

pioneer's improvements? In any case, the Government would recover the cost of the improvements from the incoming lessee.

Hon. J. W. Kirwan: Cannot the appraisers be trusted to be reasonable in fixing the rents?

Hon. J. A. GREIG: I cited a case of reasonable appraisalment by officials this afternoon, and that appraisalment was eventually raised to an absurdly high figure. Personally, I am absolutely without any interest in this matter.

The COLONIAL SECRETARY: The hon. member is under a misapprehension if he thinks the pastoralists of this State do not know where they stand. It is not customary for a lessee to be compensated for improvements in any case. As regards priority of right to renew, Section 146 of the Land Act shows clearly that the lessee has such priority. On the other hand, where he is not granted priority of right, he is entitled to compensation. If this amendment is carried, I see very little hope of the pastoral clauses of the Bill being preserved.

Amendment put and negatived.

Clause, as previously amended, put, and a division taken with the following result:—

Ayes ..	..	..	12
Noes ..	..	..	8

Majority for .. 4

#### AYES.

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

#### NOES.

Hon. C. F. Baxter	Hon. J. W. Hickey
Hon. J. Cunningham	Hon. J. W. Kirwan
Hon. J. E. Dodd	Hon. H. Millington
Hon. J. M. Drew	Hon. R. G. Ardagh
	(Teller.)

Clause, as amended, thus passed.

Clause 31—agreed to.

[The Deputy President took the Chair.]

Bill reported with amendments, and a Message accordingly forwarded to the As-

sembly requesting them to make the amendments, leave being given to sit again on receipt of a Message from the Assembly.

House adjourned at 12.29 a.m. (Wednesday).

## Legislative Council,

Wednesday, 21st March, 1917.

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

### MOTION—REPATRIATION SCHEME.

#### Approval by Parliament.

Hon. C. F. BAXTER (East) [3.3]: I move—

*That in the opinion of this House no scheme for the settlement of returned soldiers on the land should be brought into operation until it has received the approval of both Houses of Parliament.*

Some few days ago I felt that in regard to the settlement of returned soldiers on the land, everything could be left in the hands of the Government, but I have since been astonished by the announcement which has been made that the Minister for Industries intends to establish a settlement for these men at Nornalup Inlet. This has caused me some concern. Last evening the Colonial Secretary defended his colleague, the Minister for Industries, against the charges

which had been levelled against him by some members of this Chamber. I do not think that I have ever criticised the Minister for Industries either as Minister for Industries or as ex-Minister for Lands, but I do think that in regard to some of the mistakes he has made he deserves criticism, and now if it is his intention to proceed with the Nornalup Inlet scheme, he may rest assured that he will not be spared from strong criticism in the future. I want it understood that I have no intention of hampering the Government in any way in connection with any of the schemes they may have in hand for the settlement of returned men, but I want especially to bring under their notice some facts connected with the proposed Nornalup Inlet scheme which, in my opinion, is an extremely foolish one to consider for a moment. This scheme will mean a very big waste of money. We have the initial cost of surveying which will be considerable, and then there will be very heavy clearing and the making of roads which are necessary in such a district, and afterwards the preparation of the blocks for settlement. All this work will require an enormous sum of money and, I have no hesitation in saying that it will cost between £800 and £1,000 to put each settler on a 160-acre block, and to give him a start so that he might have some chance of success. We can imagine the amount of money that will be required if the Government proceed with the scheme in that part of the State. On top of all this we are told that it is proposed to construct 70 miles of railway to open up this entirely new area. At the present time there are only two settlers there who are likely to avail themselves of this line.

Hon. W. Kingsmill: And the line will not go near either of those settlers.

Hon. C. F. BAXTER: Following on the expenditure which will be involved in clearing and preparing the land for settlement, it will be incumbent on the Government to construct a harbour, so that vessels may remain there with safety. It will be necessary also to construct a jetty, and the expenditure which it will be necessary to incur in this direction will easily run into a quarter of a million. So that when we sum up the cost of the jetty, harbour and railway—

and we must not forget that railway construction at the present time costs about double what it did some little time back—and add to it the cost of survey and the cost of clearing and making roads, and the expenses attached to the preparation of farms, Nornalup Inlet will swallow up every penny which will be given to the State for the settlement of the returned soldiers, and not one-fifth of them will derive the benefit that it was intended they should receive from the grant to this State. Then we must not forget to give consideration to the immigrants who, I hope, will come to this part of the world to assist in opening up the land. We already have instances of what has occurred in the heavily timbered country at Denmark, and only in isolated cases there have settlers established themselves with success. What do we find existed in the Gippsland country in Victoria? Three generations absolutely slaved there so as to put the land in proper order and it was only the fourth generation that was successful. That is what will happen in the heavily timbered land in Western Australia. Then are we to say to those good men who have fought our battles, "We will put you on this heavily timbered land, and you can pioneer it for us"?

Hon. Sir E. H. Wittenoom: They would not do it.

Hon. C. F. BAXTER: Certainly not, but it is not right that we should ask them to engage in such a foolish proposition. There is no need to open up new areas in Western Australia.

Hon. A. Sanderson: Hear, hear!

Hon. C. F. BAXTER: We have abundant land in process of alienation at the present time on which we can settle returned soldiers. The Government themselves have a number of large estates on their hands which they can easily cut up for the benefit of the soldiers. There is Yandanooka which consists of 80,000 acres. There we have some of the cream of Western Australian land ready for those men to go on and get a return in 12 months. There would be no need for them to have to wait six or seven years for a return if the Government would only establish them there. The Yandanooka estate can be used for

mixed farming, and my opinion as an experienced farmer is that we can settle 100 families on that estate, giving each 640 acres. We know well that many of the men it is proposed to settle on the land can, and will, be successful on such land. It will be possible for them to get some return right away, which will not be the case if they have to play the part of pioneers at Nornalup Inlet. I would rather go to France and fight than have to face the Nornalup country as a pioneer. We must not forget either that when we have cleared country like that at Nornalup, the work has not been completed, because unless we make use of the land every year and keep working at it, in the space of two or three years it will cost quite as much to clear again. We also have the Avondale estate, which is in the hands of the Government and is not properly settled. I think it would be better to repurchase estates which are close to railways than to send the returned soldiers to such a distant place as Nornalup. Then we have large areas of country which are being kept back simply because of the absence of railway communication. With all due respect to what members may say about the dry areas, during the past two years the Kondinin-Merredin country has produced the best wheat average in the State. There is a big acreage of land available there and as soon as the line is carried through we shall be able to settle hundreds of families there. Then there is the Bolgart extension, which will run through country capable of settling many families. The land may be light, but the rainfall is assured. Then we have the Newcarrie-Yorkrakine country, which is heavily timbered. There are men there making a success of farming, because the land is so rich that it gives a splendid return. Unfortunately it takes them such a long time to cart their wheat to the railway that they cannot give the necessary time to properly cultivate their land. Then there is also the much despised Lake Brown country, which I think is the best in the State. It has shown an average of 15 bushels per acre during the past two years, and that is a record from a so-called dry area. A sum of £30,000 has been advanced by the Agricultural Bank to farmers in that district, and I will say that the farms there are some

of the best securities on the books of the Agricultural Bank. They are languishing for railways in those parts, and yet we propose to construct 70 miles of new lines to the Nornalup Inlet. An extension of the agricultural lines to districts that are already settled will serve a twofold purpose. They will serve the settlers who are already there and will be the means of increasing settlement. I feel certain that if this policy is carried into effect as much country will be thrown open as we can settle in the next four or five years. I hope the Government will look at this matter from a reasonable point of view and save a good deal of unnecessary expense by refraining at this juncture from opening up new country in the extreme southern portion of the State. I have pleasure in moving the motion and I trust it will receive the support of hon. members.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [3.16]: I have no hesitation in accepting the motion, and I cordially welcome any discussion hon. members may feel disposed to contribute, as I know it cannot be otherwise than helpful to the Government. Mr. Baxter has made it clear that he has no intention of hampering the Government in the matter of making investigations, obtaining reports where necessary, and having survey and classification carried out in order that the scheme they submit to Parliament should be complete and comprehensive. That being the case, I welcome the motion and I can assure hon. members that any suggestions they may make will receive every consideration. I am not in a position to express an opinion regarding the Nornalup scheme from personal knowledge, but I have read the reports of the experts who visited the locality. They hold opinions very different from that of Mr. Baxter, as may also other hon. members. Mr. Baxter's suggestion in regard to Yandanooka and Avondale is obviously sound and proper. During this session we have passed an amendment of the Act governing the disposal of repurchased estates, and this will enable the Government to take into consideration those estates when dealing with the settlement of soldiers. Had that amending measure not been passed, had we been still compelled

to charge for that land on the old scale, it would have been out of the question to dispose of that land among returned soldiers, but now that the amendment has been carried it is open to the Government to take into consideration those two estates when making provision for soldier-settlers.

Hon. J. F. CULLEN (South-East) [3.18]: The curious part about the motion is that a few nights ago the Committee at my instance embodied the substance of the motion in the Agricultural Bank Act Amendment Bill. Later, the Minister moved to strike it out, and Mr. Baxter, in a fit of absent-mindedness voted against me. Several other members were equally absent-minded. However, I am entirely in accord with the object of the motion, as indeed I have been all along. Any scheme for the settlement of returned soldiers should be well thought out in the light of past experience. It should not be adopted without the knowledge of Cabinet, and it is very clear, from the remarks just made by the Colonial Secretary, that Cabinet has not been consulted on the action already taken by one of the Ministers.

The Colonial Secretary: That is not correct.

Hon. J. F. CULLEN: If Cabinet has been consulted, Cabinet cannot have been supplied with very full information, because the Colonial Secretary has said that he knows nothing about the area on which his colleague is operating.

The Colonial Secretary: I said I had no personal knowledge of it.

Hon. J. F. CULLEN: I do not wish to push the Minister too closely into a corner. The fact is that the scheme, so far as it is at present operating, is Mr. Mitchell's scheme, almost forced upon the Minister for Lands. This motion, to which the Minister so readily agrees, comes too late, for the part of the scheme which will involve three-fourths of the expenditure has been entered upon already on a fairly big scale. As I said the other night, my objection to Mr. Mitchell acting on his own in such a matter is that his judgment is not level and sound. He is what I might call a hang-the-expense Minister where public money is concerned. Of course his vigour and energy of mind are qualities which everybody must admire.

but he has no cares about the repayment of public money. It is all very well to say, "We will do big things for our returned soldiers," but those returned soldiers will have to repay the money, and it is a serious matter to put them on an impossible proposition. In this connection we understand that all the assisted farmers to-day are happy. Why? Because of the liberal hand of this Minister. He says, "Hang the expense! What do you want? Here is plenty of money." The trouble will come when the time arrives to begin repaying that money. To the good farmer it is all right; he will be able to repay, but the farmer who is on an impossible proposition is not helped and benefited by the giving of more money to spend. The kindest thing to say to the homeless man is "Try something else." With regard to the steps taken at Nornalup, Nornalup is quite an elbow, out of the natural loop line that would connect the South-West railway with the Albany-Denmark railway, and any rational man interested in the development of our southern areas would say that the first thing to be done down there is to connect the South-West railway with the Albany-Denmark line. That route would open up any amount of land almost similar to the land that Mr. Mitchell has selected away out of the line, at Nornalup. When this settlement is cleared and the soldiers are there, no land man will rush after that land, but men who say, "We would like to try something new" will take it on spec. They will be right out of railway communication. I have no doubt that the Minister's intention is communication by water, that he will take a leaf out of the book of the Labour Government and try to establish steamship communication with Albany. The idea of a harbour at Nornalup is something to be taken up 25 or 50 years hence. The Minister himself would say, "No; I actually sent a boat there." He did, he sent a launch carrying half a dozen survey parties, and they got into what is going to be the big harbour, but could not stay there. They broke their moorings, and to avoid going on the rocks the master made out to sea. But the vessel was strained, and he had to try to get into Wilson's Inlet, where, in the end, he was wrecked. The survey party managed to get

safe to land, the master himself nearly losing his life. However, all that is by the way. Here is a Minister with his large ideas, saying, "We will settle this land and, if need be, we will build a railway to it, or, alternatively, build a harbour." That is all very well in the Minister's flights of imagination, but when the country has to pay for it all the scheme should have been brought before Cabinet, and approved by Cabinet. I do not think it has been, or not more than incidentally. Then it should have been brought to Parliament, and no steps should have been taken till Parliament endorsed it. The Minister will complain bitterly that the Legislative Council is trying to hold up his beneficence towards returned soldiers. This session has lasted some eight months. Why in the name of reason was not the scheme matured months ago?

The Colonial Secretary: The officers' reports were not received until the 26th of last month.

Hon. J. F. CULLEN: Why did not the Minister send for his reports earlier? Two surveyors spent, perhaps, 14 days there. It was purely a flying examination—and, by the way, those two surveyors do not agree in their reports. One says just what Mr. Mitchell would like, but the other says something very different. Nornalup is a beautiful place, and the few settlers down there swear by it. Some day there will be a harbour there and it will make a lovely watering place for tired members of Parliament and Ministers to rest at and fish. But while we have land idle on established railway lines, to talk of planting these new soldier-settlers right away out of communication, and to say, "Oh, Parliament must be asked to build a railway, or a harbour, and establish a steamship service"—the Minister who talks like that is a dreamer, and if he is not held in check by his colleagues, he will have to be held in check by Parliament.

Hon. J. J. Holmes: This place should have been opened up half a century ago.

Hon. J. F. CULLEN: Does the hon. member mean opened up by railway, or by the constructing of a harbour at a cost of a quarter of a million of money? Would that be the act of sensible men whilst there are settlers in other districts crying out for communication? I do not object to some of

our soldiers being settled in that locality, but I think the Minister should have said to his surveyors, "By a flying survey, roughly locate the loop that must connect the South-West line with the Albany-Denmark line, and select the best sites along that loop." When these men are settled there would have to be communication provided for them, and the actual settlers who are now crying out for railway communication will have to wait until this brand-new scheme is created. It is good land in that locality, or at all events a great deal of it is good land.

Hon. W. Kingsmill: Thirty per cent. perhaps.

Hon. J. F. CULLEN: Some of it is undoubtedly precipitous and hilly, but there is a good deal of good land. The Minister is entering upon the most costly scheme that his mind could have driven him to, the most costly scheme of all. As in the case of Denmark, the land will be so loaded that no practical land man would face it. The man who is new to the land may face it and soon find himself in trouble. The Minister has accepted the motion, and I hope he will at once report it to his colleagues, so that effect may be given to it.

Hon. W. KINGSMILL (Metropolitan) [3.30]: I was called away to the telephone when the Colonial Secretary apparently spoke on this motion. I want to know to what extent he has accepted it, and when the details of the scheme are laid before Parliament, to what extent Parliament will be able to deal with it. That is one of the most important points we have to consider. It is all very well to report a matter to Parliament. To do so lifts a load off the mind of the Minister, especially if he knows that Parliament is powerless to alter the decision arrived at. To what extent will Parliament be able to modify the scheme when it is laid before it? If this Nornalup fiasco forms a part of the scheme, undoubtedly it will meet with opposition from me. Perhaps I am wrong in referring to it as the Nornalup fiasco, because it is at the Deep river where it is intended to put these soldiers. I know the country well, both from the sea and from the land. No doubt in the years to come Nornalup Inlet will be an interesting, pretty, and to a certain extent prosperous little coastal port. It will never be any

more. Access to Nornalup Inlet at present is prevented by a rocky bar, wherein there is some good fortune because it is easier to deal with than a sand bar. Once the rocky bar is taken away it does not return. The mere evidence of sand being there, however, is proof that when the sand is taken away the natural movement of the ocean will re-deposit it later. Although I do not altogether agree with Mr. Miles that Nornalup Inlet should have been opened up half a century ago, I will say that 15 years ago I had a sketch plan made of the locality by Captain J. Airey of the "Penguin," who is a hydrographic surveyor, and this sketch plan is to be found somewhere in the files of the Colonial Secretary's Department and is available to the Colonial Secretary. It was shown by that sketch survey that it would be a comparatively easy matter to make a harbour there suitable for small vessels, and that is all that Nornalup would expect to hold. There is this rocky bar outside, and the approach is certainly difficult and dangerous, though not to so great an extent as to preclude the use of the harbour. Inside, the inlet would require a good deal of sheet piling in order to confine the currents and make them keep a clear channel. I also speak in this connection from my own personal observation of the locality. With regard to the land around Nornalup, and in that part of the country generally, there is a tendency to greatly over-estimate its value. It is land which looks very much better with the timber on, as in the case of Denmark, than it does when the timber is off. I know of properties in Denmark which looked good enough for anything before they were cleared, but when they were cleared and the ground was cultivated, they were, to put it mildly, extremely disappointing. There are good patches, but they form only an inconsiderable portion of the bulk of the land. To put men who will be for the most part unaccustomed to agricultural pursuits, and will in some cases not be at their physical best, into a district like this, far away from any railway and any market for their produce, and with no prospect in front of them except that of enjoying a home in a most delightful climate so long as the Government money lasts, is not only not doing them a kindness, but is doing them and the

country a great injustice. Therefore, unless a more satisfactory solution of the difficulty can be obtained than is suggested by the Nornalup experiment, I am afraid that the scheme, when it is laid before Parliament, if Parliament has power, will need some very drastic modifications indeed.

Hon. J. F. Cullen: The money will be gone then.

Hon. W. KINGSMILL: Quite so. In this matter we are working very much in the dark. We do not know to what extent this money is already being expended. Perhaps it is my fault, if it be a fault, that this motion is being moved, because I presume it is due to the disclosures which were made in answer to certain questions of mine, and which aroused some suspicion in regard to the Nornalup business at all events. I do not think that the answers given to me are quite satisfactory, or that they were quite correct. There is that big area which was surveyed close to Big Brook at a cost of, I think, £75,000—

Hon. Sir E. H. Wittenoom: Where is that?

Hon. W. KINGSMILL: Where the State mill is, close to Manjimup, and to the starting point of the line with which it is proposed to connect Bridgetown and Nornalup. In that locality there is a large quantity of land just as good as, and perhaps better than, there is at Nornalup. This land, I am informed on good authority, has now been available for selection for some years. It was surveyed at great cost and cut up into chessboard areas, irrespective of the quality of the land. In spite of a very elaborate survey through it, the settlement on the land has been practically nil. This land is far closer to the railway which is running at the present time than is the Nornalup proposition. Why not, therefore, place the returned soldiers there? It is a far better proposition than the Nornalup scheme because returned soldiers will have seen quite enough scenery by the time they return.

Hon. Sir E. H. Wittenoom: And illuminations.

Hon. W. KINGSMILL: Yes, they will have seen quite enough illumination too. Of the two places undoubtedly the Big Brook selection, which has been before the public for a considerable time without the

public making an enthusiastic rush towards it, and which is at once available for settlement, is preferable to that of Nornalup. I consider that this scheme, if there is a scheme, and I presume there is, should be laid before Parliament now instead of when it is perhaps too late to alter the dictum which has been arrived at, and retrieve the money which has been spent. I support the motion so far as it goes, but do not think it goes far enough.

Hon. Sir E. H. WITTENOOM (North) [3.37]: I am sorry that Mr. Baxter, who moved this motion, is absent from the Chamber, because I was going to say, in spite of his ungenerous opposition to the Land Bill yesterday, opposition which I think was absolutely unjustifiable inasmuch as he got everything he could for the agriculturist and then opposed everything connected with the pastoralists, that I intended to give his motion very favourable consideration. The only trouble I see in reading over the motion, is that it is not clear whether it means State settlement, or whether it refers to a Federal scheme. The motion says—

That in the opinion of the House no scheme for the settlement of returned soldiers on the land should be brought into operation until it has received the approval of both Houses of Parliament. I understood from yesterday's debate that it was to be a Federal scheme, that we were to find the land while the Federal people financed us, and that we were to use these finances in a certain way through different banks, as was considered favourable. The question is whether any scheme which is brought up by the Federal people would be included in this motion or not. So far as I can understand from yesterday's debate on the Land Bill, I quite admit that the Western Australian State Government are to provide the land, and that the Federal Government are to find the money, which is to be spent through the State Government in connection with this scheme. That is one difficulty which appears to me to exist. I listened with a good deal of interest to the remarks of Mr. Kirwan yesterday regarding immigrants. He said that a great many of the British people, and probably a good many foreign people, had been brought into

contact with Australians, people belonging to the Commonwealth, and had heard so much about Australia that they would like to visit it; and that, moreover, having left their ordinary avocations in their mother countries, whether England or France, the spirit of adventure had so entered into them that they would like to try their chances abroad. There is not the smallest doubt that these remarks would appeal to most people, but in my own opinion there is not much weight in them. By the time this war is over, England, Scotland, and the whole of the United Kingdom, will require every possible man they can get in order to put their industries into a proper position, whether these are the agricultural industry, the ship building industry, or any other, and in order to get these men the very best of wages will be offering.

Hon. W. Kingsmill: We shall be lucky to get our own back.

Hon. Sir E. H. WITTENOOM: I have seen many immigrants from the old country, and many of them have said that if they had known things were like what they found them they would not have come out, that they were not getting more wages here, and that they had left their own nice little homes and cottages, and their pleasant surroundings and their friends to take up some rough and tumble place on a farm in this State. I do not think that many hundreds will come out to Australia after the war. I think they will probably be offered such inducements in the United Kingdom as to cause them to remain at their various trades and occupations. In these circumstances, we have to provide for the men we sent away. I am pleased and proud to notice that Mr. Ewing has taken such a tremendous interest in this matter, because, unless we have a few enthusiasts, we cannot bring this kind of thing to a successful conclusion. He is undoubtedly an enthusiast, and I appeal to him in this matter. Many of those who went away will unfortunately not come back. Those who do come back will, I think in every instance, find their places kept open for them. I am associated with several commercial institutions in the city, and in each one of these the appointments of those men who went away have been kept open for them, and when they come back they

will be there for them to take up again. I belong to, I think, six of the largest commercial institutions here. I go further and say, that the owners of farms and stations will only be too pleased to see those men back and to replace them in their old positions. What are farms and stations being carried on with to-day? I do not say it at all offensively, but they are being carried on with rejects—men who in many cases offered themselves for military service and would have been delighted to go to the Front, but were refused on account of some physical disability. The consequence is that the farms and stations are being carried on with rejects. Speaking from my own experience of about six good men who have enlisted from farms and stations, I say that any or all of them are welcome to come back to their positions at any time. In the circumstances, putting aside Mr. Kirwan's suggestion that we shall have a large number of immigrants—which I do not think probable—there is very little necessity for the large repatriation scheme that is being talked about.

Hon. J. W. Kirwan: After the Napoleonic wars Britain was extremely depressed for many years, and there was no money for private enterprise to put into industries.

Hon. Sir E. H. WITTENOOM: Under the circumstances of this time I do not think that condition will prevail. Once the war is over, industries will, I think, be so keen and require so much assistance that there will be no need to trouble about immigration from those countries. Indeed, I think every effort will be made by the United Kingdom and its allies to keep all of the best men available to rebuild those countries. Let us take France, for instance. A great part of France is absolutely desolated and razed to the ground. All this will have to be rebuilt; farms will have to be reconstructed, and all the arrangements for agriculture as well. Surely France, in such circumstances, is not going to part with the best of its manhood. England has been decimated, as we know, not only in respect of its peasants, but also in respect of its other workers. How can England, then, spare its best men for emigration? I am quite alive to the fact that, having associated with Australians

and Canadians and other men from the Dominions, the British will say, "We cannot hear of wages like these men are getting; we cannot go about the little towns of France putting up money like they can; therefore wages and conditions in the Dominions are so good that we are off." That position may obtain for a little time. I am elaborating this subject only to show that I do not believe there will be the necessity to provide for such a large number of returned soldiers as many people think. I am sorry that we shall have to provide for a much less number of our defenders than left Australia. Those who do come back, I have no hesitation in saying, will have no difficulty whatever in finding congenial phases of occupation without elaborate arrangements being prepared by the Government. If, however, it is considered necessary to make provision for putting men on the land, then I once more—and I know this will give Mr. Dodd the greatest pleasure of his life—enter the realms of socialism and suggest that the Government should start an immense State farm on which these men can be employed under first-class overseers, who will teach them what there is to do. Then, as inclination comes to a returned soldier, he can be placed on a property of his own to work. Such a Government farm will give the returned soldiers the opportunity of learning what the work is like. I am speaking merely of ordinary farming conditions. My suggestion is that the Government should start a farm of about 10,000 acres under a first-class manager appointed apart from political influence. There the returned soldiers could be employed at fair current wages, whatever they may be at the time, and taught what there is to do. As each man develops the independent spirit which we anticipate, and wants a place for himself and his family, let the Government provide that place for him.

Hon. J. E. Dodd: That is the best scheme propounded yet.

Hon. Sir E. H. WITTENOOM: I appreciate such a remark from a man of Mr. Dodd's penetration. The idea, however, of putting these returned soldiers simply on blocks of land, saying, "Here is 150 acres



for you, and here is an abandoned farm for you," must end in disaster. The placing of a returned soldier on the land under such conditions when he has, perhaps, never been on a farm in his life can only result in absolute failure. Mention has been made of intense culture in this connection. I know nothing about Nornalup Inlet. I do not know whether the land there is intended for farms, or for growing lucerne and fattening stock, or for intense culture. But, in order to succeed in intense culture, a man requires a special education. The ordinary farmer who goes on to 200 or 300 acres, where the occupation is the primary one of just ploughing and seeding, may succeed; but the man who proposes to make his living by the intense culture of 40 or 50 acres needs to know more than the elementary ideas of the business. I go back to what I started with. I do not think a vast scheme is necessary, certainly not in Western Australia, for the one reason that I do not think immigration into this State will be as large as expected. Of those who come back from the war, those who have been here before will be received with open arms by those they left. If they do not care about returning to their old employment but wish to go on the land, and if the Government adopt my suggestion to establish a farm of about 10,000 acres, then such returned soldiers can be employed at current wages while they are learning the trade of farming, and after that the Government can find them suitable places. There are the abandoned farms which are on the hands of the Government, and all these abandoned farms are not bad farms. Probably in many cases the owner was worse than the farm. The abandoned farms would be available for returned soldiers who have been educated in farming; and, consequently, there is no necessity for the tremendous expense we are talking about. Those are my views. They may be elementary. I only put them forward for discussion. I promised Mr. Ewing to assist him in this matter, and I hope I have fulfilled his largest expectations. I have thought the subject out most carefully. I am not without a knowledge of farming, and I am well acquainted with the class of men connected with farming who left Western Australia to go to the war and who are likely to

go back on the land. I have no hesitation in saying that those returned soldiers who have not been previously connected with the land will, even if started on farms under the best conditions, unless they are previously given a suitable education in farming, make a complete failure. Those who left farming to go to the Front have their places to come back to, and those who, having been accustomed to the life of cities and towns, would not choose to go back to that life do not know much about the land, or they would not prefer it. Once they do go on the land, they will learn on the land what work is. However, the class of education which I have suggested will teach them what they are expected to do; they will be able to see the splendid results which they may anticipate but which, perhaps, they will never realise. In the circumstances—and I am exceedingly sorry the mover of the motion is not here—I have much pleasure in supporting the motion that any scheme for the settlement of returned soldiers on the land should, for the reasons I have stated, be laid before Parliament for approval.

Hon. A. SANDERSON (Metropolitan-Suburban) [3.56]: I think the leader of the House must be chuckling over this motion. The hon. gentleman has good reason to congratulate himself. What is the position of affairs? We have had two Bills dealing with the subject of this motion—the Agricultural Bank Act Amendment Bill, and the Land Act Amendment Bill which was passed last night. I am lost in admiration at the adroit manner in which the hon. gentleman piloted those two Bills through, at the patience and the skill with which he gently led, not myself, but a majority of this House to pass those two measures. And now what is his position? It is simply to say that everything wished by this House will be done as far as possible, that the wishes of this House will be met in every possible way. The hon. gentleman hopes we will accept the proposal and all sit down and say no more about it. The leader of the House is getting quite an old Parliamentary hand, to judge from the way in which he secured the passage of those two Bills. If he can conduct the public business of this country in the adroit manner which he exhibited on those two Bills, he is marked out for a very

high place at any rate in the manoeuvring of Parliamentary affairs. Mr. Cullen at once put his finger on that clause in the Agricultural Bank Act Amendment Bill. But it was passed. I thought to myself, "Now, surely the Government are tied down." Let hon. members judge of my astonishment when on the next day the leader of the House came forward and induced the Committee to reverse their decision entirely. One must admit that it was an uncommonly clever piece of work. Then, what happened on the Land Act Amendment Bill? To anyone who had been following things at all closely, it must have been obvious. Knowing the wishes of hon. members on this question of returned soldiers, one must have thought that the particular clause dealing with that subject would be struck out altogether, thus vesting the control of this important subject in Parliament. I raised my voice last night—hon. members who were present may remember—and said, "If the Committee pass this clause we are done." But the Committee passed the clause without a murmur, without a division—I did not get one member of the Committee to support me in the striking out of that clause. Now, at the last hour, this motion is brought down and we are asked to pass it. I say the Minister must be chuckling with amusement at the way he has got his own programme through. To me it is a most ungrateful task to indulge in what is described as destructive criticism. The leader of the House the other evening assured me that ever since I have been here I have done nothing else but indulge in destructive criticism. That is a painful charge. I have been personally engaged on and off for the past 20 years in the close consideration of the question of settlement of people on the land.

Resolved: that motions be continued.

Hon. A. SANDERSON: I have given close consideration to the position and to the manner of developing Western Australia, as to how we may get the maximum number of people settled on the land and the maximum of produce from the soil. That is a subject to which I have devoted many years of thought. And what are my conclusions? That so far as the land is concerned there may be better and richer land in some other parts of the Commonwealth; so far as clim-

atic conditions are concerned, that is a matter of personal opinion, but it is undoubted that the climatic conditions here are agreeable and suitable to many. Taking the question of closer or intense culture, it has been said that this is a matter for experts, and I am not altogether inclined to quarrel with such a proposition. It is beyond dispute that people have been able to establish their homes and rear their families on small areas, and that not in areas remote in the back blocks, but within 12 miles of the City. And in respect of the development of that district I would point to the failure of successive Governments to carry out their many promises. We have had many declarations by Ministers as to what it was the intention of the Government to do; but there is evidence of a total disregard for intelligent and systematic administration on their part. We had the late Governor of the State, accompanied by a colleague of the leader of this House at a public function at which the most glowing accounts were given of what would be done for the district. It has to be remembered that this it is not a question of virgin country, there is ample evidence there of what is possible and what has been done during the last 25 years. Let me review what the Government has done or failed to do in the direction of introducing intelligent and careful administration so far as that district of Kalamunda is concerned. First of all we had six or seven agitations before we succeeded in getting the Government to take over the rights of the Canning Jarrah Railway Co. That is a long story, which I will merely mention without going into details. Then we come to the question of roads. Representatives of the Government have made extravagant statements at agricultural functions as to what was going to be done, but it was only by the continued efforts of the settlers themselves that the road was eventually put through. I shall not mention names, as to do so might be invidious. We had three or four distinct assurances from Ministers of the day that they would do a certain thing, would provide a road; and they have not done it. It would have been better for the district and for the settlers had the Government said at the outset they would have nothing to do with the road, as then

those interested in the land would probably have raised the necessary money themselves. And what is the position of affairs with regard to the railway? During the last six, or rather four, months, the railway has been run with fewer trains than at any time within the past 20 years; and this within 12 miles of the city of Perth. The Minister asked for suggestions which he intimated would be gladly accepted. In regard to a matter of greatest importance to the district at a function at which the Governor, and also a Minister and a colleague were present, a few months ago, a glowing report of what was proposed to be done was given and the result was that I was practically charged with wishing to further the project for private reasons.

The Colonial Secretary: I object to that statement. On that occasion I simply asked for information.

Hon. A. SANDERSON: I beg the hon. member's pardon. I thought the hon. member had said that by way of a joke. Let me assure him now that the proposal put forward on behalf of the district on that occasion had nothing whatever to do with my offering land for sale. It is a question upon which the Government have refused to give a definite answer as to what they propose doing. The leader of the House is welcome to look up the files, and he will there see what has occurred on this question. I do not know whether I am showing my hand too much in thus dealing with this matter. On that occasion the Governor came to me and asked me what was my personal opinion and I said I was quite satisfied that there was splendid land in the district, was well satisfied with the prospects of the district, and was satisfied that it would be an enormous benefit to the district and its progress. And I said, speaking to His Excellency, "If you give me an assurance that the land will be settled I will undertake myself that the necessary money for an agricultural hall will be forthcoming." As I have already said, I have given a great deal of time during the last 20 years to this question of the development of that district, and I think the experience of that district has shown that it is possible for small farms to be put on a paying basis. What am I to think of the scheme for repatriation of

soldiers, which is suggested on the file of papers laid on the Table; and what are we to think of those two clauses in the Bills to which I have referred and the deliberate excision of the one word to which Mr. Cullen drew attention? I do not wish to charge the Minister personally, far from it. But I associate myself with the criticism of the Hon. Mr. Cullen when he said that we were dealing with public money and that the Minister had no right whatever to mislead the House, as I maintain he has done, by those two clauses in the Bill I have already referred to. But the damage is already done, and whatever we do with this resolution, whether it be rejected or accepted, it will not make the slightest difference to the Minister. And I repeat that the Minister has to be congratulated on having piloted through those two important Bills. I have not the slightest doubt in my mind but that he did so with the best of intentions. I do not think for a moment that he deliberately intended to ruin this country. I contend that the Minister for Industries enters into this motion, although he does not appear; and my grievance is that he has got what he wants and all that is sufficient for him, through this Chamber, to go on with the scheme. I repeat that this returned soldiers business is a Federal matter. The Federal authorities will find the cash and I say that the scheme should be entirely separate from the Agricultural Bank and the Industries Assistance Board, that the management should be appointed partly by the Federal Government and partly by the State Government. Otherwise we will find that the money which goes to the Agricultural Bank through the Commonwealth for the returned soldier will be handled by the Agricultural Bank, but the money which comes back from the returned soldier by way of interest and so forth must go, under the Agricultural Bank Act, not into the coffers of the bank, but into the coffers of the Treasury. Then hon. members will find a position which was never contemplated by them. Is the scheme sound? I ask in all seriousness whether the Minister and his colleagues think it fair, and think it a sound business proposition, to make a suggestion like that. They will answer that query as they please, and I do not suppose that they will accept

what I submit as the position, that whether the capital be two millions of 20 millions it should be handed over to trustees entirely apart from the Agricultural Bank. Whether Sir Edward Wittenoom is right or not I will not venture to express an opinion. I think it will be most difficult at the present time to be definitely certain as to whether there is going to be an influx of population as Mr. Kirwan has stated, or whether there will be any immigration at all. But this will be admitted, that a big effort is being made by the Imperial Government to see that in the future the emigration from the British Isles shall be directed to the British Colonies. In one of the latest issues of the *London Times* I notice that an important conference had been held and that a special committee had been appointed by the Imperial Government to deal with this very question. Therefore, without trying to associate myself with a forecast in one direction or the other, knowing as we do that the Imperial Government are deliberately and quietly setting up a special committee to deal with this question of directing not only soldiers but other parts of the body politic to go to the outlying portions of the Empire, I think there is a reasonable chance of a considerable number of people coming here, and not only a chance but a certainty. If members will look at the latest reports they will see that the British Government intend to devote a certain amount of cash towards the purpose I have outlined. In these circumstances I make this appeal to the House, not only for the reputation of the Government and of the State, but for the soldiers themselves. I cannot believe that it is a sound thing for an institution to give the whole of its unpledged credit to another institution which is in difficulties. Surely that cannot be considered a sound method of doing business. Look at the failures we have had in the past in connection with Western Australian land settlement, and if there is going to be a failure again we shall be able to put the full responsibility for that failure, not on the Western Australian Government, or the people of the State, but on the institution which I would like to see set up and which is getting the cash from the Federal Government, and on top

of that, cash also from the Imperial Government. I support the motion, which I think is of great importance, but I frankly confess, after what has occurred during the past two or three days, that I do not know whether the motion will be of much value. The result, however, will confirm the belief that has existed in my mind for some time, and it is that if hon. members composing this House will condescend to give the time and the requisite amount of work to any of these local subjects, I do not know a more highly qualified body that is capable of coming to a right decision so far as Western Australia is concerned. That is the impression which has been growing in my mind but my criticism is that the Legislative Council, partly owing, it may be, to other interests that they have outside which engross their attention, partly to climatic conditions, and partly to the extraordinarily adroit manner in which the Colonial Secretary leads them on to a conclusion which they themselves must regret, they have not on this particular question arrived at a sound conclusion. The Minister must be amused at the curious performance of the Council and he will be able to give to his esteemed colleague, whom we are not allowed to criticise, the information that he himself, owing to his skilful management, has bemused the members of the Legislative Council.

Hon. J. DUFFELL (Metropolitan-Suburban) [4.20]: I realise that hon. members have been wearied somewhat on account of the protracted remarks on this motion but, bearing in mind what the leader of the House said in accepting the motion, that he hoped hon. members would make suggestions that would be of value when the Government were making final arrangements in connection with the repatriation scheme, I desire to offer a few remarks. There is one phase of the primary industries which has not been touched on up to the present time in connection with the settlement of the returned soldiers, and it is on that account that I rise to offer a suggestion. It is that, when the final selection of the areas or land upon which the soldiers are to be repatriated is taken into account, consideration will be given to the land which is suitable for the dairying industry. I

would ask hon. members to bear in mind the big amount of money which is annually being sent out of Western Australia to the Eastern States for dairy produce. It seems to me that there must be in certain parts of the State land which is quite suitable for that particular industry, and I hope that the question will be taken into consideration when the settlement of soldiers on the land comes up for review. Perhaps some of the returned soldiers who will not be able to compete with strong healthy farmers in the ordinary avocation of wheat growing will be given the opportunity of engaging in the milder form of production and at the same time be able to make a comfortable living. I hope that the suggestion I have made will be regarded as worthy of consideration by the Minister. I am pleased that the motion has been so favourably accepted and if we offer comments I hope they will be way of suggestions, as requested by the leader of the House, suggestions which will be of advantage when the final scheme is being dealt with.

Hon. J. E. DODD (South) [4.25]: As the motion which I gave notice of some time ago is not likely to be further discussed, I desire to offer a few remarks on the present occasion. I think that every possible advantage should be taken of the present railway system in order to try and settle our soldiers. We should not embark on the construction of an entirely new railway, especially one which has not been authorised by Parliament, seeing that already we have 4,000 miles of railways and a population of under 320,000 people. To my mind the proposal of the Government is absolutely ridiculous. Mr. Baxter has drawn attention to the fact that there are places alongside our existing railways on which a great deal of settlement could take place. I think the Government should take every possible step to try and settle returned soldiers on these properties, and I have no doubt that that can be done. I think if Mr. Cornell had waited a little longer before handing over the red rag to Don. Cameron he would have passed it on to Sir Edward Wittenoom, who, I am glad to see, is making rapid strides towards the Labour platform. The suggestion he made is already one of the planks of the Labour platform.

Hon. E. M. CLARKE (South-West) [4.27]: Some hon. members are apt to be carried away with the idea that the land in the South-West is of no use.

Hon. J. F. Cullen: No one said that.

Hon. E. M. CLARKE: It has come pretty near to it. There are hon. members in this Chamber who seem to think that because a certain portion of the South-West has been described as useless, that the whole of it is useless. Let me say that the first time I went to Bridgetown the place looked about as starved as any place could possibly appear to be, but once it was cleared it was marvellous what it was able to produce. When I first went there settlers did not have a bit of hay for their stock. Now that same place is carrying not only a lot of stock but produces a great quantity of fruit and enough hay for everybody's use. When we get into the karri country, the land about Big Brook which has been described as useless, will, when cleared and a little fertiliser put on it, make that part of the State the Gippsland of Western Australia. Mr. Duffell has referred to the dairy produce which we import from the Eastern States. I say that the South-West is where our butter, cheese and bacon are going to come from to a great extent.

Hon. J. F. Cullen: That is what Mr. Kingsmill said.

Hon. E. M. CLARKE: Mr. Kingsmill pointed out that this country had been surveyed but that no application had come in for the land. I would like to remind hon. members that there has been quite a slump in land settlement for some time but the time is coming when we shall be able to induce people to take up areas in the South-West. Let it be understood that I am not going to support the settlement of a big body of men in any locality such as that in the extreme southern part of the State. I would not inflict such a proposition on returned soldiers because those men will not be the fellows they were when they went away. I am certain that every man will be found a place whereon to settle and that if there are any who are not able to follow the occupation of farming, some sort of light work will be given them to do. Railways have been constructed to such an extent that it might be said that a railway has

followed the settlers wherever they have gone. That is not the case in the South-West. Yet, while the eastern belt produces the wheat, the South-West is going to produce the butter, cheese, bacon, fruit, and a number of other things. While looking after the wheat belt, we must not neglect the South-West. Some people may think there is no good land there, but as a matter of fact there is a great deal of good land, and green fodder can be grown there all the year round, with but little attention. I hope the Government will be very careful how they settle soldiers on the south coast, where undoubtedly there are large tracts of relatively poor land, but back from the coast the land is better than it looks, and it is wonderful what it will produce. I do not think there will be many soldiers desiring to go on the land. Many of them will get back into their old grooves, while still more, perhaps, will be absorbed in the Old Country. I am convinced that when the war is over there will have to be a large army of occupation kept in Germany, and I feel sure that with the reputation the Australians have made, the authorities will select the best and fittest of them to remain behind for some time. So this repatriation scheme will not be so large as some anticipate. We do not want to waste money. We have been rather injudicious in the way we induced people to go away back on the wheat belt, and we should be careful not to make any further mistakes in that direction. I want it clearly understood that there are in Western Australia other places besides the wheat belt.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [4.33]: With the permission of the House, I would like to answer a question put by Mr. Kingsmill, who asked to what extent members will be allowed to deal with the scheme. It is the intention of the Government to submit a Bill, and hon. members will be allowed to do whatever they please with that Bill.

Hon. H. MILLINGTON (North-East) [4.34]: I was pleased to hear the assurance given by the leader of the House that a comprehensive scheme would be introduced. I quite understand that that will be the proper time to discuss the whole question. Still, I think at a time like this it is well that we should understand that when the Bill is in-

troduced the terms of this motion will mean that the Bill will not have about it any party flavour, and that members of all shades of opinion will be behind the Government, endeavouring to assist them in every possible way. I have sufficient confidence in hon. members to believe that the whole of the criticism indulged in will be of a helpful nature, and that the party issue will be sunk altogether. The difficulty in connection with this scheme is that every time it is mentioned one would think its object was the repatriation of returned farmers. The men who have gone away followed a variety of occupations and I cannot understand why everyone who speaks on repatriation should seem to insist that all those men are to be settled on the land. In my opinion there will have to be a choice of occupation for them for it is quite clear that not all of them will be prepared to go on the land. It might even be that the Government will sink some of their cherished ideas and establish certain industries for the absorption of returned soldiers, especially seeing that many of those soldiers will not be as fit as when they left the State. I am pleased to have the assurance of the Minister that we shall have an opportunity by-and-by of discussing the question exhaustively. All the experience of hon. members will be required to save us from mistakes. I have pleasure in supporting the motion.

Hon. C. F. BAXTER (East—in reply) [4.37]: I thank the Colonial Secretary for having received the motion in the way he has. It pleases me very much to know that all parties of the House support the motion. I would have it clearly understood that I brought it forward, not with a view of hampering the Government, but rather of assisting them by ensuring for the scheme the support of hon. members.

Question put and passed.

## BILL—BUNBURY TOWN LOT 318.

### *Second Reading.*

Hon. J. EWING (South-West) [4.39] in moving the second reading said: Very few words will suffice to explain the Bill. It is a very short Bill to enable the Augustine Congregational Church at Bunbury to sell or

mortgage, or in other ways deal with, a block of land granted to them for cemetery purposes. Arrangements have been made for the necessary exhumation of bodies from the ground, and their proper removal. I do not think I need delay the House at all. I move—

*That the Bill be now read a second time.*

Question put and passed.

Bill read a second time.

*In Committee, etcetera.*

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

Read a third time and *passed*.

## BILL—PUBLIC SERVICE ACT AMENDMENT.

### *Second Reading.*

Debate resumed from the 14th March.

Hon. J. M. DREW (Central) [4.44] I am opposed to the Bill. I regret very much that after the Public Service Act has been in operation for something like 17 years, it should be deemed advisable to take what seems to me a retrograde step. It is sometimes necessary, in connection both with administration and with legislation, to beat a retreat, but if that position arises good reasons should be given to Parliament for the step it is proposed to take. No good reason has been given for these amendments, which affect a vital principle of the Public Service Act. All hon. members will realise that the position of a resident magistrate is a very responsible one. He has power to try any criminal case except a murder case, and he may impose a sentence of 14 years imprisonment. Cases affecting property also come before him very frequently, and unwise or unjust decisions may be appealed against with the result of involving both litigants in further costs. No one can deny that a resident magistrate should at least have a knowledge of the law of evidence, and of the elementary principles of law. Section 30 of the principal Act insists that this should be so except in the case of resident medical officers. These can be appointed without examination in law, subject to a

certificate from the Public Service Commissioner. Section 30 of the Public Service Act reads—

No person shall be permanently appointed to the office of magistrate unless (a) he has passed the prescribed examination in law; or (b) he is a legal practitioner duly qualified under the Legal Practitioners Act, 1893: provided that, on the certificate of the Commissioner that it is desirable for the economy of the Public Service so to do, the Governor may appoint a district medical officer, or may temporarily appoint any other officer, a magistrate without examination.

As the result of many years' experience of proceedings in courts of law administered by resident magistrates, I personally would oppose the appointment of any man who is not a legal practitioner. But the section does not go so far as that. The candidate for the position of resident magistrate must pass the prescribed examination. The examination should be provided by the regulations. It is for the Executive Council, the Government of the Day, to say what form the examination shall take. The regulations which exist provide that candidates for the police force must be instructed in their duties. They must undergo six months' probation, and they are not only instructed in their responsibilities, but they must also have some knowledge of the local statutes. If that knowledge is necessary in an ordinary police constable, it should be all the more essential in a gentleman occupying the high and responsible position of a resident magistrate. No need for the utilisation of Section 30 of the Act arose until the late Government retired a number of resident magistrates owing to old age. It was the wish of the late Government to appoint certain gentlemen in their place, and they appointed two legal practitioners to certain positions. It was their wish, further, to appoint two other gentlemen to other vacancies; but it was found that there were no regulations making provision for an examination. Consequently, these gentlemen were temporarily appointed resident magistrates, the Public Service Commissioner being instructed, if my memory serves me rightly, to prepare the examination. The

two gentlemen who were acting as resident magistrates were given to understand that they would have to prepare for that examination, and submit themselves to it after a certain period. The result of the amendment proposed by this Bill would be that any clerk of courts with 10 years' service could submit his name to the Public Service Commissioner as an applicant for the position of resident magistrate. Special rights are given to clerks of courts under this Bill and also to mining registrars. That seems to me to render Section 30 of the Act grotesque. In many country districts the officer who occupies the position of clerk of courts receives a remuneration of about £12 per annum, being generally the secretary of the roads board or the police constable. Under this amending Bill those officers would be eligible to apply for the position of resident magistrate. Of course, such an applicant would not get a certificate of fitness from the Public Service Commissioner; but why should a section of the Act be so liberalised as to enable all classes of persons, with possibly little or no experience of the duties of a magistrate, to apply?

Hon. W. Kingsmill: It is too democratic.

Hon. J. M. DREW: It is too democratic for me. There are limits to democracy. I intend to vote against the second reading. If the proposition had been that everyone should be entitled to apply for an appointment as resident magistrate, it would be a different matter altogether. That might have been described as the very furthest extreme of democracy.

Hon. A. SANDERSON (Metropolitan-Suburban) [4.53]: This Bill of course is not of prime importance, but I think it requires full consideration. I cannot associate myself with the last words we have heard, which would represent democracy as synonymous with foolishness. For my part I do not regard this question as one of democracy, but as one of law and of administration. I have looked up the matter in the Public Service Act, but as the last speaker quoted Section 30 I need not repeat it. I have also looked up the Public Service regulations. These are marked as embodying amendments up to the 1st May, 1916, but the dates at which the various regulations were made are not indicated.

Regulation 125 prescribes an examination for persons desiring to be appointed resident magistrates. I do not know that it is necessary for me to go right through that regulation; but if we wish to understand the position of affairs clearly, we ought to go right through the regulations either individually or in Committee. I have some special reason to understand these subjects, and I suggest that unless we do go into the regulations and ascertain exactly what the position is, the passing of such a Bill as this would be a very dangerous thing. I oppose the second reading on the grounds pointed out by Mr. Kingsmill, and also because the Bill lowers the standard of resident magistrates. If, however, it is the decision of the Council to pass the second reading, I shall endeavour to secure the insertion of an amendment which was proposed in another place, and the effect of which would be to consider the whole position in a proper manner instead of merely passing this particular Bill which deals with only two or three individuals. If it is considered that the professional standard should be kept as high as one can reasonably get, let hon. members reject this Bill. But if they consider that possibly the standard is too high—and that is rather a large assumption—that it should be lowered, or that the door should be opened wider, then let it be done in a manner fair to other sections of the community who, as far as I can see, have just as much claim on the consideration of Parliament as have these few individuals. I do not consider the Bill one of prime importance, but I think it is a measure which wants looking into. I shall not weary hon. members by reading all the regulations. Section 30 of the Public Service Act provides—

No person shall be permanently appointed to the office of magistrate unless (a) he has passed the prescribed examination in law; or (b) he is a legal practitioner duly qualified under the Legal Practitioners Act, 1893.

As far as the Legal Practitioners Act is concerned, the matter is, I think, quite clear to hon. members. Some of them call the legal profession a trades union. At any rate, it is a body which secures to the public, I do not say a very high standard of efficiency, but at any rate some standard of effi-



ency, in legal matters. There is the Barristers' Board for dealing with the question of admitting anyone, no matter who it is, to practice as a legal practitioner. My criticism on this would be just what it was on the Apprentices Bill. The Apprentices Bill concerns the trades unions, and therefore should be referred to the unions for their consideration and comment. Here is a Bill dealing with legal practitioners; let it be referred to the Barristers' Board for their opinion. I do not say that their opinion should necessarily be followed, but they are at any rate qualified to give an opinion. This Bill provides another method of passing an examination in law in this country. Public Service Regulation 125 deals with that matter. The examination is about as stiff as one could well wish, including the law of property, of contracts, of torts, and of evidence, the duties of justices, and statute law. There are nine text-books prescribed. It will be admitted that the examination is pretty comprehensive. In addition to the matters I have mentioned, the candidate would have to satisfy the examiners that he is conversant with 14 special Western Australian statutes. When I mention that those statutes include the Land Act, the Mining Act, and the Workers' Compensation Act, with all their amendments, and also the Criminal Code, hon. members will recognise that the examination could be made very stiff. However, I made inquiry in the proper quarter and I found that no examination has ever been set under these regulations.

Hon. J. F. Cullen: Have there been appointments without examination?

Hon. A. SANDERSON: Temporary appointments have been made. That is quite in accordance with Section 30 of the Public Service Act—

Provided that, on the certificate of the Commissioner that it is desirable for the economy of the Public Service so to do, the Governor may appoint a district medical officer, or may temporarily appoint any other officer a magistrate without examination.

Hon. J. F. Cullen: How long does "temporary" last?

Hon. A. SANDERSON: I have tried to look into the matter as far as possible, but

I am unable to answer that question. I shall vote against the second reading of the Bill because it lowers the standard of professional requirements. If the Council in its wisdom thinks fit to pass the second reading I shall ask the Committee not to deal with two or three members of the public but to deal with the public as a class.

Hon. G. J. G. W. MILES (North) [5.0]: I wish to support the second reading and I hope it will be carried. There are two or three instances that I know of where men have put in the best years of their life in the service of the State and have acted as magistrates. Mr. Cullen asked just now how long these appointments lasted. I know of cases where men have been acting magistrates for eight years. If the service which these officers have rendered in the past has been sufficient to qualify them for acting magistrates, surely we should allow them to qualify for permanent appointments. The Bill says, "Provided he has served for 10 years as a clerk of courts or a mining registrar, provided in either case that the Public Service Commissioner certifies that his services and experience qualify him for the position." Surely that is sufficient protection. Officers have put in years of their life in the back country on the Eastern Goldfields and in the North-West, and on their behalf I hope the Bill will go through.

Hon. H. CARSON (Central) [5.2]: I think it would be a mistake to pass the Bill in its present form. If the second reading is carried I desire to move an amendment. I think no consideration has been given to the professional division of the service. I shall vote against the second reading.

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

Ayes	..	..	..	..	10
Noes	..	..	..	..	7

Majority for .. 3

#### AVES.

Hon. C. F. Baxter	Hon. V. Hamersley
Hon. E. M. Clarke	Hon. G. W. Miles
Hon. H. P. Colebatch	Hon. E. Rose
Hon. J. F. Cullen	Hon. C. McKenzie
Hon. J. E. Dodd	(Teller.)
Hon. J. Duffell	

## NOMES

Hon. R. G. Ardagh	Hon. J. W. Kirwan
Hon. H. Carson	Hon. H. Millington
Hon. J. M. Drew	Hon. A. Sanderson
Hon. W. Kingsmill	(Teller.)

Question thus passed.

Bill read a second time.

*In Committee.*

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 30.

Hon. J. F. CULLEN: I see no sound reason for paragraph (d). Paragraph (c) is reasonable. It proceeds on the assumption that the Government have renewed the temporary appointment of a magistrate over a period of five years which means that he has so discharged his duties that the Government are satisfied. That is ample. There is no need to go further. If there is a man of special fitness who commends himself to the Government he will be appointed an acting magistrate and he can have a service of five years as acting magistrate. The first paragraph will meet all normal demands but the other paragraphs have been inserted to meet special cases, and we ought not to go out of our way to meet special cases. I move an amendment—

*That paragraph (d) be struck out.*

Hon. R. G. ARDAGH: I support the clause as it stands in the Bill. I voted against the second reading but on reading the measure through I think the clause is a satisfactory one. There are instances in Western Australia where men have filled the position of mining registrar and magistrate and so on in the back country where they have had no opportunity to pass an examination. These men have given satisfaction.

Hon. J. W. KIRWAN: I hope the amendment will not be carried. A man who has served five years as a clerk of courts and three years as acting magistrate is more fit to be appointed as magistrate than a man who has filled the position of acting magistrate for five years.

Hon. A. SANDERSON: The House has rejected the principle of the professional qualification by the adoption of the second reading.

Hon. J. F. CULLEN: No.

Hon. A. SANDERSON: I venture to say we have. Now we are going to establish a new principle on which we shall work. It is obvious from the amendment where the hon. member comes in, and there is a great deal to be said from his point of view. A member of the Committee has pointed out that there are other people who have a claim, namely, those who have served for five years as clerk of courts and three years as magistrate. The truth is that, having departed from a well-recognised principle, we now find ourselves in a difficult position. In view of the real object of the Bill, would it not be more satisfactory to insert the names of the three gentlemen in whose interests the Bill has been prepared? The Committee have destroyed the professional test, and I expect they will decline to accept what I might call the personal test, in other words, the inserting in the Bill of the names of the gentlemen I have referred to. At present I am inclined to vote against the amendment.

Hon. J. M. DREW: I shall be glad if the Colonial Secretary will explain the reason for the introduction of the Bill.

The CHAIRMAN: The question before the Committee is the striking out of paragraph (d). If the hon. member asks the Minister to explain the reason for paragraph (d) there will be no objection.

The COLONIAL SECRETARY: I have no further explanation than I gave in introducing the Bill. I think I am right in saying that paragraph (d) was inserted in another place. The original proposal was merely to enable certain acting magistrates who have filled their posts for five years and longer, and who in that capacity have given complete satisfaction, to be appointed magistrates, because it was considered that they were under an injustice in having only temporary appointments. The question of the examination has been raised. It is a fact that no examination has yet been held, but the regulations have now been prepared and steps are being taken for the holding of an examination.

Hon. J. F. CULLEN: The clause merely makes certain people eligible for appointment. It would be preposterous to ask

Parliament to name certain gentlemen as being eligible for appointment. I think the Bill should be restored to its original shape, and I hope hon. members will see the desirability of this.

Hon. J. E. DODD: I have had some experience of resident magistrates, and when I reflect that under the Public Service Act some of our best known wardens would not be entitled to become magistrates I agree that an alteration is necessary. I have not too high an opinion of theoretical examinations. A man of good, sound common sense and a considerable amount of experience would make just as good a magistrate as another who had passed the theoretical examination.

Hon. H. CARSON: Seeing that we have widened the selection of magistrates, I think we should go a little further. Many thoroughly efficient men of experience are not at present eligible for appointment as magistrates. I will vote against the amendment.

Hon. H. MILLINGTON: The objection I have to the first qualification is that, as Mr. Sanderson pointed out, it allows those making the appointment to go outside of qualified men for a magistrate, and will permit of the appointment of a man who has not, and cannot, pass the qualifying examination. I know that in at least one of the cases under consideration there has been a strong social pull for a number of years. That is the sort of thing we should guard against. I know also of an acting magistrate who has depended on the clerk of courts to pull him through. On one notable occasion he would have avoided a serious mistake if he had not rejected the advice of the clerk. To my mind the second and third qualifications are better than the first. Undoubtedly there is a danger in departing from the old system; but, if we are to depart from it, let us give the men specified in paragraph (e) a chance also.

Hon. A. SANDERSON: I have made a very interesting discovery, that there is no necessity for the Bill at all. The mover of the amendment said, in broken tones, that it would be degrading to insert the names of individuals in the Bill. Admittedly. But is it not much more degrading to pass this clause when we all know that its sole ob-

ject is to qualify those three individuals? The Public Service Act empowers the Government to examine these gentlemen and put them through. I think it is a great tribute to either the honesty or the stupidity of the Government that they have not set an examination and told these three gentlemen to pass it. My knowledge of examinations tells me that an examination can be set in the most difficult subject and yet passed by the most uninstructed person. It is done every day. These three gentlemen could have been put through an examination which was not a ploughing examination. Mr. Dodd's suggestion that what is wanted in the law courts is common sense, and the less law the better, is extremely sensible. Once we abolish the professional or technical standard, I shall embrace, so far as I can, the various views put forward by hon. members: but I want time to consider those views, and to submit them to gentlemen outside this Chamber.

Hon. J. W. KIRWAN: The more this amendment is discussed, the more convinced I am that the Committee really know very little about the Bill. The real purpose of the measure, I understand, is to allow three gentlemen to be appointed resident magistrates. I do not know any of the gentlemen named, except Mr. Geary, whom I consider eminently qualified for the position, his decisions at Kalgoorlie having won the respect of the lawyers and of the general public. The whole point, to my mind, is that the principal Act provides that regulations shall be framed for an examination, which examination, as prescribed by the regulations, is evidently too steep for any of these gentlemen to pass. The real remedy would be to make the examination of such a nature that gentlemen of the experience of these could pass it. I feel that we ought not to go on with the Bill.

Hon. Sir E. H. WITTENOOM: I intend to support the Bill exactly as it stands. It may be within the memory of some that I was at one time Minister for Mines. While in that position I had to appoint various wardens; and my experience then, which has been confirmed by later experience, was that it is not always the man with the highest professional qualifications who

makes the best warden or resident magistrate. Common sense and a knowledge of human nature are more serviceable, frequently, than legal qualifications. Men of the training set out in this clause must have a good knowledge of the law, and of the methods of magistrates. Moreover, as magistrates fall out and clerks of courts become qualified, the latter seem the right men to fill the vacancies. The inclusion in the Bill of the names of the gentlemen concerned would make their names altogether too conspicuous. Let the Bill apply generally.

Hon. J. W. KIRWAN: I move—

*That progress be reported and leave asked to sit again at the next sitting of the House.*

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

Ayes	..	..	..	..	9
Noes	..	..	..	..	7

Majority for .. 2

#### AYES.

Hon. R. G. Ardagh	Hon. C. McKenzie
Hon. J. E. Dodd	Hon. H. Millington
Hon. J. M. Drew	Hon. A. Sanderson
Hon. J. Ewing	Hon. J. F. Cullen
Hon. J. W. Kirwan	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. H. Carson	Hon. E. Rose
Hon. H. P. Colebatch	Hon. Sir E. H. Wittenoom
Hon. J. J. Holmes	(Teller.)

Motion thus passed.

[*The President resumed the Chair.*]

Progress reported.

*Sitting suspended from 5.50 to 7.30 p.m.*

#### PAPER PRESENTED.

By the Colonial Secretary: Regulations under the Permanent Reserves Act.

*Sitting suspended from 7.31 to 11.45 p.m.*

#### BILL—LAND ACT AMENDMENT.

*Assembly's Message.*

Message received from the Legislative Assembly notifying that amendments Nos.

1 and 3 requested by the Council had been made, that it had declined to make amendment No. 2 and that it had agreed to make No. 4 subject to a modification.

*In Committee.*

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

No. 2—Clause 28, line 18, After the word "section" add "provided that no interest shall be payable on any such advance for the first five years after the advance is made":

The COLONIAL SECRETARY: I move—

*That the amendment be not pressed.*

In the first place, to press the amendment, after it has been ruled out of order in another place, would be to wreck the Bill. In the second place, the Commonwealth especially stipulated and it was agreed to by the Premiers' Conference that there should be, so far as practicable, uniformity of conditions in the several States. The Soldiers' Settlement Board of Australia constituted at the conference upon which the Western Australian Government is represented, is empowered to consider and recommend amongst other matters, "the duration of initial period during which interest or instalments will be suspended," the object being to grant assistance, if deemed necessary, but to prevent undue competition between the States, which was considered highly undesirable. To depart from the conditions agreed upon between the Commonwealth and the States at the Premiers' Conference would jeopardise the whole scheme so far as this State is concerned, as the financial undertakings of the Commonwealth Government would, under such circumstances, not hold good. The conditions would be inequitable as between soldiers, as the amounts advanced will vary considerably. Lastly, I would ask that the amendment be not pressed because this House has expressed its opinion, and this opinion will go forth for the guidance of the Soldiers' Settlement Board, and this House will also have a further opportunity of expressing an opinion when the Bill dealing with the settlement of returned soldiers on the land is introduced next session.

Hon. J. EWING: As the amendment originated from me, I take an interest in it. I

shall be satisfied if the Colonial Secretary can tell me what the attitude of the Government is in this matter. I am not allowed, under the Standing Orders, to refer to what has taken place in another House, otherwise I might express myself very strongly. The Government have not taken the opportunity given to them by this House, and so far as I can see no reasons have been given for the refusal to make the amendment in another place. I do not know whether that was usual, or whether another place ought to send reasons for refusing to make the amendment. Before deciding whether I shall press the amendment or not, I want to have an expression of opinion from the Colonial Secretary as to the attitude of the Government on this particular question. If that is satisfactory I shall be content. Is the Minister in sympathy with me, and will the Government endeavour to carry out the mandate from this House, which will be appreciated by the House and by the soldiers and everyone? If this is not being done for some technical reasons, it is unfortunate. If that reason does exist I want to hear what the attitude of the Government is.

The COLONIAL SECRETARY: The Government are bound at the present time, by the agreement to which they are a party. The Government are entirely in sympathy with the motives of the hon. member and desire to make the best possible conditions for the settlement of returned soldiers. The Government cannot make conditions in the agreement to which they are a party, nor can they pledge themselves to any particular condition as to the Bill which will be introduced and which will be placed before both Houses of Parliament for consideration next session.

Question put and passed; the Council's amendment not pressed.

No. 4—Clause 30, Subclause 2: Add the following to this clause:—The maximum area to be held in the same division by two or more persons jointly, or by any association of persons incorporated or unincorporated, shall not exceed two million acres. If any leaseholder is beneficially interested in an area exceeding the prescribed maximum, or if his leasehold is worked in association with other holdings exceeding in the aggregate

the maximum area that may be lawfully held as aforesaid, his lease or leases shall be liable to forfeiture, and the lease or leases in which he is interested shall be liable to forfeiture. Any leaseholder may be required by the Minister at any time to make a declaration that he is not beneficially interested in an area exceeding the prescribed maximum, or that he is not beneficially interested in several areas exceeding in the aggregate the prescribed maximum or that his leasehold is not worked in association with other holdings exceeding in the aggregate the maximum area that may be lawfully held under this Act, and if a leaseholder refuses to make such declaration, the lease or leases in which he is interested shall be liable to forfeiture. In the case of an incorporated company such declaration shall be made by the public officer of the company. (Assembly's modification.) In the fifth line strike out "two" and insert "one":

The COLONIAL SECRETARY: I move—

*That the modification by the Legislative Assembly be agreed to.*

I take this course because to agree to the amendment cannot do an injustice to anyone as the present leaseholders, if they hold more than a million acres, and they are still in no worse a position than before the Bill was introduced. They still continue to hold the leases until the end of their period. The only difficulty that may arise from the limitation is that certain lease holders who would otherwise elect to come under the new provisions, and would have paid a much larger rental, might, because of the limitation, elect to remain under the old provisions. That, however, is not a matter of sufficient importance to justify the House in wrecking the Bill because of the amendment.

Hon. J. F. CULLEN: It would be well for the Government to devise some completely effective safeguard against a possibility of combines in this connection. There will be ample time between this and the beginning of next session and I hope the Government will get the ablest and most astute advice that they can for this purpose.

Hon. J. M. DREW: I rise to support the remarks of Mr. Cullen. When the Bill was in Committee I said I would not move the amendment reducing the figure from "two" to "one" million as I did not want to deceive the people. The clause as it stands is no protection at all against any possible dummying. I hope the Government will, between now and when next we meet, prepare some clause which will exactly meet the situation.

Hon. G. J. G. W. MILES: I wish to support the amendment to reduce the number of acres from two millions to one million. I think one million is ample for any one person to hold, and I agree with the suggestion made by Mr. Cullen that if anything can be done to prevent monopolies from coming into existence the Government should take action during the recess.

Hon. H. MILLINGTON: I see very grave danger in this clause. I know that a protest at the present time is of no use, but I still wish to place on record that I think there is grave danger in the clause and that the Chamber should take every precaution to guard against a combine getting more than one million acres. If the Government insist on putting this measure through they should accept the advice which is being given them and do their utmost in the direction of protecting the country.

Hon. V. HAMERSLEY: I cannot help stating that I regret the other Chamber has not been able to see its way to accept the amendment moved in this House. Whether it is one million or two million acres matters not if the people holding these areas are improving and stocking them adequately in the interests of the development of the State. If there are people who are prepared to invest large sums of money in pastoral areas in Western Australia, it will be a very good thing for the State. There is a tendency to drive out certain companies or individuals who probably would benefit the State considerably by being induced to come here and invest their money, and we cannot do too much by way of encouraging development in this way. Legislation of this nature, it seems to me, has a tendency to scare off men who may desire to invest millions in our territory. The time may

come, of course, when smaller areas will be sufficient on which to make a good living, but I am satisfied, until we have them much more improved than they are to-day, people cannot satisfactorily deal with them excepting in large areas.

Question put and passed; the Assembly's modification agreed to

Resolutions reported, and the report adopted.

*In Committee, etcetera.*

Resumed from the previous day, Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Title—agreed to.

Bill reported, and the report adopted.

Read a third time and *passed*.

#### ADJOURNMENT—CLOSE OF SESSION.

The COLONIAL SECRETARY (Hon. H. P. Colebatch—East) [12.17]: It is my intention to move that the House at its rising adjourn for a fortnight. In the meantime, following the usual custom, Parliament will be prorogued by proclamation with a view to reassembling in the middle of the year. In submitting this motion, I would like to take this opportunity of extending my warmest thanks to hon. members for the courtesy and consideration they have extended to me during this my first session as leader of the House. In assuming that position I recognised that I was undertaking a task of great difficulty because I was following a leader, who, although politically opposed to most members of the House, had, by his long experience, his unfailing tact, and unvaried fairness, won the esteem and respect of all hon. members, and I have been conscious at times that because of my comparatively limited experience and perhaps occasional hastiness, there must have been occasions when my conduct as leader contrasted unfavourably with that of my predecessor, and for that reason I am grateful to hon. members for the consideration extended to me. Having completed the labours of the session we turn each of us to our businesses and desires, for as the poet says, "Every man has business and desires such as they be." One of our number is assuming a service for which we all envy and ad-

nire him, and I want to express to Mr. Cornell the hope that he will shortly return, having completed that duty that his large heart and lofty patriotism have demanded. For you, Mr. President, I hope that the recess will be a period of rest and recuperation and that you will long be spared to preside with dignity and impartiality as you have always done over the deliberations of this Chamber. I move—

*That this House at its rising adjourn to Wednesday, 4th April.*

Question put and passed.

*House adjourned at 12.20 a.m.*

## Legislative Assembly,

*Wednesday, 21st March, 1917.*

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

### PAPERS PRESENTED.

By the Minister for Lands: 1. State Forests, Timber Regulations; 2. Cemetery Boards, Statements of receipts and expenditure; 3. Permanent Reserves Act, Quarantine Reserve, Bunbury.

### RESIGNATION OF A MEMBER— GERALDTON.

Mr. SPEAKER: I yesterday received the following communication:—

Parliament House, 20th March, 1917.  
To the Hon. James Gardiner, M.L.A., Speaker of the Legislative Assembly, Perth. Dear Sir, I herewith tender my resignation as member in the Legislative Assembly for Geraldton. Yours faithfully, E. E. Heitman.

The PREMIER (Hon. Frank Wilson—Sussex) [4.33]: In view of the hon. member's resignation I beg to move—

*That the seat be declared vacant.*

Question put and passed.

### QUESTION—ALLEN GAS PRODUCER COMPANY.

Hon. W. C. ANGWIN (without notice) asked the Minister for Works: Has the Minister had a settlement made by arbitration regarding the claim of the State against the Allen Gas Producer Company; if so, was it on the advice of the Crown Law Department: and is it true that the amount has been reduced by two-thirds.

The MINISTER FOR WORKS replied: There has not yet been any settlement arrived at but it is hoped we shall arrive at a settlement to-morrow. There are various negotiations, all of which I shall be pleased to show the hon. member. Every effort has been made to safeguard the interests of the State.

### QUESTION—WHEAT SALE.

Mr. GRIFFITHS (without notice) asked the Minister for Industries: 1, Is he responsible for the statement in regard to damaged wheat and good sale (*vide* Press report)? 2, Was the flour referred to shipped oversea? 3, Is the ruling price of f.a.q. wheat for export flour to the same place 6s. 9d. per bushel or 4s. 9d. as indicated in the statement? 4, At what mill was this wheat gristed? 5, Who decided that the wheat was damaged? 6, What was the extent of damage per bushel?

The MINISTER FOR INDUSTRIES replied: 1 and 2, Yes. 3, 6s. for good wheat.