as it stands. Clause 22 enables homestead farms which have been forfeited to be sold by auction. Under Section 33, I think, of the original Act, there is no power given to sell homestead farms by auction. From time to time there are a large number of homestead farms forfeited. There was a free-pass system by which a person could get a free pass to a certain district to select land. One could get a return ticket over the railways. There were numerous selections in consequence of this system. People had to select in order to get a return ticket, and they selected homestead farms. As a result of my experience I can say there were a couple of dozen a year of homestead farms forfeited. The Government wished to dispose of them, but were unable to do so. They could not offer them by auction, because the law said they should not do so. The survey in each case cost something like £7 10s., and farms had to lie waiting for some selectors to come and select them. There was no means by which the Government could represent to the public that this land was open for

selection. But under this clause the Government can advertise these homestead farms, which in many cases, I believe, are very valuable land, and I am sure they will get many applicants. This is a clause I should like to see passed. Clause 40 repeals Sections 70, 71, and 72

HON. G. RANDELL: What about Clause 23?

HON. J. M. DREW: I scarcely think it is necessary to make an amendment in that direction. I think 18 is quite young enough. I do not see the object of making the age 16, unless for the purpose of dummying land. A person of 16 is not qualified to decide whether he shall go on the land. I think 18 is young enough, but I shall be prepared to hear arguments. Sections 70, 71, and 72 of the principal Act were introduced for special purposes. According to the Land Act now, no person can secure a title to a poison lease unless the Minister is satisfied that for two years previous to the expiration of the lease it has been denuded of poison sufficient to depasture stock. As a consequence of that it has very often happened that a great injustice has been done. I can recollect one instance where a man had 40,000 acres of poison land and proved conclusively that it had been successfully denuded of poison for 18 months, and he had spent on it £24,000, but I was unable to grant him a title simply because the Act said it should be cleared of poison and be fit for depasturing stock for two years previous to the expiration of the lease. There were a number of cases. This person to whom I refer had, I say, cleared the land of poison, but the officers could not certify that it had been cleared for two years, and consequently, despite the fact that the man proved he spent something like £24,000 in improvements on this land, we could not grant him the fee simple, although I may say——

HON. G. RANDELL: What happened?

HON. J. M. DREW: We took no steps in the direction of forfeiting the land. We recognised it was advisable to introduce legislation of this character in order to give the Government power in such cases to do justice to a very deserving selector.

THE HONORARY MINISTER: The principle applies in every other portion of the Act.

HON. J. M. DREW: The same provision applies to every other portion of the Act. The Minister or Executive Council have very wide powers. They can grant exemptions or extensions of time, and they can waive forfeiture or do almost anything, but in this particular instance they cannot act. Therefore, I think it is wise to give them some discretion. In regard to the increase in the pastoral rent in some localities, I should like to hear a farther defence of that step. It will mean that people who take up pastoral leases now will have to secure them in localities far away from civilisation and will have to pay higher rents than those who have pastoral leases close to ports and to civilisation. I think it is scarcely fair to increase the pastoral rents for the future until the expiration of the pastoral leases, say in 1926, when all could start off the same mark. I would like to direct the attention of the honorary Minister to Clause 29, which I think severely penalises those who take up lands under nonresidence conditions after the 31st December, 1906. I think he said they would only have to put on improvements to the extent of 50 per cent. of the purchase money.

THE HONORARY MINISTER: That is nonresidence.

HON. J. M. DREW: Nonresidence.

THE HONORARY MINISTER: Fifty per cent. instead of 100.

Hon. J. M. DREW: I do not read it that way, and I do not think any other person would read it that way. I think that in addition to double improvements it is 50 per cent., making 150 per cent. increase, if words have any meaning. Clause 30 says "Section 56 of the principal Act is amended by adding a proviso as follows." We have a proviso in the principal Act that one shall put on double improvements, and I wish members to recollect that. The proviso in this clause of the Bill is:—

> Provided also that in the case of land so disposed of after the 31st day of December, 1906, the expenditure to be required in lieu of residence shall be 50 per centum additional expenditure.

Therefore, if I see it properly, 50 per cent. is in excess of double the improvements.

I cannot see any justification at all for this.

THE HONORARY MINISTER (in explanation): I may save discussion by stating that the intention of the Government is to make the proportion 50 per cent. of the improvements. If the wording is wrong, it must be put right. The intention is instead of making it 100 per cent. to make it 50 per cent., thereby encouraging miners and anyone else who invests his capital. Instead of being saddled with 100 per cent. as before they will have to pay 50 per cent.

HON. J. M. DREW: I am certain the object will not be achieved, unless there is an amendment to the Bill; and I want to point out that there should be an amendment. Many a man who takes up land cannot for some time to come reside upon it. I will give an instance. There are the railway men. They select land under nonresidence conditions in the hope that perhaps in a couple of years they will be able to work it. If they are penalised in this way, it must seriously handicap land settlement. The mention of railway employees reminds me that the present Government have blocked the railway employees from acquiring land. I have been informed that a number have applied for land and have been refused it.

THE COLONIAL SECRETARY: That is not so; it was done by the Commissioner; but where the matter has been brought under the notice of the Government they have allowed land to be taken up.

HON. J. M. DREW: But the effect is just the same. This is the procedure. I do not know whether I am in order in referring to it, but it has reference to land selection. If a man succeeds in securing land he is immediately transferred perhaps 40 or 50 miles away from the land. I know of several cases, and one has to dispose of the block. This is done under the auspices of the Government, which pretends to be endeavouring to foster land settlement and to be doing all it can to induce Britishers to settle on the land.

THE COLONIAL SECRETARY: In every instance which has been brought under the notice of the Government it has been stopped.

MR. DREW: I do not know how many instances have been brought under the notice of the Government, but I have known of men resigning their positions rather than forfeit or abandon their land, which they would have been compelled to do if they had accepted the transfer.

THE HONORARY MINISTER: Now it has been brought under their notice the Government will inform the Commissioner.

HON. J. M. DREW: I brought it under their notice some time ago. I think it is a very mistaken policy, because a number of men in my district settled on the land on the advice and encouragement of Mr. George Throssell some seven or eight years ago, only to find some years later that they were compelled to give up their land, because the Railway Department issued an edict that no railway employee should hold land; or railway employees were given to understand, anyhow, that a transfer would be effected.

HON. W. T. LOTON: That was to effect settlement!

HON. J. M. DREW: Yes; it looks like it.

HON. E. McLARTY: That is not the case down South.

HON. J. M. DREW: Clause 41 provides for striking out of Section 73 the words "situate within forty miles of a railway." I think that is very desirable, but at the same time I would like to point out it would prove in some cases an interference with existing contracts. I think it desirable that such legislation should be introduced; but whether it should be retrospective is a different matter. The term of grazing leases is to be reduced to 20 years; and I notice that the power to select such leases is not to be extended to the Nor'-West and Kimberley divisions. Clause 38 provides that Section 68 of the principal Act is repealed, and that the Governor may from time to time declare any land unsuitable for agricultural but suitable for grazing purposes in the South-West, Central, or Eucla divisions. Hence this does not apply to the Nor'-West or Kimberley divisions.

HON. F. CONNOR: You have the wrong Bill.

HON. J. M. DREW: In the Bill I have before me the Nor'-West is excluded. There can be no selection of grazing leases in that division. I do not say there should not be some provision for their future selection. An hon. member reminds me of Clause 4; but I am given to understand the last paragraph of that clause is to be withdrawn. Poison leases, it appears, are to be wholly abolished; that is, no fresh poison leases are to be granted. That is right and proper in the land along the Great Southern Railway, but it is certainly not suitable for my district. In the Kojonup district and along the Great Southern Railway my experience is that all the best land, or a great proportion of it, carries poison; but in the Victoria district we find poison only on the barren country; and I think it a great mistake to make this provision apply to the whole State.

HON. J. W. HACKETT: Can you not make it second or third-class poison land?

HON. J. M. DREW: No one would take it up as second or third-class land. It cannot be sold now. People may take it up on poison lease. Only the other day I was informed by a leading settler that if he were offered the land at a gift he would demand £1 an acre also to clear it. That is a fact. The country is worse than third-class land. In many cases it is absolutely barren and a menace to the settler; and if we prohibit the taking up of poison leases in such country, we shall be perpetuating this menace and danger to surrounding settlement. We should exercise some discretion in the matter. Grant no poison leases in certain portions of the State where good land contains poison, and exercise the greatest care in allowing poison leases to be selected anywhere. But where the land is almost worthless, where it carries much poison, thus endangering settlers' stock, I think it in the public interest that the Crown should part with it by lease as speedily as possible, under highly stringent conditions of improvement.

THE HONORARY MINISTER: Would you sell it at a shilling an acre?

HON. J. M. DREW: I should sell some of it at less than a shilling an acre, but should make very stringent improvement conditions. Instead of waiting 21 years for the improvements to be effected, I should reduce the term and compel the improvements to be made gradually. In some instances, according to the quality of the land and the danger to stock, it may be desirable even to give a bonus to the settler, as an hon. member suggests. With its retrospective character shorn off, and perhaps a few other amendments, the Bill should prove acceptable to the House. I intend to support the second reading, and I hope the measure will be carefully considered in Committee.

HON. F. CONNOR (North): A very few words in connection with this measure, because I purpose making a specific motion later on. I think the Bill as originally introduced was a monstrous example of political inability. Anything like it has never been put before an assemblage of sane legislators in this or any other country. It was proposed that there should be confiscation, repudiation, and robbery.

THE HONORARY MINISTER: Those proposals resulted from an oversight.

HON. F. CONNOR: I should be sorry to attribute ignorance to the gentleman who drafted the Bill; but it seems to me that in a case like this, oversight is worse than ignorance, because no man has a right to bring in such legislation as the Bill proposes without knowing what he is about. I cannot call it legislation: it is prostituting the name of legislation; it is repudiation, confiscation, taking away what the Government of the country contracted with people to carry out, and what the people have carried out well, Had it not been for the men who went into the far North of this country and developed its resources, where would the State be now? I appeal to Mr. McLarty, who I am sorry to see is shaky on this question, to say whether the Bill is necessary for the proper protection of the men who opened up the wilderness, who blazed the track and gave the best of their lives to pioneer work. I shall not say much more. I have a mass of notes which I intended to make the basis of my speech, but I will reserve them for a later occasion. I am sure there is a lot of necessary legislation suggested in this Bill, but there is also a lot of unnecessary legislation suggested which might not be passed either by this Chamber or another place. Having the assurance placed on

the Notice Paper by the Honorary Minister that some of the worst parts of the Bill will be cut out—obliterated I think is a good word, the Government having found out the mistake they made—I will not oppose the second reading. I am speaking of whoever drafted this iniquitous measure. Considering the Honorary Minister has told us the Government acknowledge they are wrong, and will withdraw some of the worst features of the Bill, I suggest that after the second reading it be referred to a select committee; and I purpose to move in that direction when the time comes.

HON. R. F. SHOLL (North): I am pleased to see amendments tabled which place this Bill in quite a different aspect from that which it assumed when first introduced. At that time the title of the Bill should have been, "An Act to repudiate contracts entered into between the Government and Crown lessees." The Honorary Minister said certain provisions were inserted by oversight. One can hardly imagine anyone framing by oversight a Bill containing repudiation clauses throughout. I am sure there was an oversight by the Honorary Minister and probably by some of his colleagues; but I cannot understand the framer of the Bill saying the insertion of such clauses was an oversight on his part. The Bill was intended to repudiate contracts entered into between the Crown under the Land Act of 1898 and lessees, particularly in the far North of this country, who believing they had a tenure for many years, in by no means a pleasant climate and leading unpleasant lives, put up with all the inconveniences of pioneering, knowing that only by the expenditure of money to provide water, to fence their runs, and to improve their stock, they would be able perhaps in their old age, after years of toil and discomfort, to reap some benefit from the land. The Bill as first introduced was to repudiate that contract made between those lessees and the Government, and to throw the whole State open for selection. In fact, it provided that anyone could take up land on which settlers had been spending thousands of pounds in the Gascoyne district, close to the coast, to improve their runs and obtain artesian water. There was nothing to prevent the Government resuming the whole of those runs on payment of paltry compensation. I do not suppose any such Bill was ever introduced in any other Australian Parliament, under the most radical Government. Yet the Bill was passed, I am sorry to say through an oversight, in another place. If it goes forth to the world that the West Australian Parliament can repudiate their contracts with their own people, it will next be said they will repudiate when the time comes their debt to the English money-lender. However, I am pleased to say that at a late period, when the Bill came to the second Chamber, the Government saw the error of their ways, and now propose to make amendments which I think will take the sting of repudiation out of the Bill. It is absurd to say that the framer of the Bill made an oversight; at least, it is very hard to make people believe that.

THE HONORARY MINISTER: When I spoke of an oversight I was referring only to myself.

HON. R. F. SHOLL: I am perfectly certain it was an oversight on the part of the Minister; because when in moving the second reading he grasped the position, he evidently realised for the first time the effect of the measure. I deprecate this continual tinkering with land legislation. Every Minister for Lands, whether or not he knows anything about the subject, whether he has made a study of land legislation, thinks it necessary to bring in a Land Bill interfering with and amending the principal Act; so a man has to search several Acts to see how he stands. I agree with those who say this Bill should go to a select committee. Some of its provisions are doubtless necessary; but I cannot say the same for the provision to raise the rent in the North-West and Kimberley districts from ten shillings to one pound a thousand acres, where the lessee must select many thousands of acres in one block when that block faces a lake, a river, or a watercourse; and under the existing Act I think the length has to be three times the length of the water frontage. It stands to reason what an enormous extent of poor country must be taken in that block. In the central portions of the country pastoralists can select blocks in 3,000 acres, close to a railway and in

a good climate, close to markets and in the centre of civilisation. I do not think any one of the present Ministers has been farther north than Geraldton; showing what kind of knowledge they have to frame a Bill of this kind, which will injure the country. The measure will not affect the present lessees, because no one will take up land, no one will go up close to the South Australian border to take up land, except the person wishes to take up a lease in the centre of a run close to a waterhole for speculative purposes, so that he can stock his land from the squatter's run. This has been done and will be done again. That is a clause which should be amended in the interests of the State. Clause 57 has a retrospective effect. Under the 1887 Act, any lessee can come under the more recent 1898 Act, but Clause 57 requires that the provision shall come into force after the 1st August 1906. That is depriving the lessee from coming under the 1898 Act. There are cases where a number of leases are held, and from an oversight the lessee may have omitted to come under the 1898 Act, although it was his intention to do so.

THE HONORARY MINISTER: The lessee has slept on his rights.

HON. R. F. SHOLL: He has done nothing of the kind, because until that Act was altered he had the right to come under the 1898 Act; but making this legislation retrospective prevents him from doing so. I object to any retrospective legislation. It may be stated that there was retrospective legislation in the case of the customs tariff; but in that case the measure was passed through both Houses in one evening. And the object is obvious: it is to prevent importers who have bonded goods clearing the whole of those bonded goods to evade the duty. In a case of this kind the Government can be liberal enough and fair enough to give the lessee the right to come under the 1898 Act, until the Bill becomes law. Clause 58 refers to the case where a pastoral lessee in the South-Wsstern Division has the right to 12 months' notice. The Government under the Bill wish to deprive him of 12 months' notice and reduce it to *six* months. Perhaps that is another oversight, and was not intended when the Bill was framed. Then the same clause says, "This section as amended shall apply to pastoral leases granted before or after the passing of the Act."

THE HONORARY MINISTER: There is an amendment in connection with that clause.

HON. R. F. SHOLL: Still it shows the kind of Bill the Ministry brought in. I think it will be accepted by most members that it is a complicated measure. We want clean legislation; we do not want to do an injustice to anyone who has entered into contracts with previous Governments. I hope while this House is in existence—which will be for many years to come—that we shall never sanction legislation to repudiate a contract entered into with anyone.

HON. W. PATRICK: I move the adjournment of the debate.

Motion not seconded.

HON. S. J. HAYNES (South-East): In glancing through the Bill, I see some amendments to the land laws which will be beneficial, therefore I shall support the second reading. At the same time, I am convinced there is far too much disposition on the part of the Government of the day, and there has been for some time past, to introduce fresh legislation, especially in respect to our Crown lands. It is almost difficult for people to know where they are, and I am satisfied that even if the laws are not perfect it would be far better to allow a little more time before coming to the House with farther amendments. In common with previous speakers, I am pleased that the retrospective clauses have been withdrawn. I cannot understand a Minister introducing clauses of that kind. They are the most objectionable provisions that can be introduced. Anything in the shape of retrospective legislation, or repudiation which this clause foreshadows, is of an objectionable nature. The Bill has been pretty fully debated by members who know more about the land laws than I do, but there is one thing I desire to mention. I doubt whether the adoption of district land boards will be for the welfare of the State. I hope if the measure becomes law the Government will be careful in the appointments to the boards, and not make them too numerous. It seems that

here is another opportunity of increasing the civil service. At one time I believe it was also intended to have district registries, which would have been most expensive. I doubt if district land boards will be an improvement. They will add to what we are continuously objecting to —the cost of administration. Perhaps my experience has not been the experience of others; but although there have been delays in the Lands Office, I do not know if district land boards will remedy those delays. As to the business of selectors and others, in the majority of instances these persons are fully satisfied with the treatment they receive, and they have been for some time past. Personally I do not like the introduction of district land boards. I think the business of the selectors and the dealing with Crown lands can be done efficiently on the present lines, by reference to Perth; but perhaps greater facilities might be given to the establishment of local land agencies as they prevail at the present time. I approve of Clause 20 which will remove a hardship that operates in some cases. I have known many instances where a selector has died, leaving a widow in poor circumstances; and there is no doubt that the cost of administration of a small estate is a very great hardship indeed. There is very little probability of any wrong being done to a creditor by this provision. Mr. Drew pointed out that if this clause were passed, creditors may be affected; but the clause provides that the transfer shall have the effect of a transmission. and we know the effect of a transmission is such that creditors are protected, because a transmittee could not transfer property unless he gave reasonable notice or satisfied the creditors. I think under the clause creditors will be reasonably satisfied. In most instances the widow, or whoever represents the deceased, would give every assistance, and the estates would be exceedingly small. The object of the clause is to save expense in very small estates. I would draw the Minister's attention to Clause 26. I do not know whether I read the clause aright; but it seems to me to provide that no person who acquires an interest under a certain part of the principal Act shall be obliged to comply with the residential conditions, etcetera, for 12 months. Clause 24 provides that no person can acquire a larger area than 2,000 acres; and reading these two clauses together it seems to me they may work severe hardship in deserving cases. For instance, in case of the death of a man holding 2,000 acres, at the time of death and perhaps for the next 12 months the season may be most disastrous. There will then be no dealing with the land, no getting rid of it. I think the time allowed is too short. Suppose that a selection of 2,000 acres is bequeathed to a child, and the child has an additional 400 or 500 acres. It seems to me that under Clause 24 the child cannot take. The 12 months provided by Clause 26 seems rather short; and I should like to see the term extended to three years, which I think reasonable. A personal representative of the deceased proprietor cannot always dispose of the land within 12 months. The Honorary Minister interjects, "That is the intention of the Government;" and I say that may work great hardship. When the death takes place, everything may have gone wrong with agricultural or pastoral properties, as the case may be, and as I have witnessed in other States. There may have been a very bad season, resulting in bankruptcy and other troubles in all directions. Perhaps properties can hardly be sold at any price; in fact, in these circumstances it is sometimes difficult to give away a property. If we extend the term to three years there is a chance of better seasons coming and a fair price being realised by the parties, who have perhaps spent a great proportion of their money during the breadwinner's lifetime. Clauses 78 and 79 facilitate transactions and protect the general public from the risks they now run from unprincipled persons who deal with land. Any beneficiary or other person can lodge a caveat. There is now no such provision; but the Government or the department have for some time adopted a practice by which they receive letters and protect as far as possible those properly interested. There is no legal sanction for this course; but the department adopts the practice which a business man would adopt if necessity arose. The provisions from Clause 78 till practically the end of the Bill are wise provisions, and add to the machinery sections of our Crown Land Act. I sup-

port the second reading, but I trust that some of the objectionable features which still appear in the Bill will be excised. I quite agree with Mr Connor's suggestion that the Bill be referred to a select committee. The Bill should be carefully considered, so that the House may be aided by experienced members who have studied each clause; and thus we shall add to the statute-book an Act beneficial to those who deal with our Crown lands.

HON. E. McLARTY (South-West): If I were to deal thoroughly with the Bill I should have to repeat what has been said by previous speakers; and I do not know that I should have addressed the House at all had it not been for Mr. Connor's remark that I was "shaky" on this Bill. I do not know what he referred to. I can but say the Bill in its present form seems to me open to many grave objections. Like other members I have a great objection to retrospective legislation, and an objection also to interfering with existing rights. But seeing that amendments on the Notice Paper, tabled by the Honorary Minister, will in my opinion remove all those objections to a great extent, I can view the Bill with much more favour than I could when it first appeared in this Chamber. Though I am not wavering, I wish to see those objections removed; and I think there are in the Bill many points which will be acceptable to the country. In Committee I am sure the measure can be so amended as to meet the wishes of all parties.

HON. J. T. GLOWREY (South): As a goldfields representative I think I am safe in saying that the goldfields people view this Bill with great satisfaction. The only fault I have to find with it is a lack of liberality. I say the Government should do everything to make land settlement attractive, so as to settle the thousands and millions of acres of agricultural and pastoral land now lying idle in this great State. I am glad to see the Bill at least aims at that; and I hope we shall in Committee do everything possible with that object. I have but one amendment. An important clause, No. 68, affects the goldfields. In Part IX. of the principal Act power is given to the Governor-in-Council to set aside certain portions of land as working men's blocks. A large number of such blocks has been taken up on the goldfields, principally by miners who have built their homes there and are desirous of obtaining the freehold. My amendment will I am sure commend itself to the good sense of the House; for it will give those men power to acquire their freeholds after two years' residence. At the present time the term is I think five years, and the men have to reside on the blocks nine months out of 12. I maintain that is too long. The amendment will give people an inducement to erect better homes, will encourage them to improve their holdings, and perhaps to take a deeper interest in the welfare of the State.

HON. F. CONNOR: Will you not apply that principle all round?

HON. J. T. GLOWREY: If I had my way I should extend it.

HON. J. W. HACKETT: Would it not lead to speculation in those properties?

HON. J. T. GLOWREY: No; because no man will reside two years on a block for the purpose of dummying the land or trading in it. I ask only that after two years' residence he be allowed to acquire the freehold.

HON. J. M. DREW: Are the workers asking for the freehold?

HON. J. T. GLOWREY: Every one of them; and they have been promised it year after year. In nearly every instance the blocks are occupied by working miners. My amendment will be made in pursuance of a promise I gave on the hustings. I have always believed that a man should have his own freehold. I had no hesitation in making the promise, and at this first opportunity I bring it under the notice of the House. I hope members will in Committee seriously consider the question and support my amendment.

HON. G. RANDELL: Would you allow holders to sell the land as soon as they got the freehold?

HON. J. T. GLOWREY: I should allow them to do what they like with it. They do not wish to sell it; they wish to live there.

HON. C. E. DEMPSTER (East): I feel very reluctant on this occasion to

say anything which may be considered hostile to the Government; but I must say I am always inclined to resent any interference with measures which are in existence and working well. I know the existing Land Act meets with the approval of those who have carefully considered every measure passed in connection with land and land regulations. Such men have had the benefit of past Acts and regulations from the fifties, the sixties, and the seventies right up to the nineties; and the land regulations under which we have been working are in every possible way fair, just, and reasonable. They have worked satisfactorily in the interest of the whole country; therefore I think the Government should be careful in amending the Act. No doubt some difficulties were not fully provided for in the original regulations; but the Bill contains a great many alterations which I consider unfair, unjust, and unreasonable; and the Bill as first introduced in this House proves beyond doubt that the pastoralists in particular have not a single friend in the Assembly, otherwise the Bill in its present condition would never have left that Chamber, because it seems to me that justice was overlooked altogether. There was simply one view, to throw the whole of the pastoral leases of the State open to selection. Can it be regarded as in the interests of the country, except where the land is agricultural and within easy reach of a railway, to throw open the most valuable pastoral leases of the State to be selected by those who only do it perhaps for speculative purposes and who desire to take up grazing land for grazing stock on it? What is a grazing lease but a pastoral lease, and what is a pastoral lease but a grazing lease? If the land is let as a pastoral lease the Government in fairness have no right to use that land until the expiration of the lease. The lease is let for a certain term of years at a certain rental, and at the termination of that period the rent is increased. Therfore, I do not think anything can justify the Government bringing in a measure that would alter the conditions under which the land was leased. There was evidently an intent to throw open the whole of this land, whether it could be considered agricultural or not, for public selection. Land that is subject to droughts and which is too far inland or too remote from railway conveniences, certainly cannot be considered desirable for agricultural purposes; but that land will be wrested from the occupation of the present holders who have paid their money for it for so many years, and thrown open to the speculator to select when and wherever he likes. That is not a proper view to take, and it is not fair or just consideration for the pastoral interests. We must remember that the pastoral lessee will not take up more land than is absolutely necessary. In times of drought he must have land which he is not using in times of plenty to fall back on, and the whole of his land is improved by the erection of fences and windmills and by the sinking of wells and that sort of thing. But it appears to me that the only protection afforded to the pastoral lessee in this Bill is that the Government must give twelve months' notice before they can resume. At the end of that twelve months unless the pastoralist has the money he can get no preference. I do not see what good the twelve months' notice will be to him in the circumstances. I think that the man who has occupied the land for so many years should have a prior right over new selectors who may wish to secure the land for speculative purposes or for grazing purposes. This feature seems to me to have been overlooked altogether, and I certainly think the pastoral interests have not received that consideration they deserve, because everyone must admit that they are most important interests. In going into this matter I say from the first that I do not consider it is necessary or desirable in the interests of the country that these amendments should have been brought forward at the present time. I am quite sure that all who have worked under the old regulations will agree with me that they were thoroughly accustomed to them, and that they were fair and just and worked well, and that these amendments are not desirable, nor is it desirable to have this continual tinkering with these regulations by new men who have not had

the experience that those had who drew up the Act originally. This is most dangerous legislation, and it is far better left alone. I object to Clause 4 (power to resume land from pastoral leases for agricultural settlement).

THE HONORARY MINISTER: That will be struck out.

HON. C. E. DEMPSTER: It is one of the clauses I strongly object to. It is retrospective legislation which certainly should not have been passed through the other place, because it creates injustice and interferes with existing rights. It would be most unfair and most unjust if it passed. I do not think there would be any great objection to the appointment of boards for the management of land matters, but it seems to me to entail a great deal of farther expenditure. The Lands Department is certainly encumbered with a great many expenses. The department should be made more profitable. There is an immense number of branches and officers employed, while the land revenue is not what it should be. It struck me on reading Clause 24 that it would lead to a considerable injustice. In cases where the selector already held as much as the regulations justified him in holding, he would be prevented from holding other blocks of land left to him by relatives. The clause would put him in a very unfair position. He should have a right to hold land left to him, and any action of the Government that would interfere with the just appropriation of land under circumstances of that kind would not be fair or just. There is another thing with respect to cultivable land. I would like to ask the Minister how it is at all times to be decided whether the land is cultivable or not, whether it is only fit for grazing purposes or whether it is suited for cultivation. It seems that no owner will be allowed under these amendments to occupy more than 2,000 acres of cultivable land or 5,000 acres of grazing land. How is the land to be classified? There are so many opinions; opinions on the matter are conflicting. Some consider sandplain good cultivable land; others consider forest land is fit to be cultivated. Clause 26 refers to the matter I was just speaking of, to the rights that would accrue with respect to land being left to a man by deceased relatives. It is provided that only for twelve months he may hold the land if it brings up his total area to beyond 2,000 acres. Why should he not continue to hold all the land he is perfectly entitled to? Why should his prior possession of any land be considered in a matter of that sort? It is a point that I hope will not be overlooked when the Bill is in Committee. With respect to the division of the State, the divisions and boundaries in this Bill are completely altered from what they have been during the past nine years, and they will lead to many complications, and I think to a serious amount of injustice to those who are holding lands. How can it be desirable in the interests of the country to declare land agricultural land or to make agricultural reserves where it is known that the land is not agricultural land, and where it is subject to droughts, and where it is a long way from a railway or any communication? Why should the Government have the right at any time to declare it agricultural land so that anyone can step in and take out the eyes of the land that might be held under pastoral lease? My own idea is that the original Act was far fairer and just—that no land should be alienated that was not within 40 miles of a railway. I think that was fair and reasonable. It was the view taken after very careful consideration by those who knew that it would work fairly and well in the interests of the country. With regard to fencing and improvements, I consider that those who construct really valuable and serviceable improvements should get full value allowed for them, if they are of a nature that would make them valuable to the Government and valuable to the land in the event of its being forfeited. There is this matter of the grazing leases which will not be extended to any leases in the North and North-West, because the Government know perfectly well that land in those vicinities cannot be considered agricultural land in any possible way; but this can be applied to the whole of the land in the Eastern, Central, and Eucla Divisions, and I consider it will be

unfair to holders of pastoral leases to allow these grazing leases. I think it would be most undesirable in every way, looking at it in the interests of the country, to throw open to general selection in blocks of from 300 to 5,000 acres the best land in the centre of a pastoral lease which a man has held for so many years and upon which he has made improvements, which he has fenced in and upon which he has done all he possibly can to make it reproductive and profitable. Yet any man can step in and make a selection of grazing lease without any consideration to the holder except that the latter may recover for the value of any improvements. We all know what it costs to effect improvements in most places. A selector may make one well perhaps, and a pastoralist may have to sink half-a-dozen wells, and yet only that one well would be considered an improvement. Therefore the occupier would forfeit all benefit, and would probably not be paid half of what the improvements cost him. He would be robbed of his land, except with respect to a period of twelve months' notice received from the Government. It appears that at the expiration of that twelve months the Government could resume the land, and the pastoralist would get only paltry compensation for the work done up to that time. That cannot be just. That cannot be encouraging to the pastoral industry. There is another matter. With regard to the disposal of the land within pastoral leases and grazing leases, the right to select portions of grazing leases should be extended, and in my opinion that was the original intention in granting grazing leases. It was with the view of enabling the pastoralist to select certain portions of his land on which he intended to make improvements, such as wells, tanks, buildings, stock yards, shearing sheds, and improvements of that nature. The maximum was not to be more than 5,000 acres, and not to be less than I believe 1,000. I see now that has been amended so that a selector can buy 500 acres, and in my opinion it would be well to make it 100 acres, because the man who holds a pastoral lease in a remote part of the State ought to be encouraged to purchase the land upon which he makes his improvements. Surely after building a house and making valuable wells and tanks at a cost often of thousands of pounds, the owner of that land should be allowed to purchase it in preference to an utter stranger. There is a provision here whereby it would be necessary under some circumstances for a selector to reside upon a grazing lease. The advantage which might be conferred upon the pastoralist by giving him the right to select land seems to be entirely done away with, considering that he would be obliged, under this Bill as at present proposed, to reside upon a block of land for grazing purposes. It is all right that one should make the improvements necessary in order to keep stock upon it; but the land is not agricultural land; it is not land from which the State would derive any benefit as agricultural land by cultivating it for the advantage of the State. With the prospect of low and bad markets in the future, I am quite sure that unless the agriculturists get more consideration than they are likely to obtain in the future, with all the taxation that will be imposed upon them, in the course of a very few years there will not be many who will find the occupation of agriculture a very profitable one. It is unnecessary for me perhaps to weary the House and go carefully into the whole of these clauses before the matter goes into Committee. I hope we shall be able, by a careful perusal of the maps, to ascertain the exact boundaries which will be defined in this measure, as it is impossible for me with only this short Bill before us to define the position of the different districts. I hope to be able to do so before long.

THE HONORARY MINISTER: The boundaries are indicated on the maps.

HON. C. E. DEMPSTER: I will take care to ascertain the divisions of the different districts, and I shall be able to say more upon that point. I hope the matter will be taken in hand by a committee who will be capable of thoroughly understanding what will be necessary not only in the interests of the agriculturist but also those of the pastoralist.

HON. V. HAMERSLEY (East): I do not wish to detain the House in any way. I think all the principal points have been brought out by the speakers this evening, and they are undoubtedly of a somewhat important nature. I sincerely hope that this Bill will be placed in the hands of a select committee to receive very careful consideration. There is no necessity for me to go over those matters which members this evening have repeatedly made strong mention of. But one matter which appeals to me particularly in this Bill is that it seems to me so diametrically opposed to other legislation we have had placed before us by the present Government, and I do not say this with any feeling of direct opposition to the Government, or that I am opposed to the principle myself. But it is directly opposed to the principle that seems to have been laid down by one or two of the past Governments and in several measures we have had before us recently. It seems to me this land Bill is opening the door for the realisation of very much larger private estates than any we have in existence at the present time. With the alterations in Clauses 24 and 25 it seems to me there are splendid loop-holes for a person with a little manipulation to set about acquiring very vast properties. I would very earnestly commend that matter to the consideration of the committee, if we are fortunate enough to have this matter referred to a select committee. The other gentlemen have brought out all the points much more ably than I could wish to do, and therefore I do not intend to detain the House, except to express my opinion on that phase of the subject.

HON. W. PATRICK (Central): I intend to vote for the second reading of this Bill, because the most objectionable features in it have been withdrawn by the Government. No doubt the main object of this and of other land legislation that has preceded it is to increase settlement. I was very much struck when the Honorary Minister was describing the enormous territory at the command of the Government of this State, considering the insignificant population, and there is no doubt that we cannot give too much encouragement, we cannot make the terms of settlement too easy to get people to occupy this great country. The object of the Government was to try and induce settlement in the tropics. I should imagine that was really the object of the clauses of a retrospective nature giving power to resume portions of the pastoral country in the North. But having had some experience in tropical agriculture, I am certain it would have made very little difference whether the retrospective clauses in connection with pastoral country had been passed into law or not. I would have voted against them had they not been withdrawn, because I consider they were unjust, and any legislation which is unjust will always recoil on the whole community and country. But knowing something of tropical agriculture I can say without any hesitation whatever that under the present conditions of the Federal law with reference to the employment of coloured labour, no white man would ever be such a fool as to go in for physical work in a tropical climate. So my view is that, whatever legislation we may pass to encourage the cultivation of our tropical land, however easy the conditions may be made, we shall never be able to do that so long as the present Federal legislation in relation to the employment of coloured labour exists. I do not say that I am in favour of coloured labour. Personally I think it is always better that we should sacrifice the tropical agriculture of Northern Australia rather than introduce coloured labour; not because I consider the white man superior to the coloured man, but because I found by experience that the white man could never effectually compete with a black or coloured man under a tropical climate. The main point of this Bill as far as I can judge, apart from that, consists of the new classification of our lands—that is, simply having land fit for cultivation and land fit for grazing, and leases which are poison leases—and the new conditions of improvement. I do not intend to speak at length on the Bill, because I understand there is an intention that it shall be placed in the hands of a select committee; but there is one clause that

I am opposed to on the same ground as Mr. Drew. I think it is a mistake to reduce the age from 18 to 16. A young man of 18 is quite young enough to undertake the responsibility of land settlement, and there is no doubt that reducing the age would to a certain extent encourage the holding of large estates. I am not so sure—this matter will I expect be threshed out—that these proposed land boards will be altogether satisfactory. I think the powers proposed to be given to them are altogether too great. I would much rather see the present system. Of course we are continually groping in the dark in connection with our land legislation. I think it was Mr. Dempster who said he was satisfied with the Land Act of 1898, which worked well. But the legislation passed since 1898, to bring the Land Act up to date, is simply patchwork. We have had amending Acts in 1900, 1901, 1902, 1904, and 1905; and now we are introducing another amending Bill in 1906. One objectionable feature is the new provision for valuations, the abolition of Section 148 and the substitution of a clause in which I think far too great powers are given to the referee who will take the place of two arbitrators. I think that a great mistake. However, it is not necessary to say more; but I trust the Bill when it passes will make the Land Act more nearly perfect, and will have the result of peopling the country with many more agricultural, horticultural, and pastoral settlers. The other day I was reading some reports, for the most part very dreary, of debates in the Federal Parliament; and I was much struck with a statement quoted from Coghlan's statistics, that with the exception of Tasmania, Western Australia is the poorest State in the Commonwealth. And the reason is easily understood. We have practically no accumulated wealth. Our latent wealth is unlimited, but our potent wealth is simply the change we have in our pockets. We have a vast territory to govern which makes our burdens heavy, and the sooner we get that territory populated with hard-working, energetic, and determined people, the sooner will the country become wealthier and more prosperous.

HON. W. T. LOTON (East): I should have liked to devote some little time to expressing my views on this Bill, but on the present occasion I am not equal to the task; therefore I shall detain the House for only a few moments. In the first place, I regret deeply that the Government, with a view to amending the land regulations and the Land Act of this State, did not introduce an altogether new Bill, a consolidating measure.

HON. J. M. DREW: There is one in the Lands Department, and it cost £100 to draft.

HON. W. T. LOTON: Why is it not introduced?

HON. J. M. DREW: I do not know.

HON. W. T. LOTON: I regret it is not here; for I am sure new settlers must have great difficulty in mastering our land legislation and finding out "where they are." They have to study the principal Act, five amending Acts, and here is another amendment. We ourselves hardly understand the Land Act and regulations at the present time, though we have long studied the subject; and unless there is some urgent necessity to amend the existing Act, it would have been much better, failing the necessary time this session, to defer the subject and bring in a consolidating measure next year. I understand that many of the objectionable clauses in the first Bill introduced are to be withdrawn. I expected that when the second Bill was introduced in this Chamber we should have a second-reading speech. As members know, this is the second Bill; and I thought the Minister in charge would have explained the second Bill. Perhaps the alterations are not very material; and as some of the more objectionable clauses are to be expunged, the most annoying stings in the Bill will be removed, the clauses whereby it was intended to repudiate contracts and to do some other highly reprehensible deeds. Like every other member of this House I am surprised to find that a Bill of this sort passed the Legislative Assembly. We cannot but be astonished that six members representing the Government in another place should repudiate contracts, and, as a member says, attempt to rob the

people of their rights. Is it not astonishing that a measure of this kind could go through that Chamber? If ever an argument was needed for a second Chamber, surely this Bill will furnish that argument for all time. It is said the Bill is to be referred to a select committee; therefore I do not purpose at any further length to address myself to the measure. I suppose an amending Bill is necessary, though I do not know of any special necessity. The Bill itself does not show that such necessity exists, and I should have much preferred to see the matter deferred, and a consolidating measure brought in next session.

THE HONORARY MINISTER (Hon. C. A. Piesse): A few words in explanation regarding the remarks of members. Mr. Haynes dealt with Clause 26, which is one of the clauses omitted in the previous Bill to which Mr. Loton referred. Mr. Haynes, and Mr. Dempster also, would make it appear that the Government are acting harshly to those to whom land may be bequeathed. As a matter of fact, the Government have introduced a new and beneficial feature. Under the existing Act, such people if they already hold the complement allowed, cannot possibly hold the land bequeathed to them. We endeavour to make it possible for such persons, though they may possess the complement, to hold the bequeathed land for twelve months without any restriction. If members please they may suggest an extension of that term; but the clause is one for which we should be thanked instead of condemned. Even the Executive Council have not power to approve of the beneficiaries being allowed to hold such land. If the person to whom the land is left has already his complement, he cannot, under the existing Act, hold the additional land. By the clause he will be permitted to hold it for twelve months, during which time he will have power to dispose of it. Mr. Drew called attention to Clause 30, as to nonresidence. Under the existing Act the nonresident has to effect improvements of twice as high a value as those effected by the resident. The improvements demanded of the resident are valued at 10s., and the nonresident has to do a pound's worth. Under the Bill, a man taking up land after the 31st January, 1906, has to effect improvements equal to 50 per cent. over and above the 10s. which must be spent by a residential selector; that is, the nonresident must effect improvements to the value of 15s. per acre, as against the existing provision of £1 per acre.

HON. J. M. DREW: The clause does not mean that.

THE HONORARY MINISTER: If the wording does not convey that meaning, we must have it put right. Other defects can be remedied in Committee. It is the intention to remove all clauses of a retrospective nature that will interfere with existing rights.

HON. W. KINGSMILL: Why were such clauses put in?

THE HONORARY MINISTER: The hon. member must wait for an answer.

HON. F. CONNOR: We should like to know why you are withdrawing them.

THE HONORARY MINISTER: Because we do not consider them fair. It is just as well to be candid. I think it scarcely worth our while to submit this Bill to a select committee. Nearly all the objectionable clauses can be dealt with in Committee of the Whole; and we shall lose much time unless the select committee works fairly hard and reports next Tuesday at the latest. We shall else lose a fortnight or three weeks before we know where we are. I thank members for the kindly reception they have given this Bill. I know they do not feel kindly towards the retrospective clauses, but I trust they will let the measure go into Committee instead of to a select committee. I have no hesitation in saying that the clauses, outside the retrospective clauses, are really desirable in the interest of land settlement.

Question put and passed.

Bill read a second time.

SELECT COMMITTEE.

On motions by the Hon. F. CONNOR, Bill referred to a select committee consisting of Mr. Loton, Mr. Drew, Mr. Piesse (Honorary Minister), Mr. Sholl, and the mover; with power to call for persons and papers, to adjourn from place to place,

and sit on days over which the House stands adjourned; to report on the 20th November.

ADJOURNMENT.

The House adjourned at 9·25 o'clock, until the next day.

Legislative Assembly,

Tuesday, 6th November, 1906.

THE SPEAKER took the Chair at 4·30 o'clock p.m.

PRAYERS.

QUESTION—RAILWAY SLEEPERS.

MR. BARNETT asked the Minister for Works: 1, What timber was named for sleeper purposes in the specifications issued when calling for tenders for the three agricultural spur lines authorised last session? 2, Is it true that the Government are using salmon gum and morell for sleepers? If so, has the Minister ascertained the probable duration of same? 3, Will the Minister at once take steps to get this information, as it has been publicly asserted that these timbers will not last for a longer period than two years when in contact with the ground?

THE MINISTER FOR WORKS replied: 1, Jarrah, wandoo, salmon gum, or jam. 2, No. Salmon gum only is being used, not morell. 3, The Government have no experience of the life of salmon gum as sleepers, not having previously used them. Large quantities have, however, been used on firewood lines, and after having been in the ground for two years show no signs of deterioration. It is reported, also, that the life of these sleepers is estimated at fifteen years.

ANNUAL ESTIMATES, 1906-7.

IN COMMITTEE OF SUPPLY.

Resumed from the 1st November; Mr. ILLINGWORTH in the Chair.

TREASURY DEPARTMENT and ADMINISTRATIVE BRANCHES (Hon. F. Wilson, Treasurer).

Vote—*Treasury*, £12,258:

MR. BATH: Would the Treasurer make an explanation?

THE TREASURER: Explanation had been given in his annual Financial Statement, before he left to attend the Conference in Melbourne.

MR. BATH would take this opportunity to reply to one or two statements made not only by the Treasurer but by the Attorney General. The Attorney General, when speaking in the general debate on finance, asked whether he (Mr. Bath) had the presumption to suppose that the present Ministry, in the two Budget Statements delivered since assuming office, could have adjusted the finances completely.

THE ATTORNEY GENERAL: The question was whether the hon. member thought it a proper thing to pay off in one working year a deficit that had accrued in three years, including the period when the Labour Government were in office.

MR. BATH: That was practically the same question. Apart from the deficit of £43,000 brought over, there was still a deficit of £76,000 for which the present combination were responsible. The Attorney General did not wish to shirk the responsibility of his predecessors. It was conveyed to members *ad nauseam* that the present Government were the same combination that assumed office in August of last year. Evidently now it was inconvenient to accept the responsibility for the deficit on their own estimates of £76,000, and we were now asked