not content themselves by saying merely that the 44-hour week will prove harmful and is not justified.

Mr. Thomson: The Bill is like the curate's egg, good in parts.

Mr. PANTON: The Minister for Works has had a long experience in the Arbitration Court and many of us have been associated with him. We know the trials we have been confronted with regarding the work of the court. I can honestly say that arbitration has not had a fair trial in Western Australia.

Mr. Thomson: Why?

Mr. PANTON: Because of the absence of facilities to enable unions to get before the court. The member for West Perth was not far wrong when he said some 160 cases were pending. Some of them, particularly those referring to enforcement, have been waiting for hearing for upwards of two years. When an award is obtained, the secretary of a union or some official is given permission to police it. Without that assistance, an army of public officials would be required to do the work. There have been very few complaints by employers as to the methods adopted by these union officials who have the right to look through the firms' books. Each official has specialised in his own particular industry. When they encounter deliberate breaches of the award they have no alternative but to take proceedings. By the time the case is to be heard anything from 12 months to two years may elapse. Witnesses drift away and the unions have to withdraw their plaints. In such circumstances there is no incentive to go ahead with the work. There is no incentive to approach the court to secure an award. The unions know that they cannot enforce those awards because of the lack of facilities to enable them to approach the arbitration court and get decisions. That is why arbitration has not had a fair trial.

Mr. Thomson: You misunderstood me. You referred to the Arbitration Court; I referred to arbitration.

Mr. PANTON: I was referring to the Arbitration Court as we find it to-day. The most successful years we have had were 1919, 1920, and 1921. During those years arbitration was practised by means of round table conferences. The Minister for Works at that time was general secretary of the Labour movement in this State. I had the honour to be the general president. Each week we were at the office of the Employers' Federation, at least four or five times, dealing with various disputes. These negotiations were carried on and there was no necessity to go to the court. That system can be renewed to-day.

Mr. Taylor: Does that apply to the Eastern States as well?

Mr. PANTON: They have compulsory wages boards there. What I referred to were voluntary conferences between the employers and the employees.

Mr. Taylor: Does that apply to the Federal Arbitration Act?

Mr. PANTON: There are some delays in the Federal Arbitration Court too, but there are not so many Federal unions as there are State organisations. A Federal award, when issued, applies throughout Australia, and has a currency of three years or so, not of 12 months as often obtains in connection with State awards. I appeal to members to give the Bill full consideration. The clause dealing with the 44-hour week is no mere flag-flapping or window dressing. I know more about this question than does the member for West Perth. If the 44-hour week clause be defeated, there will be a large number of disappointed and discontented men and women in Western Australia.

On motion by Mr. Thomson, debate adjourned.

House adjourned at 10.18 p.m.

Legislative Council.

Tuesday, 16th September, 1924.

	PAGE
Deputy President, appointment	768
Question: Wyndham Meat Works, purchase ...	769
Bills: Road Districts Rates, SR. passed... ...	769
Private Savings Bank, 2R.	769
Closer Settlement, 2R.	770
Presbyterian Church Act Amendment, 2R., Com. report	784

The House met at 4.30 p.m.

DEPUTY PRESIDENT, APPOINTMENT.

The Clerk announced that, in the absence of the President on leave, it would be necessary to appoint a deputy president.

The COLONIAL SECRETARY: I move:

That the Hon. J. W. Kirwan take the Chair as Deputy President during the absence of the President.

Question put and passed.

QUESTION—WYNDHAM MEAT WORKS.

Offers to Purchase.

Hon. V. HAMERSLEY asked the Colonial Secretary: 1, Has a definite offer for the purchase of the Wyndham Meat Works ever been received by the Government? 2, What was the nature of the offer? 3, By whom was it made, and on what date?

The COLONIAL SECRETARY replied: 1, No. 2 and 3, Answered by No. 1.

BILL—ROAD DISTRICTS RATES.

Read a third time, and *passed*.

BILL—PRIVATE SAVINGS BANK.

Second Reading.

Debate resumed from the previous sitting.

Hon. H. SEDDON (North-East) [4.39]: I support the Bill, realising the necessity for control of private savings banks and for helping the small investor, who at present is catered for only by the State and Commonwealth Savings Banks. At the same time I agree with Mr. Lovekin that the object of the present Bill could have been more easily met by a one-clause measure simply prohibiting the establishment of private savings banks. The only parties who will benefit by this Bill are the Governments, who will get some cheap money, and the Associated Banks, which will be protected from a possible rival that now, I understand, is offering to pay interest on current accounts. That the small depositor should be protected is absolutely essential. It has been stated that before the war about 800 millions sterling were annually invested in public companies, and that of these companies not 20 per cent. survived the first year, so that in the great majority of cases the money invested was wholly lost. Further, it has been stated that of the companies floated not five per cent. survived their fifth year. From these facts we can estimate the amount of money lost, chiefly by small investors, through reckless company promotion. The laws passed from time to time for the protection of investors have not proved as effective as they might. This State has had some experience of company flotation, and that experience points to the necessity for more stringent legislation in this regard than we now have on our statute book. From that aspect, therefore, one may welcome this measure. I may quote the conditions which obtain in one or two States of the American union with regard to company flotation. Kansas has what is locally called the "blue sky" law. Before the promoters of a company can proceed to flotation in Kansas, they must lodge with the Government company authority a statement of the conditions under which the enterprise is being floated. These conditions are then examined by the authority, which, if it considers that the company has a reasonable chance of success, issues a certificate to that effect. The result is that in Kansas, whenever a person is endeavouring to sell shares in a new company, the first question asked is, "Have you a Government certificate?" If the seller of the shares has not such a certificate, the company is practically ruled out of court, the want of a certificate being evidence that the undertaking is not considered to have a reasonable chance of success. A law on those lines operating in Western Australia would have eliminated a good deal of loss that has been suffered by our people. Now turning to the Bill, I am bound to say that I cannot conceive of any person wanting to start a private savings bank under the terms of the measure. First there is the necessity of raising £10,000 to be deposited with the Government, and therefore presumably bearing not more than the market rate of interest. Next there is the placing of 70 per cent. of the bank's deposits with the Government. It is generally recognised that a bank, in order to be in anything like a safe position, must retain at least 10 per cent. of its deposits in cash, and altogether at least 30 per cent. in liquid assets. Now, under this Bill 70 per cent. of the deposits would be deposited with the Government. Therefore the bank's only chance of paying expenses would be represented by the one per cent. margin between the interest it pays to depositors, and the Government rate of interest. Some interesting figures are available in connection with the war loans floated by the Commonwealth Government. Hon. members may recollect the efforts made to convince the people that it was necessary to invest their savings in the war loans. The drive proved very successful. In connection with one war loan, it is estimated that of the total of 40 millions sterling no less than 27 millions were found by people who would be termed small investors. But when the loan came to be renewed, the figures were practically reversed. The number of small investors who found money for the renewal was very small, the greater part of the renewal loan being taken up by financial institutions. The reason for that change of attitude may be explained on other than patriotic grounds. Unfortunately the people who invested in £20, £30, and £40 bonds found, when they tried to realise, that the market price had gone down, and that if they wished to realise, they could do so only at a loss. In many cases it would have been better for those small investors if they had put their money in the Savings Bank at 3½ per cent. He would have done better had he left his money in the State Savings Bank, and he now concludes that the higher rates of interest are reserved for the men who can deposit £100 and over. The following figures of the State Savings Bank are of interest: In 1922 some 73 per

cent. of the depositors had less than £20 each, while another 8.6 per cent. had less than £50. The depositors having under £100 were 88 per cent. In 1923 those depositors represented 90 per cent. Coming to the deposits, we find that only 8 per cent. were in parcels of under £20, while 7 per cent. were under £50 and 11 per cent. were under £100, or a total of 26 per cent. of the deposits were in sums of under £100. In 1923 the depositors having sums of under £100 represented 90 per cent., while the percentage of depositors of under £100 was 24 per cent. Those figures indicate, if any thing, that there has been a slight decrease in the number of deposits under £100. The State Savings Bank was established to encourage thrift as well as to protect the savings of small men. Still, one has to realise the great disparity between 3½ per cent. on small deposits in the savings bank and the five per cent. and six per cent. available for men having over £100 to invest. In 1922 the State Savings Bank paid into Consolidated Revenue £10,000, while in 1923 it paid in £19,000. One is inclined to think that that money really belonged to the depositors, and that had it been distributed in increased rates of interest to the depositors, it would have been of advantage to all concerned. If we were to raise the interest to five per cent. on deposits not exceeding £50 it would not take a greater sum than that handed to Consolidated Revenue, and at the same time we should be encouraging the small man, who at present is inclined to think it is not worth while trying to save money. I raise that point in support of a suggestion to the Government that it is necessary to assist the small man to take care of his savings. For the man with £50 or over there is a market in Treasury bonds and inscribed stock; so he is provided for. It is not so in respect of the other man, because with his £10 bond he suffers more severely in the market when he tries to realise than does the man with a bigger salary. It is necessary that we should encourage thrift. On the other hand we find the spirit of speculation growing. It is said that the increase of gambling is due to the fact that the small man is driven to risk a few pounds in the hope of securing a rise because he realises the impossibility of making due provision by savings bank deposits. So I suggest to the Government that it might be wise to increase the rate of interest on small deposits and so encourage the small investor. I might instance the practice of the Great Central Railway, as it used to be called, in the Old Country. Those of us who were employed on that railway had opportunity to invest our savings with the company's bank. While the rate of interest at the post office bank was 2½ per cent., that at the railway company's bank was four per cent., and if an employee desired it he could have any given sum stopped from his wages and deposited in the bank. The result was that a considerable number of employees had their savings in the railway company's bank and were drawing four per cent. on them as against the 2½ per cent. offered in the Government savings bank. I mention this to show that in the Old Country the necessity for encouraging thrift amongst small depositors is well recognised. We would do well to institute something similar here. The passing of the Bill may restrain the founding of private savings banks devised not so much to make profits as to assist the small man to get a fair return for his savings.

On motion by Hon. J. Ewing, debate adjourned.

BILL—CLOSER SETTLEMENT.

Second Reading.

Debate resumed from 10th September.

Hon. H. STEWART (South-East) [4.52]: This is the fourth measure of the sort we have had before us during the last four sessions. Really if it were not that we have new members in the Chamber I should feel inclined to say nothing on the Bill beyond a bare reference to my speeches on previous closer settlement Bills reported on page 2901 of "Hansard" of 1921-22 and in "Hansard" of 1922-23 on page 1417, of 9th November, 1922, and also in the same volume, page 1959 of 5th December, 1922. Each time these Bills have come before us we have been given inadequate reasons for their introduction.

Hon. T. Moore: Surely a country member does not need to be given reasons for such a Bill!

Hon. H. STEWART: Whether one be country member or city member, when a Bill be introduced, reasons should be given for it. The Leader of the House the other day told us that for years the country had been calling for closer settlement. He did not give us proof of that; it was simply a statement. Other statements made in support of previous closer settlement Bills have not been borne out. Mr. Colebatch in introducing the Closer Settlement Bill on 9th November, 1922, gave as a reason in support of it that over the door of the Stock Exchange, London, one could read this legend: "The earth is the Lord's and the fullness thereof." I do not know that it carried much weight, because within two sittings thereafter that Bill disappeared. I should like proof of the present Leader's statement that for years the country has been calling for closer settlement. Certainly the "West Australian" at times has made peculiar references to the actions of the Labour movement and of the Primary Producers' movement, to the taxation of land, to the wonderfulness of Sir James Mitchell, and to the incomparable financial abilities of the late Mr. Frank Wilson; also at the time when they called for a new Premier and said the only man for Western Aus-

tralia was Colebatch—who lasted about three weeks! I instance this to show that because there is a call from what might be considered the leading daily in Western Australia is not to say that the call represents the matured thought and opinion of the people. Very often if the "West Australian" takes up a certain attitude, one can come to the conclusion that it will be proved to be an attitude not in accordance with th wishes or opinions of the people. One reason given—not by the Leader of the House—for the Bill is that it will provide increased traffic on the railways. But such increased traffic should not be provided at the expense of sound economic considerations. Very frequently large areas of land that unthinking or uninformed people deem to be unutilised cannot be used in the way those people would have it used. Along the Great Southern for many years the settlers tried to grow wheat. But that policy drove many off the land. Those still there are doing what Western Australia can continue to do for many years to come, namely, growing sheep and wool. Although those products may mean less traffic for the railways, still the railways can be run in accordance with the traffic offering. And the growing of sheep and wool tends to render remunerative the occupation of large areas of indifferent lands along the railways. Lands that, when the amending Acts were passed by the late Mr. Frank Wilson's Administration and by that of Sir Newton Moore, were deemed valueless, have since been made available at 1s. an acre with no rent payable for the first five years. Now it has been found that despite the poison once on them, those lands, through the growing of sheep and wool, can be made to give a return. At this stage what we want to do is to bring home to the people that really one of the simplest ways by which an individual, who has not had agronomic experience, can get revenue is by taking up a grazing area under Section 68 of the Land Act, 1893, as amended, and if the land contains poison, eradicating that poison and putting sheep on it. This is less speculative than any other mode of farming for the man with-experience.

Hon. J. Duffell: But what about the percentage of loss from poisoning??

Hon. H. STEWART: With ordinary reasonable care, if a man watches his flocks, and does not take undue risks by putting the sheep in paddocks from which the poison has not been eradicated, the loss will be almost negligible and hardly comparable with the loss that may be expected from disease. The loss in connection with the disease, resembling braxy, that has appeared in recent years along the Great Southern line, mainly between York and Beverley, has been much greater than the loss that has resulted from keeping sheep on poison lands. The poison lands are poor and the cost of eradicating the poison is sometimes greater than would be the cost of better quality land that had no poison.

Hon. T. Moore: Do you think this Bill means that that poison land will be taken?

Hon. H. STEWART: Unfortunately I have digressed from the main tenor of the Bill, and if I am to confine my remarks, in order that they may be effective, to the principles of the Bill. I shall have to—rather against my desires—not take notice of interjections, even though they may be helpful. In connection with a measure such as this, interjections that may come from members may be likely to assist, and I would be pleased to elaborate on them, though not at the present stage. When the Bill is in Committee this may be possible. The Leader of the House, when introducing the Bill, remarked that it would serve to bring about the compulsory acquisition of large estates. That indication of a possible new reason I have seized hold of because there is really so little else to justify the introduction of the Bill, and I shall ask the Leader to further elucidate that point. It is an absolutely new reason and I may inform him, if he has not been keeping in touch with the proceedings of Parliament during his regrettable absence of six years from the Chamber, that in 1919 a Bill was passed to amend the Agricultural Lands Purchase Act, as well as another relating to the settlement of discharged soldiers. In those two measures Parliament, in consideration of the services rendered by the soldiers, endeavoured to make available to soldiers, land under easy conditions, and land even of good quality, and it was provided—and it was the most liberal provision in the Commonwealth or in New Zealand—that the Government could compulsorily acquire freehold land the unimproved value of which was over £5,000. Members who were present when those two Bills were before the House, will remember that Parliament at that time—while safeguarding certain rights acquired by people who had fulfilled their obligations in respect of land they had obtained from the Government, and while providing ordinary security of title—went to the extent of saying that an estate, the unimproved value of which was over £5,000, could be acquired. Yet we now propose to do what it was not possible to do in the past, namely, authorise the compulsory acquisition of certain areas and make them available for settlers and returned soldiers. Since 1919, although some £600,000 was authorised immediately afterwards to permit land to be acquired, not one estate in Western Australia has been compulsorily taken over in this connection. So that with the power to acquire, already in the possession of the Government, we find that nothing has been done. Why should the Government now bring forward a measure such as this which is inequitable, arbitrary and not required? Further than that the Bill now before us contains a clause wherein it is provided that "This Act is incorporated with the Agricultural Lands Purchase

Act." In my opinion a measure of this description if worked in conjunction with the Agricultural Lands Purchase Act would prove an excellent source of income for lawyers by reason of the litigation that would follow in connection with the safeguards provided under the Agricultural Lands Purchase Act. In a new country like Western Australia there is a desire to get people to take up land, and for that purpose we offer them land under certain conditions, and if they fulfil those conditions they obtain the freehold. It is recognised that once people have obtained a title to a property, that title should not be weakened unless there be grave reasons for so doing. These reasons have not been advanced by the Minister. Land in the past has been granted for services rendered, and it has also been granted under conditional purchase conditions. These having been fulfilled the holders obtained their security. Then again there are in existence many agreements under which if people fulfil certain conditions the freehold title will be granted. This Bill will interfere with those agreements that are now in course of operation, and have not been finalised. In connection with a similar measure that was before this House in November, 1922, it was pointed out that the taking of land under the process then set out would have to be adequately justified, though conditional purchase land did not come under the measure. In the course of the debate in that year the then Minister in charge of the Bill, in arguing a constitutional point, said it was not a matter of any contract of sale between the owner and the Government, because under the Bill the Government seized the land. That is just the aspect in connection with the Bill now before us. Neither this Government nor any other Government can commit an act that will be discreditable to Western Australia. There must not be any interference with conditional purchase agreements, and there must not be anything in the shape of seizure, as was soberly stated in this Chamber during the course of the debate in November, 1922, by the Minister for Education. I contend that the adoption of any form of seizure is not necessary. I have already referred to the Agricultural Lands Purchase Act and its provisions for dealing with soldier settlers, and I trust to be able to explain to new members just what exists in the way of legislation by referring them to that Act and the amendment of 1919. In Section 12 we have the provision "The Government may, subject as hereinafter provided, compulsorily acquire private land for the settlement of discharged soldiers or their dependants under the provisions of the Discharged Soldiers Settlement Act, 1918." When that measure was before this Chamber, the subject of compulsory acquirement was thoroughly debated, and it was understood that the acquirement of estates would be done in an equitable manner. It is set down in the Bill before us that the owner has power to appeal to the Supreme Court and ask for compensation, which the court, on the evidence submitted, may allow. It would be much better, if the Government desired to compulsorily acquire land in order to settle people, to amend the present Agricultural Lands Purchase Act by a slight modification. They could amend the Act by eliminating the restriction applying to the settlement of discharged soldiers or their dependants, and thus provide simply for the compulsory acquirement of land for settlement purposes, and so on.

Hon. J. Duffell: Clause 13 provides that that land shall be excluded from the operations of the Bill.

Hon. H. STEWART: That deals only with the machinery of the Bill. I claim that there will be confusion if the Bill becomes law along the present lines, should the Agricultural Lands Purchase Act remain on the statute-book without modification. Clause 12 of the Bill provides—

> This Act is incorporated with the Agricultural Lands Purchase Act, 1909, and any land so taken as aforesaid may be disposed of under that Act; and the board may, for the purpose of this Act, exercise any of the powers conferred on the Lands Purchase Board.

Then the clause proceeds to deal with the sources of funds to be used for the purposes of the measure.

Hon. J. Duffell: But the next clause deals with the point I raised regarding the power to discharge land from the operation of the Bill.

Hon. H. STEWART: Hon. members are compelling me to depart from the orderly speech I had intended making. As to Mr. Duffell's interjection, I might point out that Clause 13 does not apply to land apart from the provisions of the Bill. That clause means that the board may discharge from the scope of the Closer Settlement Bill before us, any land they are satisfied has been utilised properly.

Hon. J. Cornell: If the Bill becomes law, would it be necessary to repeal the Agricultural Lands Purchase Act?

Hon. F. E. S. Willmott: It is worse than that.

Hon. H. STEWART: My contention is that with the two measures on the statute-book, confusion will arise. It will open the door to uncertainty and litigation. If the Government desire to bring forward legislation to enable them to compulsorily acquire land, the Bill is not necessary but merely a small amendment to the Agricultural Lands Purchase Act.

Hon. J. Cornell interjected.

Hon. H. STEWART: I want to make it clear that when the soldiers came back and Parliament desired to be generous, power was provided to compulsorily acquire land for the settlement of those men, and it was also provided that it could be acquired from men who held land of an unimproved value

of more than £5,000. I have been able to agree that under various Closer Settlement Bills introduced subsequent to 1919 the Government should compulsorily acquire land that was exempted by the Agricultural Lands Purchase Act simply because a board comprising three persons acting under a Closer Settlement Bill claimed the property was not utilised in the way they considered it should have been. If one has regard to the principles involved, one might say that the Bill had been introduced to make land available to people who had no money, and whom the Government intended to finance. As a matter of fact, I do not think much will be done with the legislation, even if it were agreed to, but I object to inequitable measures appearing on our statute-book. To introduce a Bill to authorise the compulsory acquisition of land, which provides for no exemption regarding the land held by any individual, means that no person holding such agricultural land has any real protection.

Hon. J. Cornell: Only the words "reasonable use."

Hon. H. STEWART: When the interests of returned soldiers were considered, both the Government and Parliament considered it was a fair proposition to acquire land compulsorily where a man held a property of an unimproved value of more than £5,000. It seems to me that the comparison of the proposals of this Bill is a startling one.

Hon. E. H. Gray: There are a lot of people applying for land, and something must be done.

Hon. H. STEWART: From 1919 onwards I have pointed out each year—I have not the exact figures prepared for this debate because I was not able to secure them together with other details I required—that there has been a balance of 1,000 soldiers or more who had received their qualification certificates and had not been able to get land.

Hon. J. Cornell: The same thing applies to-day.

Hon. H. STEWART: During all that period, from 1919 onwards, no effort was made to compulsorily acquire land, although the land was wanted by these applicants.

Hon. T. Moore: For some estates high prices have been given and they have had to be written down.

Hon. H. STEWART: I am talking of the compulsory acquisition of land.

Hon. J. J. Holmes: Everything is land except "pastoral leases."

Hon. H. STEWART: Yes, and if we are to make freehold land subject to the rules of such a board, why should not also timber leases, pastoral leases, and such like, be made subject to similar provisions? We have an illustration of what takes place in Australia but does not take place in any other civilised country, or in any other part of the British Empire. I refer to the concentration of such a large proportion of the people in the city areas.

Hon. E. H. Gray: They cannot get land elsewhere.

Hon. H. STEWART: Before the hon. member came to the city, he was down on the land. I quote to the hon. member the retort of the Premier, "Tosh."

Hon. J. E. Dodd: The main point is that the land adjacent to the railways has not been settled satisfactorily.

Hon. H. STEWART: As I am proceeding with the advantage of many helpful interjections, I propose to deal with these various points. I hope Mr. Dodd has noticed that the Bill does not contain any reference to land within 12 miles of a railway. I have already remarked that a lot of the land that some people think is not being utilised as it should be is not capable of being taken up and utilised until considerable development has taken place on the better class areas. No agriculturist that I know of, whether using his land for crops or grazing, desires to see lying idle land that can be profitably used. I am not desirous of placing any obstacle in the way of the Government legislating to prevent land remaining unutilised, provided the legislation be fair and equitable. When I first entered the House I put a proposition to the Government of the day with the object of compelling people to use their land. I am not desirous of being lenient to people who keep their land from productivity, but I claim that this Bill is unnecessary and that it is not the best way of dealing with the problem of unutilised lands.

Hon. J. Cornell: How would you favour taxing land into use?

Hon. H. STEWART: The hon. member anticipates my remarks. On the 21st February, 1918, I asked the then Colonial Secretary the following question:—

> In bringing forward legislation providing for a land tax during the current year, will the Government increase the tax on unimproved land as defined by the Land and Income Tax Assessment Act, 1907, from 1d. in the pound sterling to 3d. in the pound sterling, or more? If not, why not?

Is there any other member of this Chamber who has gone so far in advocating and putting forward a concrete and definite proposal? Has any hon. member made such a suggestion, which, if acted upon, would have put tens of thousands of pounds into the Treasury, money the Government are so badly in need of?

Hon. J. E. Dodd: A very unsound proposal.

Hon. H. STEWART: It would have enabled us to ascertain the effect of increased taxation on land not utilised.

Hon. J. E. Dodd: It would have penalised the farmer and left out city land altogether.

Hon. H. STEWART: It would not have done the slightest harm to the farmer im-

proving his land. Mr. Baxter and Mr. Willmott can bear me out in that.

Hon. J. E. Dodd: If you had made it "unimproved land values," I could have agreed with you.

Hon. G. W. Miles: It would have applied to the city as well as to the country.

Hon. H. STEWART: That question did not suggest a tax on unimproved land values; it dealt with land not improved within the meaning of the Land and Income Tax Assessment Act. The question of what is unutilised land under this Bill will be one for arbitrary decision by a board.

Hon. J. J. Holmes: This measure will take land from Brown, who knows what to do with it, and give it to Smith, who does not know what to do with it.

Hon. H. STEWART: My proposal would have dealt with a man who had taken up land and had done nothing with it. It is within the power of the Government to alter the improvement conditions when they are entering into future contracts for the disposal of land. With an amendment to the Agricultural Lands Purchase Act and consequential amendments to remove the restriction of compulsory acquirement only for discharged soldiers, the Government would have the means of obtaining the land on equitable terms. I have an extract that I quoted before, in December, 1922, but I should like to read it again for the benefit of new members. It is from an interview reported in the "West Australian" of the 24th April, 1922, under the pen name of "Politicus" with Mr. W. M. Hughes, who had just completed the basis of an agreement with Sir James Mitchell, whereby the Commonwealth was to assist the State in the matter of immigration. Mr. Hughes had been taken through the country where the group settlements were to be established, and had been told of its capabilities. "Politicus" said—

> You are at the end of a railway at Pemberton. Do you know that north to Perth, whence we came, are tens of thousands of acres, close to the railway line, that are undeveloped in an agricultural sense.

The people in the South-West know of that land. Along the lines in the Great Southern area and perhaps in parts of the wheat belt are tens of thousands of acres within 12 miles distance that have a value for only a few years and then must be used for sheep. People travelling through the country cannot tell the difference between what is good arable land suitable for cropping and that which is more suitable for stock raising. Mr. Hughes replied—

> The Commonwealth Government, as one of the conditions of assisting development here, demands that the land shall be owned by the Crown, but we will not make it a condition that it shall never have been alienated. Do not take men off holdings to put others in their place. That would be folly. Where men cannot or will not work their land, buy it from them. Be fair to them, but do not forget to be fair to the State. You know perhaps better than I how far public sentiment here is prepared for this. I would not dictate to the State by suggesting methods.

Here we have one of the parties to the Imperial Agreement, a man well versed in the affairs of State, saying, "Buy it from them; be fair to them." The Agricultural Lands Purchase Act of 1919 made provision to "Buy it from them; be fair to them."

Hon. J. Cornell: Under this Bill the Government will have to buy it from them.

Hon. E. H. Gray: And the Government will be fair, because the price will be based on the value submitted by the owner for taxation purposes.

Hon. H. STEWART: If the board is to say how the land shall be utilised, one of the two Government representatives should be a representative of the Department of Agriculture. I asked the Minister what would be done it an owner subdivided and offered his land for sale at a price approved by the Government, and if some or none of the blocks were sold. The Minister did not reply. The intention of the previous measure was that an owner put to that expense should not be reimbursed. No one would contend that that was a fair proposition. The Government should either acquire the whole of the property at the approved price, or leave it with the owner and recoup him the expense to which he had been put in subdividing and offering it for sale.

Hon. F. E. S. Willmott: What would be the position if the best block were sold and the other blocks were left?

Hon. H. STEWART: There are some details of the Bill that manifestly should be amended. The provision for appeal, set out in Clause 6, should be inserted in Clause 4. Clause 7 lays down the basis of compensation in the event of land being acquired. Neither in this State, nor in any other State of the Commonwealth, is there an equitable and systematic method of land valuation. The valuations are to a large extent empirical. I emphasised that on 9th November, 1922, and again in December, 1923, and my arguments have not been refuted. About three months after I made that statement in November, 1922, the Commonwealth Royal Commission on taxation issued their report, which bears out what I said. The report points out that there is in New South Wales a valuation of Lands Act, 1916, which is similar to the Valuation of Lands Act of New Zealand, which has been in operation since 1908, and except for a slight amendment in 1909 has remained unaltered. The New Zealand Act is both equitable and fair to the Government and the owner of the land. Owing to the

war, the New South Wales Act has not come fully into operation. On page 195 of the report the commission say—

In New South Wales an Act called the Valuation of Lands Act was passed in 1916, setting up a department of valuation under a valuer general, whose duty it is to effect a valuation of all the land within the State.

Although the Act was passed in 1916, it was explained in evidence that circumstances arising out of the war had restricted the activities of the new department, the staff of which, however, is now being gradually augmented. Up to the present valuations have been completed of practically the whole of the metropolitan area, and of a few country shires.

The valuer general stated that there is a difficulty in securing thoroughly capable valuers. Wherever practicable such valuers are chosen from men having local experience, and the intention is to retain a valuer in one district until the valuation is completed, and if possible after that date when the valuer's work would include all special revaluations and the permanent upkeep of the roll.

New Zealand Act.—An Act similar in most respects to that of New South Wales with regard to valuation of lands has been in operation in New Zealand for about 25 years. The system upon which both the New Zealand and New South Wales Acts are founded—that is the institution of a body controlling valuations for all purposes, and independent of taxation departments—was advocated by a number of witnesses.

We therefore recommend that there be created under State statute in each State a Land Valuation Bureau entirely separate and distinct from any taxation department, whose sole function would be the valuation of the occupied lands within the States.

We are further of opinion that the Commonwealth, in the exercise of the power already conferred upon the commissioner under Section 17 (2) of the Commonwealth Land Tax Assessment Act, should adopt the values of the several State Land Valuation Departments for the purposes of Commonwealth land taxation.

Such a proposal is in harmony with the resolution passed by the Premiers' Conference held in December, 1916, which is as follows: "That this conference reaffirms the desirability of uniform valuations for Commonwealth and State purposes being adopted as early as practicable, and that the necessary legislative or administrative steps in that direction be taken by the States.

To ensure practical uniformity in method, it would also be necessary for each to adopt common rules and formulæ for the guidance of valuers. Such united action on the part of the States, together with suitable agreements between each State and the Commonwealth as to division of costs, would in our opinion not only remove any serious objection to the scheme by the Commonwealth, but would result in greatly diminished cost to both Commonwealth and States and remove one of the most fruitful sources of friction between taxpayers and the taxation departments, both Commonwealth and State.

In conclusion, the commissioners say:—

We recommend:—(1) That each State Parliament pass the necessary legislation constituting a land valuation department or bureau, whose valuations shall be used for purposes of land taxation, probate duty, and such other purposes as may be described. (The valuation might also be used for purposes of resumption of land by the Crown, municipal rating, advances by savings banks, and for use by trustees and private persons.) (2) That in each State Act constituting the State land valuation bureau there shall be embodied common definitions of "improved value," "unimproved value," and "value of improvements." (3) That in order to ensure uniformity in practice the several State valuation authorities agree upon the adoption of common rules for the guidance of valuers. (4) That for all public purposes in which land valuation is required the Commonwealth accept the valuations of the several State land valuation bureaux so constituted.

There is a provision that the Commissioner of Taxation shall make arrangements for the valuation of land in the various States, New South Wales excepted. At present his officers make valuations that are to a large extent personal opinion. Under the New Zealand Valuation of Lands Act the valuer general is responsible to Parliament. He appoints local valuers. There is an appeal board in each district consisting of the resident magistrate, a nominee of the Government, and a nominee of the local Government board. Any appeal on a point of law is to the Supreme Court. If the valuer general is not satisfied with the result of an appeal to the court, and thinks that the value placed by the appeal board upon the land is too low, he can call upon the owner to have the valuation of his land placed higher. If the owner and the valuer general do not agree as to the higher rate or an intermediate rate, the owner can request the valuer general to acquire his land at that higher rate, and if he does not so acquire it the lower valuation remains. On the other hand, if the owner of the land considers that the appeal court has placed too high a value on his land, he can call upon the valuer general to reduce the valuation of the land, or to acquire it at the lower valuation. If the valuer general does not so acquire it, the price remains at the lower valuation that the owner required. That is one of the most equitable and simple systems of legislation I have seen: In this Bill there

is no provision for an equitable system of valuation. The Commissioner of Taxation can alter the value at any time if he so desires. Mr. Miles has said that if the Taxation Department's unimproved value is adopted, some people may suffer through their land being acquired at too low a value, and he said they would in such cases have been robbing the State and would be receiving their deserts. The statement is wide of the mark. No obligation is cast upon any citizen to send in a return showing the unimproved value of his land. He is asked if his holdings were the same as they were the year before, and to fill in a form stating that there is no alteration in the holdings. The Land for Settlement Act of New Zealand, 1908, was quoted by Mr. Colebatch, together with illustrations of legislation in each of the other States. Those examples of legislation provided plenty of argument against the arbitrary Bill now before us. In 1922 Mr. Colebatch, when introducing the Closer Settlement Bill, provided ample argument for our making the provisions of the measure now before us more reasonable. At any time in New Zealand if land is desired for Government purposes it becomes a simple matter to determine its value because all occupied land is on the valuator general's roll, which contains the unimproved value and the value of improvements. The owner applies for a revaluation on payment of a small fee. If the authorities take the land they pay in accordance with the valuation roll. They pay in addition a sum for interference with the business of the owner, and for vested rights, by way of further compensation.

Hon. J. Ewing. What is the amount?

Hon. H. STEWART: I will give the details. The Land for Settlement Act, 1908, is a consolidating measure. Nowhere in that Act is there any provision for compelling those who acquire land under closer settlement to utilise it in any particular way, or even to utilise it at all. Section 29 of that Act says that compensation depends on (1) the value of the land; (2) the loss caused to the claimant's business. Section 31 provides that the assessment of compensation for land taken is the unimproved value on the district valuation roll. The value of the improvements on the land and compensation are determined by the valuation for land taxation. Ten per cent. is then added to the unimproved value of the land, and to that total is added the increase, plus the value given to the land by the improvements, which is the total capital value. To that total amount the New Zealand Act provides that an additional 2 per cent. shall be paid by way of compensation. There is another point in connection with the matter. When land is taken under the New Zealand Land for Settlement Act, it is not given to people under a freehold title. That Act provides that no land acquired under it is to be disposed of on lease in perpetuity, but on a 33-years' lease with the right of renewal for a further 33 years. Speaking on the 9th November, 1922, the then Minister for Education, Mr. Colebatch, is reported as follows:—

> In Queensland it was provided that land affected by similar legislation was only that held in fee simple. It could be acquired by agreement or compulsorily. The provisions for compulsory acquirement applied only where the value of the land exceeded £20,000, ex improvements.

We fixed the amount in Western Australia, under the Agricultural Lands Purchase Act, at £5,000, and Western Australia and Queensland are both countries with large areas of unoccupied land. An hon. member of this Chamber interjected a little while ago that there was a shortage of land in this State.

Hon. E. H. Gray: There are 70 applicants for one block.

Hon. H. STEWART: Yes, because they all want the same block. Mr. Colebatch also said—

> In Victoria fee simple, conditional purchase, or leasehold lands of unimproved value of over £2,500 may be acquired either by agreement or compulsorily. It will thus be seen that there is a great difference between these several Acts. If the owner in Victoria does not accept the offer of the Crown, a resolution of both Houses of Parliament may direct the compulsory acquisition of the whole or part, subject to an appeal to a special board, which may exempt the land for four years. If a part of his property is taken, the owner may require the whole to be resumed. . . . . The owner may retain land to the value of £6,000, or up to £10,000 if the judge permits him to do so. Compensation there may be determined by an agreement before a judge with or without a jury or assessors, and it is based on the value of land and improvements, damages by severance, enhancement or depreciation of other adjoining lands. In New Zealand the Act applies only to land held in fee simple, and the acquirement there may be by agreement or compulsorily. Land may be taken compulsorily if the owner refuses to sell subject to limitations which include: (1) The area must exceed the prescribed maximum; (2) the owner may retain the prescribed maximum, which is 1,000 acres of first class land, 2,000 acres of second class land, and 5,000 acres of third class land; (3) the owner may require the whole estate to be taken if part is acquired.

Relatively to its size, Western Australia, as compared with Victoria, has hardly any population at all; and in this State we are more dependent than any other Australian State is upon the development of natural resources and primary industries. We desire the people here to have full confidence in the State, and we want others to come here and develop this country. Yet to the Parliament of this State there is presented, for

the fourth time, a Bill of this nature, though certainly the present measure is not quite so iniquitous as its predecessors, conditional purchase and fee simple being put on the same basis in this instance and penalty taxation omitted. There is poor land alongside the railways in Victoria, New South Wales, and Queensland; but the poorer lands of those States, as in Western Australia, are being settled as the population increases. The present measure is not the best by any means that could be presented, and certainly is not designed to promote the interests of the State. A better way of dealing with the position would be to amend existing Acts. Certainly by carefully considering this Bill and amending it in Committee, we could do better than by carrying it in its present form. About two years ago there was a conference of machinery inspectors in the Eastern States, and that conference passed resolutions providing a common basis whereby engineers and boilermakers should get certificates. Western Australia introduced an amendment of its Inspection of Machinery Act on the lines proposed by that conference, and in introducing the measure, the then Leader of this House told us the conference had agreed that all the States should bring in legislation on the same lines. Western Australia, in the year after conference met, carried out the recommendations, which involved some increased cost to our industries, and possibly afforded some increased protection to the community. Twelve months later I asked how many of the other States had introduced similar legislation, whereupon it turned out that Western Australia alone had done so. Similarly, this measure is not one which should commend itself to the House. Let us have valuation and settlement legislation similar in its equitable provisions to that obtaining in New Zealand, legislation granting reasonable security of tenure which no Eastern States legislation fails to maintain.

Hon. J. NICHOLSON (Metropolitan) [6.9]: As to this Bill I largely share Mr. Stewart's views. I wish to make it clear why I share those views. In my opinion it is distinctly desirable for the Government to have certain powers to resume lands which are not being put to proper use, but I disagree with the method laid down by this Bill for the acquisition of such lands. The Leader of the House, when introducing the measure, laid stress, or so it seemed to me, upon the need for utilisation of the lands of certain districts for wheat growing. In my opinion, formed as the result of observation extending over a good few years, the question of what is a reasonable or proper use of land in a particular district is one which can only be answered by men possessing practical experience of the working of such land. To one man the development of land for agricultural purposes may result in some profit for a certain period. But subsequently we find, as Mr. Stewart has pointed out, large areas of such land—along the Great Southern railway for instance—which had previously been used for wheat growing, abandoned for that purpose. That form of agricultural development had ended in serious loss to the man who had embarked on it. After a time men of that description found it necessary to resort to what is certainly a beneficial method of utilising land: they used it for sheep raising, for which purpose the land has frequently been found more adapted than to wheat growing.

Hon. E. H. Gray: But the land is still cultivated for sheep.

Hon. J. NICHOLSON: No. What these men do is to seek to improve the carrying capacity of their land. I know of many men who use portion of their area for growing wheat or oats, and the other portion they seek to enrich by manuring and top-dressing so that it will carry more stock than would otherwise be possible. To my mind, therefore, the question resolves itself largely into the interpretation which is placed upon the phrase "reasonable use of land." That is the vital question in connection with a Bill like this. But there are other aspects of the matter which must also be considered. There are certain provisions of the Bill as to which we must ask ourselves whether we can support them. If they are not equitable provisions, then I think it is the duty of the House to reject the measure. In place of appointing an independent board to adjudicate on this very important question, the Bill, by Clause 2, sets up a board composed of Government nominees. Is that fair to the man concerned in the transaction? Of this land acquisition and closer settlement board, one member is to be an officer of the Department of Lands and Surveys, one an officer of the Agricultural Bank, and the third member is to be appointed from time to time and shall be eligible for re-appointment.

Hon. J. Cornell: What is he going to do?

Hon. J. NICHOLSON: He is also to be a nominee of the Government.

Hon. J. J. Holmes: The Government could change the third member of the board every time they wanted to acquire a property.

Hon. J. NICHOLSON: The idea, I take it, is, as indicated by the Minister in moving the second reading, that the third member should be a man with some knowledge of land in the particular district. Is that fair? I venture to say it is not fair. I look upon the matter in this light: where the Government are seeking to take possession of land from a man who has become possessed of it lawfully, it should be taken from him in a just and equitable manner. I hope to be able to show that as regards this part of the Bill there are grave inconsistencies, and that we shall require to con-

sider very seriously, if the Bill should pass the second reading, whether it should not be amended materially in Committee.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. NICHOLSON: Before tea I was dealing with the constitution of the board, and I called attention to the fact that the three members were all to be Government nominees. The first thing to secure in a board such as this is that the Government should seek the selection of a fair and impartial tribunal in whom the two parties, namely the Government and the land owner, would have confidence. Can it be said that the contemplated board would give to the parties the full confidence they should have? I say it would not. Such a board is not capable of impartially dealing with the questions that will arise. For that reason, therefore, the Bill requires serious amendment.

Hon. J. Ewing: What sort of a board do you suggest?

Hon. J. NICHOLSON: Well, we are all familiar with the methods usually adopted in arbitration proceedings. That method is provided for in the Public Works Act of 1902. The Agricultural Lands Purchase Act Amendment Act of 1919 incorporates that provision of the Public Works Act. The method there adopted is that if the Government and the owner cannot agree upon a price, each party nominates an arbitrator, and the two arbitrators select a third. That method gives a fair and impartial board, and should be adopted in the Bill. In place of that, the proposed board is to consist of three members nominated by the Government.

Hon. J. Cornell: Do you object to the provision that the board should recommend land for acquirement?

Hon. J. NICHOLSON: I do not even agree that the proposed board would be competent to make such recommendations. It land be required for public purposes under the Public Works Act, there is no need for the Government to appoint a board to recommend at all. If the Government, on their own initiative, decide upon resuming certain lands for public purposes, it is done under the Act. Under the Agricultural Lands Purchase Act the board can make recommendations, but I do not see the necessity for it. If the land be required, whether for public purposes or for closer settlement, the Government should be in a position to decide whether or not that land should be resumed. Clause 3 provides that the closer settlement board so constituted may inquire into the suitability and requirement for closer settlement of any unutilised and unproductive land. I should like to ask the Minister how he would interpret "unutilised and unproductive land," having relation to the terms upon which people take up land in this State. If the board is of opinion that any land is unutilised and unproductive, and has so continued for upwards of two years, and should be available for closer settlement, the board may recommend in writing to the Minister. The clause includes, not only freehold, but also conditional purchase land. To include conditional purchase land, which is merely the subject of an existing contract, in this clause is a serious breach of the terms of the contract entered into. I wish to refer to the provisions of the Land Act and the improvements required to be done. Take, for example, Section 55: It is there provided that within two years from the date of the commencement of the lease the holder of the land has to fence at least one-tenth of the area contained in his lease; within five years he shall fence in the whole of the land, and within 10 years he shall effect upon the land the prescribed improvements, in addition to exterior fencing, to an amount equal to the full purchase money. Therefore, that land, when taken up in the first place, is subject to certain improvements. We know that a man would not get his freehold title, based on the contract, unless he had carried out those improvements. But take the man holding land at present under conditional purchase—almost any man's conditional purchase land will be liable to resumption. That is a very serious blot on the Bill. It would stem the tide of land settlement. I have wondered whether those who are seeking to induce people to take up land have indicated the risks those people would run under the Bill. Will the Government, for example, place among the information supplied to land selectors, a hint to those selectors that their land will be liable to resumption if the proposed board decide that for a period of two years it has remained unutilised and unproductive? There is scarcely a conditional purchase lot but that at some stage might be said to be unutilised and unproductive. Subclause 2 of Clause 3 goes further, goes even to the length of saying that land shall be deemed unutilised and unproductive within the meaning of the Act, notwithstanding that such land is partially utilised or productive. If a man has expended all the money he is required to expend in taking up the land, he has complied with the conditions of purchase, and it would not be right to give to any board the power to say whether that land is unutilised or unproductive. The clause goes on to say—

> If in the opinion of the board the land is not put to reasonable use, and its retention by the owner is a hindrance to closer settlement and cannot be justified.

Hon. J. Cornell: That is rubbing it in.

Hon. J. NICHOLSON: Very severely. We are violating the very contract that we have made with those people who have taken up the land. What are we offering

them in return? We are offering them certain things which I will deal with later on. I hope when members come to look further into the Bill they will realise with me the importance of either rejecting the Bill in its entirety or making it a measure that will be just and equitable. There is another feature to which I might refer. Assuming the Bill were to pass, it would practically supersede and render as a dead letter certain Acts already in force, principally the Agricultural Lands Purchase Act. There will be no need for such a measure as that. In that Act there are provided ready means by which land can be secured. I am told that land can very easily be obtained by private purchase if negotiations be entered into. As a matter of fact there is no need for a Bill such as the one we are discussing, because if the Government really want to buy land it can be secured at a reasonable price by private treaty.

Hon. J. Cornell: The Peel Estate was so acquired.

Hon. J. J. Holmes: The purchase of that at 8s. was all right. It was the subsequent expenditure that was at fault.

Hon. J. NICHOLSON: I oppose the power it is proposed to vest in the board, and the power to be given to the Government to declare land reported on to be subject to the Act. My reason is that I do not think it is proper that the board should make such a declaration, nor do I consider that the right should be given to that the Government should have such power as it is proposed to give in Clauses 6 and 7. I wish to offer a few remarks in regard to Clause 7, because it is of paramount importance that one should examine the provision of this particular clause. It deals with the acquisition of land and states—

> Upon publication of notice, (a) The land therein referred to shall by force of this Act be vested in His Majesty as if the same had been surrendered to the Crown freed and discharged from all mortgages, encumbrances and charges therein; and (b) the estate and interest of every person in such land, whether legal or equitable, shall be deemed to have been converted into a claim for compensation under this Act.

Hon. J. Cornell: That is reminiscent of the dark ages.

Hon. J. NICHOLSON: Very much. That is a copy of the clause that was contained in the Bill presented to this House on a former occasion and it occurred to me then, and comes back to me with greater force now, that a provision such as that, instead of encouraging settlement and helping the object the Government have in view, will be calculated to seriously discourage it. I take it that anyone who is embarking on land settlement finds it necessary—there are very few who do not—to seek the aid of a financial institution. If hon. members will look at this clause they will admit that financial institutions will view it with a great deal of fear. The Leader of the House will concede that it is well worth while the Government considering whether they themselves should not make some drastic alteration to the clause for the reason that financial institutions, if their claim against the land be not good and valid for the full amount they have invested in it, will cease to take further interest in the direction of extending help to those engaged in land settlement. I do not think financiers would feel altogether encouraged in entering upon an investment in the country with a measure such as this on the statute book. One can picture a case where help has been extended to a settler, and through certain adverse circumstances, say a succession of bad seasons, the settler has suffered reverses and the security, although at the time that the money was advanced was probably ample, through those adverse circumstances has probably become reduced in value. If the Government under the power they wish to possess by this Bill, make a claim on a person interested in the land, whether he be an owner or a mortgagee, what will be the result? It will be that the land which has become depreciated, probably only temporarily owing to adverse circumstances, would not realise sufficient to pay the mortgage money. How can we hope to expect investors to extend that measure of help to the very people who should get help if we put a measure such as this on the statute book? I trust, therefore, the Government will hesitate to press a clause like this. It is also provided in this clause—

> That the amount at which the unimproved value is assessed for the time being, under the Land and Income Tax Assessment Act, 1907, with 10 per cent. added thereto, shall be prima facie evidence of the unimproved value of the land.

The Government take the land at the unimproved value and also on the fair value of the improvements assessed at the added value given to the land for the time being by reason of such improvement. With a board such as it is proposed to set up, instead of the unimproved value being regarded as prima facie evidence, it will be taken as complete and final evidence of the value.

Hon. J. Cornell: All that the board will do will be to determine the improvements.

Hon. J. NICHOLSON: Yes, and nothing else. So that instead of the Government achieving the desire of settling more people on the land, the result will probably be more open spaces. If such a method of valuation were adopted in connection with the resumption of every other class of property, it would be a very serious matter

indeed. Suppose the Government sought to introduce a Bill to take over private trading concerns with the object of extending those already conducted by the State. Just imagine the position! And assume further that the Government included in such a Bill a provision that the amount the owner of the business had to receive was the figure at which he valued his stock for business purposes plus 10 per cent. A commercial man writes down his stock for trade purposes at a low figure so that he will not show anything at too enhanced a value in the event of adverse conditions coming along. Then the Government say, "We are going to take that stock at the value shown in your books plus 10 per cent." Would that be a fair thing? Undoubtedly not. Suppose the owner of the business wanted to sell by fair treaty, he would say, "If there is any question between us, let us refer it to arbitration, to a fair and impartial board."

Hon. J. Cornell: Any land could be resumed under this clause.

Hon. J. NICHOLSON: Yes, anything can be resumed under it. There is no limit to the area of land that can be acquired. It would be possible to resume a 10-acre block and cut it up into one-acre blocks for closer settlement.

Hon. J. J. Holmes: I think you could take a factory site under this, and compel the erection of workers' cottages on it.

Hon. J. NICHOLSON: There is no interpretation in the Bill of "closer settlement." Therefore we can place what meaning we like on those words. I express the view that the Bill will prevent settlers from coming to the State rather than encourage them to settle here. A statement appeared in the Press the other day that a new association had been formed in London. I have no doubt it has been formed with the full knowledge of the Government, with the object of encouraging and assisting the migration of young men with capital. If we are to encourage such young men to come to Western Australia, it is our duty to tell them that this sword of Damocles is hanging over them, that the land they take up may, under these extraordinary conditions set out in the Bill, be taken from them by the Government, and that they will not be fairly and squarely dealt with. No one should be invited to migrate to Western Australia under other than fair and just conditions. If such things are revealed to the intending settlers, we know what the result will be; it will discourage settlement. It is useless to suggest on one hand that people should come to Western Australia, while, on the other hand, we hold over their heads this club with which to wallop them should need be. It is useless discussing this unless some fairer method is suggested. I quite approve of the Government having power to resume land where it is in the vicinity of railways and is not properly used. Land outback should not be subject to resumption, because the men who are there are pioneers and have to struggle hard.

Hon. T. Moore: They have been pushed out by reason of these big estates. Should they not be assisted to come in closer?

Hon. J. NICHOLSON: Exactly; our views coincide! Whatever is to be accomplished in that direction, however, must be under fair and just methods. What is the method that should be used? There is no better method than that laid down in the Public Works Act or under the provisions set out in the Agricultural Lands Purchase Act. In passing amending legislation in 1919, the Government apparently recognised the evils that would follow the unfair resumption of land. The Agricultural Lands Purchase Act, 1919, provided that it should be limited to the compulsory selection of land under the Discharged Soldiers Settlement Act. That is to say, the land was to be resumed for the purpose of the settlement of returned soldiers or their dependants. There was a limit placed upon the resumption of land in the section that read as follows:—

> The Governor may, subject as hereinafter provided, compulsorily acquire private land for the settlement of discharged soldiers or their dependants, under the provisions of the Discharged Soldiers Settlement Act, 1918: Provided that the compulsory provisions of this Act shall only apply where the private lands proposed to be acquired exceed £5,000 in value, exclusive of improvements, unless in the opinion of the Minister it is necessary for the better and more economical subdivision of any Crown land, including land acquired under the principal Act, to acquire adjoining private land.

That Act provided that the land to be taken had to be alienated from the Crown, and the Act did not apply to conditional purchase lands. The Government recognised that the inclusion of conditional purchase lands would be a violation of the contract entered into with the holders of such land. There was also provision made under Section 16 for owners to retain part of any large estate. I think the Leader of the House will agree that that was a fair provision.

Hon. W. H. Kitson: That is the reason there have not been any resumptions under that Act.

Hon. J. NICHOLSON: A man may have worked hard to carry out the conditions under which he acquired his holding. We have seen, however, that it is an utter impossibility for such a man to escape the risk of his land being taken under the provisions of the Bill, even though he should have carried out all the requirements of the Land Act. Such a position would not be possible under the Agricultural Lands Purchase Act of 1919 for the reason that the land dealt with would have to be freehold

and not conditional purchase. Section 1. of that Act provides—

> 15. (1) When the Governor has ordered any land to be compulsorily acquired under this Act, such land shall be deemed to be required for a public work within the meaning of the Pubic Works Act, 1902, and the Governor may by notice published in the "Gazette" declare that the land has been set apart or resumed under the Public Works Act, 1902, for the purpose of this Act, and that a plan and more particular description of the land may be inspected at a convenient place to be stated in such notice. (2) On the application of such notice, the relative provisions of the Public Works Act, 1902, shall, subject to this Act, apply to and in respect of the land, and of all persons interested therein, but such provisions shall be construed as if the Minister referred to therein were the Minister charged with the administration of this Act.

Thus the provisions of the Public Works Act would apply to the resumptions. I have referred to the position of a man who retains part of his holding. Frequently we hear of instances where men have been labouring hard to carry out the conditions of their leases. It is small encouragement for such men to know that their property is liable to be taken from them. Is it not better to have one successful man on the land than to have many who are not successful? Who is better able to judge the suitability and use to which the land can be put than those with a knowledge of the district, people who know something about the peculiarities of the land? If a man had the right to retain his homestead and a reasonable area of land surrounding it, he would feel that there was a prospect of retaining his home. It is little comfort to such a man to know that at any time he may be visited by the board who may exercise the extraordinary powers vested in them under the Bill. I view the measure as a whole with a considerable amount of doubt as to its possible utility. I do not think the Bill as it appears before us will achieve the desired result. The Government would do well to reconsider the Bill and probably recast it, presenting it to us in a different form later on. At the present stage I feel I cannot agree to the second reading of the measure.

Hon. T. MOORE (Central) [8.12]: It was not my intention to speak on the Bill, and I would not have done so but for the fact that when I tried to direct the attention of one of the speakers to some things he was omitting, he seemed to imagine I was interjecting for the purpose of driving him off the track. Mr. Stewart said that no reasons had been advanced to indicate the necessity for the introduction of the Bill. I interjected that I was surprised that a country member should ask for reasons. I believe that, in common with the rest of us, when Mr. Stewart travels about the country, he meets men who wish to go on the land. I guarantee that when spoken to he could not tell those men where they could get the land they desired. I know I am correct. We are not the only ones who are bombarded by men who want to secure land. I am stating the position fairly when I say there must be a demand for something to be done in view of the circumstances. In Western Australia where we are told there is so much land, it stands to reason there must be a demand when we find young fellows wanting to go on the land and yet having no possible chance of getting there. That is one reason why the Bill is necessary.

Hon. J. M. Macfarlane: They want to get the land for nothing.

Hon. T. MOORE: They want nothing of the sort.

Hon. H. Stewart: They want to get some of the best land.

Hon. T. MOORE: The Government want a reasonable prospect of getting land so that these men may secure a home for themselves and for their families.

Hon. A. Lovekin: Why do not the Government acquire the land under the Agricultural Lands Purchase Act?

Hon. T. MOORE: Mr. Stewart said that no estates had been purchased for soldier settlement because they were not acquired compulsorily. We find in a statement made recently by the Minister for Lands that estates had been repurchased for soldier settlement, and I will mention two to show that the Government were charged a price that represented more than the value of the land. The Minister said that a committee had been appointed to inquire into the settlement of soldiers, and they had recommended the writing down of the Noombling estate by £10,600. Apparently £10,000 too much was paid for it. Is that a fair reason? I think it a sound reason why that should have been acquired more cheaply.

Hon. J. Cornell: Eighty per cent. of the soldier holdings will have to be written down.

Hon. T. MOORE: I believe that is so. The Piesse's Brook estate was written down to the extent of £8,300. Obviously that was purchased at too high a price. Other instances could be quoted to show that estates have been purchased at more than they were worth.

Hon. H. Stewart: But that does not weaken the statement that no estate has been compulsorily acquired.

Hon. T. MOORE: It is sufficient answer that estates have been repurchased. Those estates were not, as Mr. Holmes would say, taken from the people.

Hon. J. J. Holmes: That is the word employed in the Bill.

Hon. T. MOORE: Anyhow what is the difference between acquiring and taking.

Surely the hon. member is not going to quibble over terms.

Hon. J. M. Macfarlane: I have heard the term "steal" used.

Hon. J. J. Holmes: To take by force is to steal, surely.

Hon. T. MOORE: This Bill is not designed to take anything from anybody without paying for it. Every member must admit that. I hope members will view the question from the standpoint that we have to settle a lot of men on our land. Western Australia is hampered because the Eastern States have such a lien over its secondary industries that there is little chance of our competing. Therefore we have to look to our primary industries to employ a big population. This State needs a big population, and in settling our land we should carefully watch every step we take. No avenue should be left unexplored to place men on suitable holdings. Almost every other day I am met by men who think that I should be able to tell them where they may obtain suitable land. I confess I cannot do so. No member could tell an inquirer where he could obtain a suitable piece of land within reasonable distance of a railway. How are we going to settle our land and increase the population of the State? Some members will say the only way to do it is by building more railways. Surely the land adjacent to existing lines is not so poor that it will not carry a much larger population. Members who have been speaking have really been crying "stinking fish." Mr. Stewart referred to poison lands. I do not think the board would ever dream of buying poison land. To do so would be absurd. There are large estates farther distant than 12½ miles from a railway, and it would have been a good thing if, under such a measure as this, the Government had acquired some of those large estates before extending railways in their vicinity. Large holdings have been taken up under easy terms. Population has sprung up around them, and an agitation has been set on foot for railway extension, very often by the large holders themselves. Such estates should be acquired before new railways are built to give them added value. One member said the Government should not acquire land beyond a distance of 12½ miles from a railway. Would it not be absurd to go on building lines and permit large holders, as the result of the expenditure of public money, to obtain so much more for their land? It is not too late to make a start now. This sort of thing will occur with every new railway that is built. In the past men have got hold of big estates, knowing a railway would be built. I commend the Government for not having pinned themselves down to the 12½ miles distance.

Hon. A. Lovekin: What should be the size of a holding?

Hon. T. MOORE: It differs in different parts of the State. We should prevent any one family from acquiring a needlessly large holding and retaining it year after year in the hope of being able to do something with it. If we are going to settle the land adjacent to our railways in 2,000-acre blocks, we shall not make the progress we desire. A 2,000-acre block is equal to three square miles of country. Men to-day are getting hold of areas——

Hon. J. J. Holmes: In anticipation of railways being built?

Hon. T. MOORE: Yes, they are picking the eyes out of the country. I could indicate where large areas have been taken up. I know that dummying is being indulged in by men who have all the land they are entitled to hold. In the past the practice has been that a man could apply for a certain area to be surveyed. He was charged the survey fee and then had five years free of rent. Believing a railway line would be built, he could pay the survey fee and hold the land. Thus the eyes have been picked out of the country. It is not right that a family should be allowed to go out ahead of settlement and hold up a lot of country.

Hon. A. Burvill: What reward are you going to give the pioneer of 25 or 30 years if you take his land before a railway is built?

Hon. T. MOORE: I object to people picking the eyes out of the country, and taking up large areas that they have no intention of improving. The Lands Department should lay down the area for a holding, and stipulate that no more may be held by any one person. They should take steps to prevent dummying.

Hon. J. J. Holmes: You said just now there was no land.

Hon. T. MOORE: I am speaking of large areas taken up ahead of settlement. It used to be said in the army that under King's regulations one could not do this that or the other, but I saw those things done. So it is with our land laws, these things are being done. Before a man is permitted to take up land, the department should inquire whether the applicant is a bona fide settler. To-day no questions are asked. The other day there were 92 applicants for one block at Narrogin, but those people had to go before the land board and take oath that they were bona fide settlers. Nothing of the kind is required of the man who goes to the department and applies for a piece of country about which the department knows nothing. Mr. Stewart said if the Government acquired such estates, the Government would have to finance the men placed on the land. This should not always obtain. If this land is what we believe it to be, numbers of young men with capital

might be attracted, not from overseas, but from the Eastern States. In South Australia, Victoria and New South Wales there are many young men who would come over here if we could offer them land at a certain price. I do not approve of buying these estates; we would not have sufficient money to do it that way.

Hon. H. Stewart: The Avondale and other estates were acquired and they hung on the Government's hands for years until they were used for soldier settlement.

Hon T. MOORE: Yes, but in the Eastern States are plenty of young men in a position to finance holdings of their own, and we would get better results from them than by going to the other side of the world for settlers.

Hon. J. J. Holmes: You would tell them that you were only lending the land and would take it back if you wanted it?

Hon. T. MOORE: They would not fear the arrival of that day. If it did turn out that they had too much land, they would be only too pleased to part with some of it. Settlement to-day is unsatisfactory and unsound.

Hon. A. Lovekin: What is the objection to resuming the land? The Government already have power to do that.

Hon. T. MOORE: For returned soldiers?

Hon. A. Lovekin: For anybody.

Hon. T. MOORE: I have yet to learn that the Government have that power.

Hon. J. Ewing: They have not got it.

Hon. J. Nicholson: The hon. member means to apply the provisions of the Act to this Bill.

Hon. A. Lovekin: Under the Public Works Act resumptions can be made for public purposes.

Hon. T. MOORE: That is different from settling some people on the land by taking others off it. I will never be a party to taking anything from the old settlers without paying them adequately for what they have done, and giving them something extra.

Hon. J. Nicholson: You would have no voice in that. It would be governed by the Act.

Hon. T. MOORE: On the part of many members there is a reluctance to trust anyone. I still have sufficient faith in mankind to believe that an honest board can be got together. I do not believe that all men are corrupt. The Industries Assistance Board contains men as conscientious as can be found anywhere. On many occasions I have put cases before it of men who have been hard-pressed, and the board has at all times been anxious to assist. Other men can be obtained of like character for the board to be appointed under this Bill. In the Geraldton district there are many large estates. Before the Midland railway and Midland lands are acquired, and spur lines are built, it will be necessary to take in a certain amountof country.

Hon. J. A. Greig: Within a 12½-mile radius.

Hon. T. MOORE: We must look ahead, because if the purchase were going to be made all the land within a 12½-mile radius of the railway would be taken up. People holding land of that sort can get assistance from the bank, but beyond that distance they cannot get it. A man can effect all his improvements out of Agricultural Bank money. On conditional purchase land the settler need risk nothing, for he obtains 100 per cent. of the money required for improvements.

Hon. H. Stewart: He cannot do that in connection with the running of stock.

Hon. T. MOORE: One man will make a very good living out of stock on 30,000 acres, but if it were subdivided, 12 or 14 families, by the extra work they would do, could also make a good living, and 10 or 12 times the amount of stock would be carried on that area.

Hon. V. Hamersley: At the Government's expense.

Hon. T. MOORE: That is only drawing a red herring across the trail. It is not good for the State that such a large area close to a railway should be held by one man.

Hon. H. Stewart: He can own only 5,000 acres of grazing land.

Hon. T. MOORE: I do not think this Bill will touch grazing land.

Hon. E. J. Yelland: Under what section of the Act would he hold that land?

Hon. T. MOORE: I could mention many instances of the kind. We must get more people settled on the land. If members can tell me any other way of settling our young men upon the land, I shall be glad to hear it; but if they cannot do so they must recognise that this Bill is necessary if we are going to bring about closer settlement. I support the second reading.

Hon. A. LOVEKIN (Metropolitan) [8.37]: Mr. Moore said that this Bill would not be necessary if other means could be shown of bringing about closer settlement. The Bill incorporates the Agricultural Lands Purchase Act. Under Section 17 of that Act the Governor may resume land held under it, or under any Act repealed by it, in the manner and for the purpose prescribed in the Land Act, 1898. The Land Act, 1898, says that the Governor may, by proclamation, resume for any of the purposes specified in Section 39 of that Act any portion of land held as a homestead farm, or timbeer lease, or special lease, or lease by the Crown with the right of purchase, if, in the public interests, he shall deem it necessary. Section 39 gives a number of the purposes for which the Governor may resume land. The last of the 15 purposes set out reads—

> For any other purposes of public health, safety, utility, convenience, or enjoyment,

or for otherwise facilitating the improvement and settlement of the colony.

That Act contains plenty of power to enable the Government to resume land for the purpose of facilitating the improvement and settlement of the State, without resorting to this Bill.

Hon. J. Cornell: There was no need for the other 14 purposes.

Hon. A. LOVEKIN: No. There is no need for this Bill, which sets up a new practice in regard to resumption.. The Governor may resume any land, conditional purchase, freehold, timber leases, or anything he likes, for the settlement of the State. When it is resumed the Government have to go to arbitration if necessary as to the value of the land. That is a fair proposition. This Bill sets up a new procedure, which is not fair. It says that the value of land has to be practically its unimproved value, that the taxation value shall be prima facie the value of the land. That may not be altogether fair in many instances. I bought some land in St. George's-terrace at top price. Next door to me is the National Mutual, which bought its land in the early days at a comparatively low price. There are banks and other places which also purchased their land at a low price. I put in on my taxation form the price I paid for the land. To my surprise I received a notice that the Taxation Department had reduced my valuation. When I made inquiries I found that they had decided they would make uniform the price of all the land in that area for taxation purposes. As I had put in too big a price, mine was reduced. Looking ahead, I protested against the reduction, but had to submit to the valuation. If the Government has the right to resume that land at the value placed upon it by the department, I would be robbed of a considerable amount of money. There was a difference of £2,000 between the valuations. That principle would apply in the country.

Hon. J. J. Holmes: It applies all over the State.

Hon. A. LOVEKIN: It is not a fair proposition. If the Government want land for closer settlement, let them take advantage of the existing statutes, resume it, go to arbitration, and pay a fair value for what they take. Seeing that they already have power to bring about closer settlement in this way, I cannot support the Bill.

On motion by Hon. J. J. Holmes, debate adjourned.

BILL—PRESBYTERIAN CHURCH ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [8.43] in moving the second reading said: This Bill has been introduced for the purpose of effecting a few necessary amendments to the Presbyterian Church Act, 1908. Under that Act Commissioners consisting of the Minister and two elders from each presbytery, to be elected from the General Assembly from time to time, were constituted a body corporate under the title of Commissioners of the Presbyterian Church of Western Australia, for the holding of land and other purposes mentioned in the Act. In 1923 the General Assembly gave consideration to the question of Commissioners as constituted under the principal Act, and the need that existed for some amendment owing to the development of the State and the resulting extension of the church. Following on this, it was remitted to a special committee to consider the question and report to a general assembly. Professor Ross acted as convenor of the special committee, which furnished a report to the general assembly held in May last; and the recommendations made are adopted in this Bill. Clause 2 effects the main amendment, namely, the appointment of eight persons who shall hold office either as minister or elder of the church, but two at least of whom shall be ministers, and who shall from time to time be elected by a general assembly, as provided later in the Bill. It is further proposed that these eight persons, with the Moderator, shall take the place of the persons who at present constitute the commission. Clause 3, with its various subclauses, is really machinery providing for the election of the eight persons to whom I have already referred, for the method of election; for resignations, vacancies, etc. Clause 4 provides that until the eight persons referred to have been elected, the persons now in office shall continue to perform the duties. Clause 5 simply vests the property in the new body, subject to all rights, trusts, and equities affecting the same. Clause 6 provides for the appointment of a secretary and other officers. Clause 7 represents a slight amendment of Section 18 of the principal Act, in that it allows meetings to be convened on shorter notice than seven days, but subject to having the consent of two of the commissioners. Clause 8 makes provision for the commissioners furnishing a periodical report on their work to the general assembly. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 8.51 p.m.