

Hon. A. LOVEKIN: This might well come out. The offence might be a very trivial one, and we can safely trust the bench to fix the penalty.

The MINISTER FOR EDUCATION: I hope the clause will not be struck out; it is very necessary indeed. We have it in a number of Acts. Only the other day a man was fined 5s. for employing a child 13 years of age.

Hon. A. LOVEKIN: If the bench do not want to fine up to the minimum, they will not convict at all.

Clause put and passed.

Clause 142—agreed to.

Clause 143—Proof of nationality:

Hon. A. SANDERSON: Surely this is quite unnecessary.

The Minister for Education: There must be some means of deciding these things.

Hon. A. SANDERSON: But surely it ought to be proved in the ordinary way.

The Minister for Education: The provision in the present Act is much the same.

Hon. A. SANDERSON: Suppose you have a Chinaman who has married an Australian woman, and the offspring of that marriage is brought before the court. What is the nationality of the gentleman?

The Minister for Education: It would be for the court to decide.

Hon. A. SANDERSON: It is an extraordinary way of doing business.

Clause put and passed.

Clauses 144 to 146—agreed to.

Clause 147—Regulations:

The MINISTER FOR EDUCATION: I move an amendment:

That in line 4 "any penalty not exceeding £5" be struck out, and "a lesser penalty than that prescribed by Section 140" be inserted in lieu.

As the clause stands at present the penalty for subsequent offences would still be something less than £5.

Amendment put and passed; the clause, as amended, agreed to.

Clause 148—Saving of provisions of Inspection of Machinery Act 1904:

The MINISTER FOR EDUCATION: This provides that the inspector shall not have any jurisdiction over any machinery or accidents caused by any machinery or boiler to which the Inspection of Machinery Act applies. I move an amendment—

That the following be added at the end of the clause:—"And no power conferred by this Act on an inspector in relation to machinery of any kind shall be exercised unless the inspector holds a certificate from the Chief Inspector of Machinery that in his opinion such inspector is competent to exercise such power."

I think that will meet the position.

Amendment put and passed; the clause, as amended, agreed to.

Clause 149—Printing of records:

Hon. H. STEWART: This is an important provision. We should report progress and deal with this another time.

Hon. W. Hickey. Oh, get on with the business.

The MINISTER FOR EDUCATION: My intention was to report progress before reaching the contentious postponed Clause 1. However, if any hon. member desires it, I am willing to report progress now.

Progress reported.

BILL—BAYSWATER DRAINAGE WORKS.

Received from the Assembly and read a first time.

House adjourned at 11.47 p.m.

Legislative Assembly,

Thursday, 9th December, 1920.

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

QUESTION—PASTORAL COMPANIES REGISTERED.

Hon. P. COLLIER asked the Honorary Minister: How many pastoral companies have been registered in the State since the passing of the Land Act Amendment Act of 1917, and what is the area owned by each?

The HONORARY MINISTER replied: Forty-nine pastoral companies have been registered at the Companies Office, Supreme Court. The following are the names and the area owned by each. Where the word "nil" appears such company is so far not registered either in the Land Titles Office or

in the Lands Department as the owner of any pastoral land:—

No., Name of company, Local or Foreign, and Area held (acres).

1. Mia Mia Pastoral Co., Ltd., local, 516,820.
2. The Ashburton Downs Station, Ltd., local, 796,547.
3. Sandstone Pastoral Co., Ltd., local, 951,310.
4. Doorawarrah Pastoral Co., Ltd., local, 569,383.
5. Landor Squatting Co., Ltd., local, 999,964.
6. Clifton Downs Pastoral Co., Ltd., local, 996,650.
7. Mount Clerc Pastoral Co., Ltd., local, 930,500.
8. Clarkson Bros., Ltd., local, 1,163,462 (749,000, Eastern Division; 414,462, North-West.)
9. Bullara Estates, Ltd., local, 276,000.
10. Boolardy Pastoral Co., Ltd., local, 787,900.
11. The Nookararra Pastoral Co., Ltd., local, 581,550.
12. The Bulloo Downs Pastoral Co., Ltd., local, 860,700.
13. The Greenwood Pastoral Co., Ltd., local, 168,030.
14. The Milgum Pastoral Co., Ltd., local, 841,929.
15. Roy Hill Pastoral Co., Ltd., local, 988,145.
16. Cogla Downs Pastoral Co., local, 851,560.
17. Mulga Downs, Ltd., local, 743,700.
18. The Sturt Pastoral Co., local, nil.
19. Napier Downs Pastoral Co., Ltd., local, 1,000,000.
20. Luluigui Pastoral Co., Ltd., local, 878,864.
21. Ivanhoe Grazing Co., Ltd., local, 275,460.
22. Mt. Augustus Pastoral Co., Ltd., local, 995,207.
23. Badja, Limited, local, 279,524.
24. The Boulder Meat Supply, Ltd., local, 149,963.
25. Innouindy Pastoral Co., Ltd., local, nil.
26. Marillana Pastoral Co., Ltd., local, 593,220.
27. Harding River Pastoral Co., Ltd., local, 559,991.
28. Glenflorrie Pastoral Co., Ltd., local, 624,881.
29. Croydon, Limited, local, nil.
30. Devonshire Flats, Ltd., local, nil.
31. Mount Vernon Pastoral Co., Ltd., local, 532,490.
32. Mount James Pastoral Co., Ltd., local, nil.
33. Yundermindera Pastoral Co., Ltd., local, 478,057.
34. The Leonora Pastoral Co., Ltd., local, nil.
35. Three Rivers Station, Ltd., local, 828,195.

36. The Lake Barlee Pastoral Co., Ltd., local, nil.
37. Billilina Pastoral Co., Ltd., local, 280,000.
38. Mt. Malcolm Pastoral Co., Ltd., local, 234,237.
39. Eladgee Pastoral Co., Ltd., local, 654,615.
40. Vandil Pastoral Co., Ltd., local, 740,500.
41. The Jubilee Downs and Nerrima Pastoral Co., Ltd., local, nil.
42. Obogama Pastoral Co., Ltd., local, nil.
43. Macanoh Estate, Limited, foreign, 1,453,440 (807,600, Kimberley Division; 252,990, North-West Division; 392,850, Eastern Division).
44. Mt. House Stations, Ltd., foreign, 777,500.
45. Flora Valley & Margaret, Ltd., foreign, nil.
46. The Nicholson Grazing Co., Ltd., foreign, nil.
47. The Turner Grazing Co., Ltd., foreign, nil.
48. Gordon Downs, Limited, foreign, nil.
49. Ord River, Limited, foreign, nil.

QUESTION—IMMIGRATION, CINE-MATOGRAPH FILMS.

Mr. THOMSON asked the Colonial Secretary—1, Were cinematograph films taken by the order of the Immigration Department in the year 1911? 2, If so, what has become of these films? 3, What was the cost? 4, Is it intended to again make use of these films for the purpose of advertising the State's resources?

The COLONIAL SECRETARY replied—1, Yes; "Trip to Rottnest," "Hill and River Scenery," and "Caves Trip." 2, The negatives are at the Tourist Department and the positive with the Agent General in London. 3, £437 12s. 10d. 4, If the films are in decent condition they will be utilised as suggested.

BILL—LAND TAX AND INCOME TAX. Recommittal.

On the motion by the Premier, Bill re-committed for the purpose of further considering Clause 6.

Mr. Stubbs in the Chair; the Premier in charge of the Bill.

Clause 6—Super tax of 15 per cent.

Hon. P. COLLIER: I move an amendment—

That in the proviso all the words after "income" to and including "taxpayer" be struck out, and "chargeable" be inserted.

The object I have in view is to ensure that no person shall be called upon to pay a super tax unless he has a chargeable income, as distinct from a gross income, of more than £252. In this way we will preserve the distinction already existing between

married and single persons. The deductions set out in the Act mostly apply to married persons. This would allow people something in the nature of a living wage before paying the super tax.

The PREMIER: If the amendment is carried, it will mean that no man with an income of £252, single or married, will, with the deductions, pay additional taxation. The single man referred to by the leader of the Opposition will escape just as others will escape.

Mr. Thomson: I do not see why the single man should escape at all.

The PREMIER: Many of these people draw small incomes and they are exempt up to £100 now. The leader of the Opposition desires that no man with an income of less than £5 should pay the additional tax. I desire that end, too, and if we altered the amount from £252 to £264 the object which the leader of the Opposition has in view would be achieved.

Hon. W. C. Angwin: Not so far as the man with the large family is concerned.

The PREMIER: If a man is getting £300 a year he can afford to pay the few shillings additional proposed by this measure. If the amendment is carried he will escape. A man receiving less than £5 or up to £5 will receive consideration. I had in my mind the many public servants who were drawing up to £252 until the last few days when the board fixed their salaries at £264.

Hon. W. C. Angwin: That is an encouragement to young men, not to us.

The PREMIER: You speak for yourself. I suggest to the leader of the Opposition that he withdraw his amendment and that a further amendment be moved to increase the amount to £264. I do not know that where additional taxation is urgently needed, as it is now, we should carry the exemptions further, although I am aware that any impost, however small, presses heavily on the men on the lower rung.

Mr. WILLCOCK: I do not feel inclined to accept the suggestion by the Premier. A man requires to get a fairly reasonable income these days, and it cannot be said that £5 a week is a reasonable amount.

The PREMIER: It is as much as you are getting as a member of Parliament.

Mr. WILLCOCK: It is more than I get, and I believe a majority of members of the House agree that we do not get enough.

The Minister for Works: What about taking the New South Wales decision and making it a common rule.

Mr. WILLCOCK: If the Minister for Works will bring forward a proposition, he will have the hearty support of members on this side of the House. The people with the small salaries are paying a pretty fair tax at the present time, and they should not be asked to pay the super tax at all. If a man is getting £350 he could pay the super tax, but a man drawing £5 a week, who has three children, will have to pay

super tax on the whole of his taxable income. If he has five children he will be exempt. The protest from the Opposition is made because there is no assessment Bill before us whereby we can alter the exemptions.

Mr. Hudson: You have to draw the line somewhere.

Mr. WILLCOCK: The line which is drawn at the present time under the assessment Act, is too low. As there is no assessment Bill before the House, we have to let that position go. The only opportunity we have of doing something in this matter is to provide some amendment which will deal with the super tax. The present is not an opportune time for extracting more taxation from the men with lower wages, particularly when it is remembered that it costs about £400 now to get what could be procured for £200 before the war. Even if the amount were raised to £5 or £5 10s. that would be less than the basic wage fixed by the independent commission who travelled round Australia recently. If an assessment Bill were brought down, we could then provide that no one receiving less than the living wage as fixed by the Basic Wage Commission should pay taxation at all.

Mr. Hudson: You are not discriminating between the married and unmarried men.

Mr. WILLCOCK: I want to discriminate between the amounts of taxation to be levied. We would endeavour to raise the exemption up to at least £250 if an assessment Bill were before us. The amendment of the leader of the Opposition will do something towards meeting the position. If a man with three children has an income of £250, less £78, apart from any other deductions allowed, he would have to pay on a taxable income of about £180, whereas the single man will have to pay on the full £252.

Mr. Thomson: The single man should pay on that amount if he has no responsibilities.

Mr. WILLCOCK: We are prepared to allow him to pay the amount of the taxable income.

The Attorney General: The man would not be taxed the 15 per cent. on the full £252 but on the £180 which has been referred to. Even if he did, what would it amount to? Next to nothing.

Hon. P. Collier: Why bother about it, then?

Mr. WILLCOCK: The Premier would be doing an act of grace if he complied with the suggestion. The effect of the amendment is that if a man has a taxable income of £252 he will pay on it, but the married man with, say, three children, even though his income be £252, will all the same come under the incidence of the super tax. That is not a fair proposition at the present time.

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

Ayes	..	..	..	..	11
Noes	..	..	..	..	22
Majority against					10

AYES.

Mr. Angwin
Mr. Chesson
Mr. Collier
Mr. Davies
Mr. Hudson
Mr. Lambert

Mr. Lutey
Mr. Troy
Mr. Walker
Mr. Willcock
Mr. Green
(Teller.)

NOES.

Mr. Angelo
Mr. Brown
Mr. Brown
Mr. Draper
Mr. Duff
Mr. Durack
Mr. George
Mr. Griffiths
Mr. Harrison
Mr. Hickmott
Sir H. B. Lefroy

Mr. Maley
Mr. Mitchell
Mr. Nairn
Mr. Pickering
Mr. Plesse
Mr. Scaddan
Mr. Teesdale
Mr. Thomson
Mr. Veryard
Mr. Willmott
Mr. Hardwick
(Teller.)

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Mr. Gardiner
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Mr. Scaddan
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NOES.

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Mr. Collier
Mr. Davies
Mr. Hudson
Mr. Lambert

Mr. Lutey
Mr. Troy
Mr. Walker
Mr. Willcock
Mr. Green
(Teller.)

Amendment thus negatived.

The PREMIER: I move an amendment—

That in the last line of the proviso the word "fifty-two" be struck out with a view to inserting other words.

Mr. WILLCOCK: I want the Premier to agree to strike out not only "fifty-two," but the words "two hundred" which precede "fifty-two," and insert "three hundred and fifty."

The CHAIRMAN: If the hon. member wishes to move an amendment before that of the Premier, the Premier must temporarily withdraw the amendment he has submitted.

Mr. WILLCOCK: If the Premier's amendment is carried, there will be no chance of striking out "two hundred."

The Premier: I will temporarily withdraw my amendment if you will not debate the whole subject all over again.

Mr. Willcock: I will let it go.

Amendment put and passed.

The PREMIER: I move an amendment—

That "sixty-four" be inserted in lieu of the words struck out.

Mr. Willcock: Make it a little more than that; give us a bit of a chance.

The PREMIER: I am going far enough by increasing the amount to £264. No man who gets £264 or under will pay tax.

Hon. P. Collier: If he gets £265 he will pay.

The PREMIER: If he has a family he will get all the advantages of the reduction for the family.

Mr. Willcock: Still he will pay super tax.

The PREMIER: Certainly.

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

Ayes	..	..	..	..	23
Noes	..	..	..	..	11

Majority for .. 12

Amendment thus passed.

Mr. THOMSON: I move an amendment—

That the following proviso be added: "Provided that this section shall not apply to single persons."

The CHAIRMAN: I cannot accept the amendment because no notice has been given of it.

Mr. THOMSON: You have just accepted an amendment from the Premier and it was not on the Notice Paper.

The CHAIRMAN: That was a totally different thing.

Mr. THOMSON: I think I have a right to move my amendment, though it is on recomittal.

The CHAIRMAN: I must rule you out of order.

The Minister for Mines: It is on recomittal on the third reading, and only amendments on the Notice Paper can be dealt with.

Mr. THOMSON: My proviso is just as much in order as was the Premier's amendment.

The CHAIRMAN: The Premier's amendment was consequential upon an amendment moved by the leader of the Opposition. I cannot accept your amendment.

Mr. THOMSON: I have to abide by your ruling, but I think it is very strange.

Clause, as amended, put and passed.

Bill again reported with a further amendment, and the report adopted.

BILL—BAYSWATER DRAINAGE WORKS.

Read a third time and transmitted to the Council.

BILL—LAND ACT AMENDMENT.

In Committee.

Mr. Stubbs in the Chair; the Premier in charge of the Bill.

'Clause 1—agreed to.

Clause 2—Amendment of Act No. 19 of 1917:

Mr. PICKERING: I would like an assurance from the Premier that this clause will not be retrospective and that it will not affect leases already granted on certain conditions.

The PREMIER: I consulted the Solicitor General and he informed me that the clause does not apply to leases already issued. It has no retrospective effect; it will apply only to leases issued in future.

Clause put and passed.

Clauses 3, 4—agreed to.

Clause 5—Pastoral land:

Mr. TROY: I move and amendment—

That in Subclause (3) the words "After the commencement of this Act" be struck out with a view to the insertion of other words.

After the discussion on the second reading it should not be necessary to stress the reasons for the amendment. It is generally understood that, contrary to the provisions of the amending Act of 1917, a number of persons are holding a million acres of land in one lease.

The Attorney General: I do not agree with that statement. I doubt whether there is a single man with a million acres of land.

Mr. TROY: If there is not, then no harm will be done by the amendment.

The Attorney General: That is your opinion, not mine.

Mr. TROY: The object of the amendment is to prevent the validation of what has occurred contrary to the amending Act of 1917.

Hon. W. C. Angwin: And contrary to the intention of the Act if it were tested.

Mr. TROY: Probably so. This clause proposes to validate something which was done contrary to the intention of the amending Act of 1917.

The Attorney General: Not contrary to the intention expressed.

Mr. TROY: Contrary to the intention. Persons taking up land in future should not be able to acquire more than a million acres, and no person whatever should be able to hold more than one million acres in the State.

The Attorney General: Whether it is a new tenure or not?

Mr. TROY: Yes.

The Attorney General: Then you want to disturb transactions going back to 1898.

Mr. TROY: We disturb transactions every day. Parliament has passed legislation which enables all sorts of transactions to be disturbed. For instance, the Government can enter upon and take agricultural land.

The Attorney General: Yes, and pay for it.

Mr. TROY: Or take one-twentieth of it without paying for that one-twentieth.

Mr. Thomson: But that is a condition of the title.

Mr. TROY: I know all about that.

The Attorney General: All the contracts provide for that..

Mr. TROY: They do not provide for it. Under soldier settlement legislation, land can be resumed at a fixed price.

The Attorney General: Not at a fixed price.

Mr. TROY: At a price to be fixed under conditions which are fixed by the Act. That legislation violated the conditions under which the land owner took up his conditional purchase lease. I am moving my amendment because it is to the interest of the State to interfere with these large pastoral holdings. The purpose of this Bill is to validate something. Its clauses, apart from this one, are not of the least importance. Moreover, I do not attach the least importance to any statement made by the Attorney General.

The Attorney General: I should not expect you to do anything else.

Mr. TROY: If the Attorney General expected me to do anything else, I should have to confess that my suspicions have been aroused by his activities, and by the activities of other legal gentlemen, who are the advisers of large companies. Those gentlemen have come up to this House and have pretended to members that a clause provides certain things, whereas the clause has subsequently been proved to provide nothing of the kind.

The Attorney General: Do you say that I have done that?

Mr. TROY: No. But I am now putting the Attorney General in the same category with other legal gentlemen who have sat in this House, men of considerable legal talent. Take, for instance, the amendment drawn by the member for Canning, when Attorney General, on the amendment to the Discharged Soldiers' Settlement Bill passed by another place for the purpose of resumption on pastoral leases. The Attorney General of that day loaded the amendment so as to make it utterly impossible to resume pastoral leases on a fair basis. Any pastoral land resumed under the amendment would have been so overloaded with liability that no one could have carried on under it. It is a remarkable thing that what is done in the case of pastoral leases is not done in the case of agricultural lands. Why all this concern for the pastoralist? Unfortunately, my suspicions have been aroused; and I am bound to admit that I do not propose to be influenced in any respect by any legal opinion given in this Chamber no matter by whom it is given. I have a suspicion that sometimes this House is told that a Bill embodies a certain principle, whereas in fact the intention is otherwise. Thus laymen are often misled when voting.

The Attorney General: You have no right to reflect on legal members in that way.

Mr. TROY: Laymen are sometimes persuaded to vote for a principle which is contrary to their real intention.

The Attorney General: You have no right to reflect on legal members of the House.

Mr. TROY: We are aware that men of great legal capacity know perfectly well how these measures can be got round. They do not give that information to this Chamber, and they do not intend to do so, but if a man seeks election to this House, promising to give his best to the people, that best should be better than anything else; and certainly he should not attempt to mislead this House.

The Attorney General: Can you mention any instance in which I have attempted to mislead the House?

Mr. TROY: I have not said that. However, I do not propose to be influenced by any legal opinion given on the Bill in this Chamber, and I care not who gives the opinion. I will not accept an opinion even from the member for Kanowna.

Mr. PICKERING: I congratulate the Premier on having afforded the Committee an opportunity of arriving at a clear understanding of the meaning of this Bill. On both sides of the Chamber it has been stated that the 1917 Act is not what it was intended to be, and that there was some misleading in regard to that measure. To my mind the language of the much debated section of that Act is clear, and it is that in no one division of this State can more than one million acres of pastoral land be held by one individual or by one party of individuals. The amendment seeks to make this Bill retrospective in its operation; and the question I wish to have clearly settled is, whether or not the Bill validates past legislation? Any ambiguity should be removed. I was not in the House when the 1917 Act was passed, but I was a member of this Chamber when another measure amending the Land Act was passed; and I will not be a party, if I can help it, to the enactment of any further ambiguous legislation.

The PREMIER: I hope the words will not be struck out. So far as I have been able to do so, I have brought down a Bill to set the position straight; and there is no ulterior motive. The Bill means exactly what it says, that after the commencement of the measure no person shall acquire more than one million acres of pastoral land.

Hon. P. Collier: The 1917 Act says that too, but more than one million acres has been acquired by individuals.

The PREMIER: So far as it is possible to provide against one person holding more than one million acres of pastoral land, we have provided for it; and, further, there is the provision that if a man holds shares in a pastoral company his shares shall represent acres for the purposes of this legislation. Every member agreed with that clause when the Bill was before this Chamber. Members object to any person having the

right to hold one million acres of pastoral land in every division. This Bill provides that the maximum area which can be held by any one person shall be one million acres. I do not see why we should disturb the very few people who are holding more than one million acres.

Hon. P. Collier: That is not surprising, because the man who previously held more has now formed himself into four or five companies.

The PREMIER: No hon. member could object to a pastoral lessee transferring his holding to his sons, so long as it was a bona fide transaction. We need not bother about the men who hold more than a million acres; they are so very few.

Hon. W. C. Angwin: Some have four million acres.

The PREMIER: One firm has six million acres in one division, but in accordance with the law it is selling down to a million acres. We require to see the land occupied and used.

Hon. P. Collier: We can do it better by limiting the area.

The PREMIER: We are limiting the area. Mr. Elliott has a large holding, but he is transferring to his sons.

Hon. P. Collier: That makes no difference to the State.

The PREMIER: Since we have passed the legislation of 1917 there is not much need to worry, because the rent and the stocking and improvement conditions will serve to adjust the area. I hope the amendment will be negatived.

Hon. W. C. ANGWIN: I hope the amendment will be passed. The Bill should not have been introduced this session. A case should have been submitted to the court to test the validity of the 1917 Act. The then Attorney General assured the House that no individual, no combination of persons or companies, could hold more than a million acres of land.

Mr. Pickering: That does not appear in "Hansard."

Hon. W. C. ANGWIN: It does. I read it from "Hansard" last night. The then Attorney General assured the House that he and two other hon. members had drafted a clause which prohibited any person or combination of persons or companies from holding more than a million acres; that is to say, if they applied to bring their leases under the 1917 Act. They could continue holding surplus areas until 1928, but they could not get an extension of their leases until 1948 unless they reduced their areas to a million acres. The same Attorney General a short time later decided that a shareholder in a company was not beneficially interested. It is all very well for the Premier to quote that list.

Hon. P. Collier: The name of a certain pastoralist holding over four million acres does not appear on the list now.

The Honorary Minister: That is where you are making a mistake. Whom do you mean?

Hon. W. C. ANGWIN: We have had the name mentioned before. He holds four and a half million acres.

The Honorary Minister: You mean Vestey. Vestey does not come under the new Act.

Hon. W. C. ANGWIN: To-day a certain company is advertising its area for sale "subject to the 1917 Act." In justice to the State, the Crown Law Department should have tested the validity of that Act. It makes one suspicious that there may be something behind the clause, that it will deprive the State of what rights it has under the 1917 Act.

The Attorney General: You will not accept a statement offered to you.

Hon. W. C. ANGWIN: We were told the same thing before. Why not test the matter in the courts? The then Attorney General, after declaring that nobody could hold more than a million acres, went outside and said it did not apply to a company, because the individual shareholders had not a beneficial interest in the company. In the other House we had this from the Minister for Education—

The loophole discovered is that the company becomes the leaseholder, and the individual, although he may hold practically the whole of the shares in three or four companies, is not a leaseholder at all, and therefore the lease is not liable to forfeiture.

That was discovered within a short time after the Bill was passed.

The Attorney General: This Bill will put that right.

Hon. W. C. ANGWIN: Perhaps, but there is a good deal of doubt as to whether it will validate anything done under the 1917 Act. Not long ago a committee was appointed to make recommendations to the Government as to the areas of pastoral leases in the North-West. Will the Premier tell us what was the largest area recommended by the committee?

The Premier: The smallest was 250,000 acres of picked land along the rivers in the Kimberley.

Hon. W. C. ANGWIN: The Bill will give them a million. In the Gascoyne district Mr. Bush's station runs for 200 miles along the river. Is that station owned by a private individual still, or is it now a company?

The Premier: It is a company.

Hon. W. C. ANGWIN: It was a private individual prior to the 1917 Act. That is only another instance not in accord with the advice given us by the then Attorney General. Undoubtedly we have some justification for our suspicions of the Bill.

The Premier: You need not have the slightest suspicion.

Hon. W. C. ANGWIN: What we passed in 1917 should not be set aside until it has been tested in the courts. A high legal authority has declared that the 1917 Act holds good in regard to combinations of companies.

The Minister for Works: Did the Crown Law say that?

Hon. W. C. ANGWIN: I have not discussed it with the Crown Solicitor. That opinion has come from outside, even from oversea. If the opinion is sound, if the area which may be acquired is limited to a million acres, then the Bill is not required, or at all events not until we have had a decision by the law courts. I am not going to give a vote that may have the effect of setting aside the intentions surrounding the 1917 Act.

The ATTORNEY GENERAL: It is rather a thankless task to offer any legal opinion on the wording of an Act. Apparently some hon. members would not pay the slightest attention to anything I said, and one hon. member has suggested that I would be incapable of expressing an opinion. The chief anxiety of the member for North-East Fremantle seems to be directed not so much to the provisions of the Bill, but to whether it may have the effect of validating anything which at present is open to alteration in the courts of justice.

Hon. W. C. Angwin: I have an amendment here to cover that.

The ATTORNEY GENERAL: In almost any part of this Bill we find the words "after the commencement of this Act." It cannot be suggested, for instance, that Subclause 3 validates anything that has already been done. It imposes a penalty of £5 for every day on which a person does something which should not have been done. Subclause 4 speaks of pastoral land being acquired "after the commencement of this Act," and yet this is said to be validating something which has been done before. Let us take Subclause 7. In my opinion a shareholder in a pastoral company which holds a lease is not beneficially interested in such lease. It is provided in this subclause that "after the commencement of this Act" for the purpose of calculating the area of land that persons may acquire, or may become beneficially interested in, the joint shareholders are deemed to hold an interest in the land so held jointly equivalent to their undivided share. If three persons hold 300,000 acres between them, each is deemed to hold 100,000 acres. This is a fairer method of calculating a man's interest in land. Paragraph (b) of Subclause 7 provides that a shareholder shall be deemed to be beneficially interested in such land to the extent of the acreage proportionate to his interest in the paid share capital of the company. A company may hold 100,000 acres and have a capital of £100,000, of which £50,000 is paid up. The £50,000 is the basis on which we would work. If I held £10,000 of that £50,000, I should therefore hold a fifth of the paid-up capital of the company, and I should be deemed to hold a fifth of the acreage held by the company, which fifth would be 20,000 acres. It is a little disconcerting to be told when one has drafted a clause which expressly brings in the shareholder and says what shall be his beneficial interest in a cer-

tain portion of a lease held by the company, that one is doing something to validate what has previously taken place. Nothing is being validated by this Bill. If hon. members are still suspicious over the matter, I am afraid that nothing in heaven will ever convince them to the contrary.

Hon. P. COLLIER: I regret that Governments who have been in office since the passing of the 1917 Act have taken no definite steps to obtain a judgment from the judiciary as to the intentions conveyed by that Act. Eminent lawyers hold certain opinions with regard to the area that may be owned by shareholders or by corporations. I have been told that there are lawyers in this city who hold the opposite opinion. The result is that we do not know where we are. Whether this Bill be passed or not, however, that position is not affected. It will still be open to a test case.

The Honorary Minister: That is the whole position. It is not a validating Bill.

Hon. P. COLLIER: The Bill does not amend any of those provisions of the 1917 Act that are affected.

The Attorney General: It is not intended that it should do so, and in my opinion it does not do it.

Hon. P. COLLIER: I cannot read anything into the Bill which does so. Although three years have passed since its enactment, we do not know the law regarding the area which may be held or in which a man may be beneficially interested. It will still be open to us to have the matter cleared up. There are pastoralists who take the view expressed by the Attorney General, that whilst they cannot individually hold more than one million acres in any one division, by the formation of companies in which they hold practically the whole of the interest, they are enabled to hold an unlimited area.

The Premier: Not after the passing of this Bill.

Hon. P. COLLIER: Under the 1917 Act. From the answer to my question to-day I gather that 49 pastoral companies have been formed since 1917. For the three years prior to that date only four or five pastoral companies were registered in the State. Pastoralists who hold areas in excess of a million acres have been able to evade the intentions of the House by the formation of companies. Any one man may hold all the shares of such company except the four other persons required to make up the company.

Mr. Teesdale: Not now.

Hon. P. COLLIER: Yes, but not if this Bill becomes law.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. P. COLLIER: So far as my reading of the Bill goes, the area in which a person might be beneficially interested under the 1917 Act, will not be affected. Before the Bill passes, I hope we will be perfectly agreed upon that point, so that the pastoralists concerned, who have formed themselves

into companies during the past three years, and consequently are holding more land than was intended under the 1917 legislation, shall be subject to review by the judiciary of the country. It was the clear intention that no person who might take advantage of the Act and surrender his old lease in order to secure the benefit of the 1917 Act, should hold more than one million acres in any one division. Under the Act mentioned, the pastoralists were given 12 months within which to comply with the provision to reduce their holdings to one million acres. In the following year an amending Bill was passed extending the time within which they might apply for a new lease, the argument in support of that suggestion being that some pastoralists were away at the war at the time and it would not be fair to leave it in the hands of their attorneys to select the particular area which the pastoralists might desire to hold under the 1917 Act. The time was extended in order to give those pastoralists an opportunity to return to the State and make their own selection. It was clearly laid down that they should not hold more than one million acres. The amendment moved by the member for Mt. Magnet is another question. It will mean a considerable divergence from what was intended when we passed the 1917 Act, because that measure permitted a million acres to be held in any one division. There are six divisions in the State and it would be quite possible, without the interpretation now placed upon it, that an individual might hold up to six million acres within the whole State. The amendment proposed by the hon. member would limit the area to be held to one million acres in the whole State. It is admitted that that is a considerable reduction. The question at issue is whether we are justified in reducing or limiting the total area which can be held in the whole State. Personally, I think we would be justified.

The Honorary Minister: The Bill limits the holding to a million acres, but the amendment goes further than that and would take away land which has been held for years, in order that the total holding shall be reduced to one million acres.

Hon. P. COLLIER: Of course the Bill limits the land to that area, and the amendment will have a retrospective effect, seeing that an individual will not be entitled to more than a million acres, whether held before or after the passing of the Bill.

The Premier: This clause limits the area to a million acres.

Hon. P. COLLIER: Only after the passing of the measure.

Mr. Davies: The amendment will mean that persons at present holding more than a million acres will have to reduce their areas to one million acres.

The Honorary Minister: No matter how long he may have held it.

Hon. P. COLLIER: The argument is that the amendment means something in the nature of confiscation.

Mr. Pickering: Notwithstanding any Act that may have been passed.

Hon. P. COLLIER: Notwithstanding the 1917 Act, or any other Act. That may be regarded as confiscation, but Parliament has always reserved to itself the right at any time to say to any person, no matter what his title may be, that land he holds is required for purposes of the State and, in such circumstances, that land must be secured, and we legislate accordingly. Surely it cannot be held that if we have the right to compulsorily resume freehold land for closer settlement—

Mr. Brown: With compensation.

Hon. P. COLLIER: If it applies to land held in fee simple, surely it can be applied to leasehold land without being regarded as anything in the nature of confiscation.

Mr. Davies: Will they have to pay compensation?

Hon. P. COLLIER: I should say so. The pastoralist would be given an opportunity to dispose of his land. We have already established the right to resume land under the Discharged Soldiers' Settlement Act. There is nothing more sacred about pastoral lands to which the same principle cannot be equitably applied.

Mr. Davies: In the resumption of freehold property, such as you mention, it is reasonably to be presumed that someone will use that land, but does the same thing apply regarding the pastoral leases?

Hon. P. COLLIER: I should say that there would be no doubt about that. It is not likely that the State would say to a pastoralist, "You must yield your pastoral holding with the exception of a million acres," and that land would remain idle.

Mr. Tiesdale: The pastoralists will cut out the "rough stuff."

Hon. P. COLLIER: The pastoralists certainly have the right to select the portion they will retain, although they may cut out what the hon. member terms the "rough stuff." Still, there will be many people who will be glad of the opportunity to become possessed of even the "rough stuff."

Mr. PILKINGTON: The amendment which has been moved by the member for Mount Magnet goes to a considerable length. I do not know whether the hon. member realises the length to which it does go. The leader of the Opposition touched upon the point, but I do not know whether he referred to the exact point which I propose to take. Under the Act of 1917, as has been pointed out, there was no limitation imposed upon the acreage which might be held as pastoral leases to terminate in 1928. It was not intended to impose any limitation except in the case of new leases terminating in 1948. The amendment, if agreed to, will not only impose a limitation of a million acres in the whole State, instead of a million acres in any one division, but will impose a limitation upon the number of acres which can be held under a pastoral lease terminating in 1928. That is a very

serious piece of retrospective legislation, and I do not know whether it was fully appreciated by the member for Mount Magnet when he moved his amendment. I do not suggest that that is the only reason why I object to it. I only point it out because it goes further than was perhaps intended. It has been said that some people may regard the amendment as amounting to confiscation. I am one of those people. It has been pointed out that the State has the right to enter upon private property. I do not deny it. It is a thoroughly well recognised right in every civilised State, that the State can take the property of its private citizens if that property is required for the State. But that right is always subject to the obligation to pay full compensation to the person from whom the property is taken. What is suggested here is something entirely different. It is taking private property without apparently any compensation whatever. It was suggested on a prior occasion, when I had not the honour to be a member of this House, that the House was misled. I hope the House will not be misled this time. If hon. members give all their attention and all their intelligence and ingenuity to drafting an Act for the purpose of bringing about what is alleged to have been the intention of Parliament on a previous occasion, then, after they have produced that measure, there will be no difficulty whatever in evading it again. The difficulty of drafting a measure which will prevent any person or body of persons from being interested in more than one area of pastoral lands, is much greater than appears at first sight. It will be just as easy to drive a coach and four through the Bill we are now considering as it is through the existing Act. If we stop one loophole, another will be found.

The Minister for Works: Then the people will assert themselves.

Mr. PILKINGTON: This Bill will not produce the effect that is intended.

The Premier: No Bill ever does.

Mr. PILKINGTON: That is a true observation.

Mr. Willecock: Some of the taxation Bills get near the mark.

The Premier: They do not.

Mr. PILKINGTON: If it has become unlawful for any person to be interested in more than one million acres we shall have a most amazing result. The lease may become liable to forfeiture because the holders may have shares in a bank which has foreclosed on the station. The result would be most extraordinary. Such results were never thought of by Parliament. Everybody knows that to evade the law, in order to get over the difficulty of the provision that a shareholder is deemed to be beneficially interested in leases owned by a company, all that would be necessary would be to form another company which would hold shares in the first company. Then having stopped that loophole, there would not be any trouble about

finding another. To draft a Bill which will prevent a person being interested directly or indirectly in a property, is to do something which is contrary to all legislation which we have been passing for years past. Personally I think it is undesirable to do that. The proper policy to adopt is not to attempt to limit the area, but to insist that every person who takes up pastoral leases shall be compelled to use those leases to the fullest extent. I hope no hon. member will say that he was misled into believing that the Act was going to carry out what was said to be the intention of Parliament. It would be much better if we directed our attention and energies towards providing legislation which would compel people who take up pastoral leases to make proper use of them rather than try to impose limitations which in effect can never be legally imposed.

Mr. TROY: If the amendment means confiscation, so does the 1917 Act, because it provided that the individual could only hold a million acres in each division of the State. If he held more than a million acres, and he proposed to avail himself of the extended leases, he had to get rid of the acreage over the million. The accusation of confiscation can apply there as it can apply in the amendment. In the statement which has been handed to me by the Premier, I find that quite a number are in that position. Copley holds $1\frac{1}{2}$ million acres in the Kimberleys, and approval has been given to extend the tenure to 1948 on less than a million acres, and the balance has to be sold. If it is not sold it must lapse. There is no confiscation there. These people must avail themselves of the extensions before 1921, that is to say they must apply for a renewal before 1921. If they do not, all the acreage they hold over one million must be sold or returned to the State. Quite a number of people pay double rent. Their intention clearly is to avail themselves of the extension; they are still holding over a million acres. I am quite prepared to allow an amendment if the Government will move it. The Government could bring in another measure to provide that those people must sell or the State will resume and compensate. The member for Perth (Mr. Pilkington) said that the holders of these areas should be compelled to stock the leases. We would require an endless number of inspectors in the country. Take the area from Mullewa to Kimberley. How many inspectors would be required there to find out whether the conditions were being fulfilled?

The Honorary Minister: You could find out from the stock returns supplied to the Taxation Department.

Mr. TROY: I do not know that they are always accurate. The Act under which a number of pastoralists took up their holdings provided that if they effected certain improvements on their areas, those improvements would count on the adjoining area on which there need not be any improvements

at all. I had occasion to make inquiries at the Lands Department recently and I found that a large station owner at Yalgoo whose property had been taken up for nearly 50 years, had no less than 80,000 or 100,000 acres on which there was not a mile of fencing or a single head of stock, and I am told that it is held that way because it is claimed that the adjoining areas are improved. It is impossible for the Government to arrive at a fair knowledge as to whether pastoralists are improving their areas or not. I am prepared to accept the statement that every Act of Parliament can be evaded, but it is due to Parliament, if it is found that an Act is evaded, to amend that Act. An Act of Parliament can be improved as the result of experiment and experience. If we are going to adopt that attitude we might as well cease to legislate altogether. The Government have the best legal knowledge at their disposal and could have tested the 1917 measure, but they have not done so. I adhere to my amendment because, in spite of the talk about confiscation, it will not do injury to any bona fide pastoralist in the State.

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

Ayes	..	..	..	11
Noes	..	..	..	23
Majority against				12

AYES.

Mr. Angwin	Mr. Lutey
Mr. Chesson	Mr. Troy
Mr. Collier	Mr. Walker
Mr. Holman	Mr. Willcock
Mr. Hudson	Mr. Green
Mr. Lambert	

(Teller.)

NOES.

Mr. Angelo	Mr. Maley
Mr. Broun	Mr. Mitchell
Mr. Brown	Mr. Pickering
Mr. Davies	Mr. Plesse
Mr. Draper	Mr. Pilkington
Mr. Duff	Mr. Scaddan
Mr. Durack	Mr. Teesdale
Mr. George	Mr. Thomson
Mr. Harrison	Mr. Veryard
Mr. Hickmott	Mr. Willmott
Mr. Johnston	Mr. Hardwick
Sir H. B. Lefroy	

(Teller.)

Amendment thus negatived.

Mr. TROY: I move an amendment—

That after "shall" in paragraph (a) of Subclause 2 the words "hold or" be inserted.

I have said all I can say with regard to the matter, and I shall leave the amendment to the judgment of the Committee.

Mr. WILLCOCK: This is the most important amendment which has been indicated.

The Attorney General: This amendment would be retrospective.

Mr. WILLCOCK: No, it merely provides that in future a certain condition shall apply.

Mr. Pilkington: It means that a man cannot hold what he is holding now.

Hon. W. C. Angwin: He could not under the 1917 Act.

Mr. Pilkington: Yes, he could.

Hon. W. C. Angwin: Only till 1928.

The Attorney General: This will clearly be retrospective.

Mr. WILLCOCK: Certain people were given privileges in the past and this amendment may be construed into meaning that they shall not have those privileges in future, but it has no retrospective effect. We are merely seeking to introduce a new policy.

Mr. Pilkington: It will cancel contracts which the Crown have already made.

Mr. WILLCOCK: That might be so.

Mr. Pilkington: Then it will be retrospective.

Mr. WILLCOCK: It may cancel contracts already made, but it really seeks to lay down a policy as to what area a man shall be permitted to hold. This country of vast areas is held by a few individuals, and we want to alter that policy.

Mr. Pickering: Does not "acquire" mean they they cannot hold in future?

Mr. WILLCOCK: If the amendment is not passed this measure will merely validate anything done between 1917 and 1920. The amendment simply means that in the general interests of the State no one should be allowed to hold above a certain area, irrespective of whether it has been done before or not. The amendment may cancel some contracts.

The Attorney General: You will take away the titles which have been granted.

Mr. WILLCOCK: This is merely an extension of the principle which is applied to agricultural lands.

The Attorney General: We pay compensation in the case of the agricultural lands, but not under this amendment.

Mr. WILLCOCK: It is provided that a man shall not take up more than 1,000 acres of agricultural land.

Mr. Johnston: He shall not select more than 1,000 acres, but he may hold it as freehold.

Mr. WILLCOCK: That is so. If a man holds a million acres of pastoral land to-day this Bill will not affect him. The Bill merely seeks to prevent the acquiring by one man of more than a million acres in future. There are thousands of people in the State who, if they had an opportunity, would take up pastoral land on the Murchison. The petition I presented at the opening of the session shows that 2,000 or 3,000 people consider that the pastoral holdings in the Murchison are too large. I whole-heartedly support the amendment.

Mr. PICKERING: The future policy of the State under this clause will be that no one shall acquire a larger area of pastoral country than one million acres. But to in-

sert the words suggested by the member for Mount Magnet would in my opinion cancel leases under the 1917 Act.

The Attorney General: And also those under the 1898 Act.

Mr. PICKERING: Yes.

Hon. W. C. Angwin: That need not be so. A further amendment can prevent that.

Mr. PICKERING: I hope this clause will not be one through which a coach and four can be driven. I trust the Attorney General will either confirm my view, or, if I am mistaken, disabuse my mind.

Hon. W. C. ANGWIN: The member for Mount Magnet has no intention whatever of taking away prior to 1928 any rights that have been granted. Amendments dealing with that aspect can, however, only be moved in another part of the Bill. As regards the one million acres, the member for Mt. Magnet wishes to confirm what Parliament agreed to in 1917, that no person shall hold more than one million acres of pastoral land. I am prepared to vote with the Attorney General for an amendment to provide that leases shall hold good up to 1928. In my opinion, all these leases should come back to the State, so that legislation dealing comprehensively with the subject of pastoral holdings may be enacted. If we want to be honest—I hope "honest" is not too strong a word—we must amend the clause so that no one will be able to hold under new leases more than one million acres; not pass a clause which will provide that in future no person shall acquire more than one million acres.

The Attorney General: The 1917 Act applies to one million acres in one division. This Bill applies to one million acres within the State.

Hon. W. C. ANGWIN: This Bill as introduced by the Premier is retrospective. If it is the intention to prevent any person or company from holding henceforth one million acres in each of the five divisions of the State, this Bill will be retrospective as regards the 1917 Act.

Mr. Pilkington: But if the holder has acquired more than one million acres, he can continue to hold it.

Hon. W. C. ANGWIN: I contend that no one has any right to hold more than one million acres beyond the year 1928. Still we do not want to do anything confiscatory. However, let me say again that there is reason for persons without legal training to be distrustful as to this clause. The intention of the 1917 Act was to prevent any person or any company from holding more than one million acres of pastoral land. Now, however, we find both the Attorney General and the member for Perth saying that because certain persons took up more than one million acres—which will revert to the Crown in 1928, when the leases expire—they should continue to hold those larger areas under this measure.

The PREMIER: I agree with the hon. member that we should be honest, and I

think he ought to agree with me that the proposal in this clause is perfectly fair. The holders of more than one million acres to-day, when they sell, must sell in areas not exceeding one million acres. Three years ago Parliament said that one might hold one million acres in each division. Whatever our intentions may have been, that is what we said. There are very few men who hold more than one million acres—only 24 all told; and of those 24 the great majority hold only a little more than one million acres.

Hon. P. Collier: That refers to individuals, but one does not know how much an individual may be holding through a company.

The PREMIER: If an individual holds land through a company, the area he so holds is calculated, and is included in the one million acres. At any rate, something is being done by this Bill to reduce the area. One company, holding six million acres, are reducing their area to one million acres. A person who has three million acres is reducing his holding to one million. Another, holding 2,470,000 acres, on which he pays double rent, has sold, or is selling, part of his area. There is one person who holds three million acres in three divisions. Every holder of more than one million acres is, I think, endeavouring to reduce his area. All we ask is that what was enacted in 1917 shall stand, and shall apply as regards holders of more than one million acres to-day. The Bill provides, further, that no man shall henceforth hold more than one million acres, including the area he now holds. I do not know whether the provisions of this Bill can be evaded; I believe a coach and four can be driven through most Acts of Parliament. But, so far as we can provide, we have provided in this Bill. I hope the amendment will not be carried. To use another member's words, I do not think it would be quite honest to carry the amendment. The provision in question was enacted only three years ago—not 23 years ago—and the pastoral holder has now to pay reasonable rental, and to stock his area and improve it.

Mr. Troy: But you know he does not stock it.

The PREMIER: The stock provisions of the 1917 Act are good provisions, and thoroughly adequate.

Mr. Troy: How are you going to enforce them?

The PREMIER: The pastoral lessee can hardly do more than is required by that Act. Moreover, he must effect considerable improvements.

Hon. W. C. ANGWIN: The holders of leases taken up years ago could be protected up to 1928 by our striking out the words "after the commencement of this Act" and inserting in lieu "from the 31st January, 1928."

Amendment put and negatived.

Mr. TROY: I will still endeavour to get my principle established, and I now move and amendment—

That in Subclause 2, para (c), after the word "to," line 1, the words "be or" be inserted.

The Premier's assurance is of no value to anyone who understands anything about this matter. The 1917 Act has been evaded. The principle established in the 1917 Act, not by this House, but by a majority of this House, has been evaded, and I am endeavouring to repair the injury done to the country.

Amendment put and a division taken with the following result—

Ayes	..	..	..	9
Noes	..	..	..	21

Majority against .. 12

AYES.

Mr. Angwin
Mr. Chesson
Mr. Collier
Mr. Holman
Mr. Lambert

Mr. Lutey
Mr. Troy
Mr. Willcock
Mr. Green

(Teller.)

NOES.

Mr. Angelo
Mr. Brown
Mr. Brown
Mr. Davies
Mr. Draper
Mr. Duff
Mr. Durack
Mr. George
Mr. Harrison
Mr. Hickmott
Mr. Johnston

Sir H. B. Lefroy
Mr. Maley
Mr. Mitchell
Mr. Pickering
Mr. Piessé
Mr. Pilkington
Mr. Teesdale
Mr. Thomson
Mr. Willmott
Mr. Hardwick

(Teller.)

Amendment thus negatived.

Mr. TROY: I move an amendment—

That the following be inserted to stand as Subclause (4):—"No person shall, after the expiration of three years from the commencement of this Act, hold, acquire, or be beneficially interested in an area of pastoral land exceeding 100,000 acres situated within 70 miles of a railway or a port in the north-west division south of the 24th parallel of latitude, or in the south-west division of the State. Penalty: Ten pounds for every day during which any land is held or any interest therein continues contrary to this section."

I would rather have provided for a lesser acreage, but I want to give the advocates of closer settlement, from a pastoral standpoint, an opportunity for putting their principles into operation. There can be no question of confiscation, because I am providing three years in order to allow the leaseholders in the most suitably situated part of the State to sell or dispose of their leases. I am keen on this, because I complain of the action of the Lefroy Government in depriving the young men of the Murchison of

an opportunity for securing small holdings. I refer to the extension of the leaseholds to 1948. The Minister for Works last night declared with great heat that the money bags holding the larger acreages should give way to smaller holders. The country referred to in the amendment is the country on the Murchison from Mullewa to Meekatharra, comprising millions of acres of land well suited for closer settlement from a pastoral standpoint. It is capable of carrying a population twenty times greater than is to be found there to-day. No doubt I shall be told there is a fear of drought in that country. But that fear is largely allayed by the provision that the land is to be within 70 miles of a railway or a port, a provision which will enable the lessees to get rid of their stock without any difficulty. I am not wedded to the 100,000 acres. I would have preferred to make it 50,000 or 70,000 acres, but I wish to afford members who object that 70,000 acres is too small an area an opportunity to vote for 100,000 acres. The three years' delay will allow for a Bill being brought in to provide for the payment of compensation to the existing holders. In every country the time comes when large holders have to give way to small holders. Successive Governments have purchased several big estates in the Victoria district for the purpose of closer settlement, the original purpose of those big estates having been fulfilled and a new order having set in. As a result of their purchase and subdivision, the Narrattarra, Oakabella, Yandanooka and Bowes estates are now carrying thirty times as many people as they did 30 years ago. The areas I refer to are well watered. They form good grazing lands and have a lot of top feed.

The Premier: The top feed would soon be eaten out on a small holding.

Mr. TROY: There is no more danger of that on a small holding than on a large one. It is all a question of stocking. In New South Wales and in Queensland the Labour Governments did that which I am now advocating.

The Premier: It was done years before, and it failed.

Mr. TROY: I had an opportunity of seeing a number of settlements which were brought about with the resumption of these pastoral areas. Thousands of people were thus afforded an opportunity for the first time of making their homes in this way. The scheme did not fail.

The Premier: Yes, it did.

Mr. TROY: I have met a number of the settlers who have done very well as graziers. Give me 50,000 acres of land on the Murchison and I would prefer it to 2,000 acres of any agricultural country I know of in the State. The Murchison grows some of the best wool in Australia. In addition to the grass, the salt bush and the blue bush, there is top feed which enables stock to withstand a drought, such as they cannot do on the Riverina, for instance. By means of the

railways small holders on the Murchison could in the event of a drought move their stock to other parts of the State where grass is abundant. If the principle contained in my amendment is adopted, it could be extended as a result of experience into the localities I speak of. Our railways are not paying, and the increased rates are proving a burden to the general community. The railways never will pay until the land along the existing lines is put to the best use. If on the Murchison along existing railways the country could be made to carry a population 20 times as great as it does to-day, the railways would be materially assisted. I know of stations there, portions of which have not carried a hoof of stock. Owing to the fact that the improvements on the adjoining property are counted in favour of the leaseholder, the leases cannot be forfeited. This country will carry more stock than it does now.

The Premier: The Murchison is well stocked.

Mr. TROY: If the country were cut up and more water supplies arranged all the available feed could be utilised. In the past this was not so, because the stock were obliged to keep near the few water supplies that were installed. There are many small areas on the Murchison which are heavily stocked. I know of some of 25,000 acres and 30,000 acres.

The Honorary Minister: They are picked holdings.

Mr. TROY: It was the land which was left over by the original settlers. It is the rough stuff referred to by the member for Roebourne. These people went through the 1914 drought and were able to hold on. They carry no more stock per acre than do the large holders.

The Premier: Then how will it benefit the railways to cut up the large holdings?

Mr. TROY: If a thousand families could be settled instead of a hundred families surely it would be of greater benefit to the railway, as well as to the State. Twenty men with an income of £1,000 each are better for the country than one man with a £20,000 income. Some of these small holders also work mining shows.

The Premier: Then they cannot live on their holdings.

Mr. TROY: I have a friend who holds less than 30,000 acres and he is carrying 3,000 sheep. If the Premier says that such a man cannot make a living he is not fit to be Premier. He is a pessimist. No man with 3,000 sheep would fail to make a living. Did the Premier discourage the agriculturists when he only got 3s. a bushel for his wheat? Because this interferes with the pastoralist he discourages the would-be settler. The wife of the Premier's brother recently came into one of the finest stations on the Murchison. There is 100,000 acres on that station near Mt. Kenneth which has never carried a hoof of stock. It cannot be forfeited because the improvements on the ad-

joining country are taken to be improvements on that portion. There are plenty of men who want that country but are not able to get it. It is better to have 100,000 acres carrying two families than that it should not be utilised at all. The young men on the Gascoyne are anxious to get hold of some of the country adjacent to Carnarvon. Now that the meat works are being established there stock can easily be got rid of, and now is the opportunity for encouraging the small holder. I want to see the principle of resumption applied there within 70 miles of a port, which I think is a fair distance to allow. In moving the new subclause, I provide for three years' notice to the pastoralist. I shall be pleased if the Government bring forward a measure within that period to provide for the resumption of these lands and also for the payment of compensation for resumption and disturbance.

The Attorney General: You do not provide for that in your amendment.

Mr. TROY: I provide for a term of three years.

The Attorney General: That means that you compel these people to sell within three years in a forced market.

Mr. TROY: I guarantee that if any part of a Murchison station is put up for sale to-morrow and it is within 70 miles of a railway there will be no lack of bidders at a fair price. Dozens of people will be after it because the value of that portion of the State has been proved, and because of the great advantages which the railways provide. I have had 23 years' experience in the Murchison and my regret has been that I did not take up 50,000 acres of pastoral land in that portion of the State. Pastoralists require very little capital beyond that necessary for fencing and well sinking. The increase in the stock provides returns which enable further fencing to be done, and so he goes on. In the agricultural industry it is much more costly, and whereas a man in the pastoral areas secures a return within his first year, the farmer may have to wait for years. The Committee should realise that the time has come when a start should be made to improve the conditions in the pastoral industry, and we should take cognisance of the advantages which have been derived in Queensland and New South Wales by the settlement of large numbers of graziers. Such a move in Western Australia would prove beneficial to the railways. I gave no sanction to the proposed Meekatharra-Kimberley railway, because it should be the policy of the State to develop the land along existing railways before extending those facilities. Some of the areas I refer to are capable of growing crops, and I know of several stations where they have grown crops successfully for years past. I do not suggest that these pastoral holdings should be cut up for farms. Near Warriendar a man named Park grows the finest hay crops I have seen in Western Australia. Payne's Find, nearly 103 miles from a railway, de-

rives the whole of its chaff supplies from crops grown in that vicinity. I am not convinced that wheat crops will not be grown as far as Carnarvon, except in drought years. Jones Bros. have successfully grown crops 90 miles from Geraldton or 20 miles east from Mullewa, and never experienced a failure except when there has been a failure in the agricultural areas.

The Attorney General: Why not make provision for compensation as part of the new clause? If the hon. member were sincere, he would make provision for compensation.

Mr. TROY: I will make further provision later on that wherever country is resumed for closer settlement compensation shall be paid for improvements and disturbance.

The Attorney General: Is that all?

Mr. TROY: I will make that provision because, as these people have pioneered the country, I do not want to see them disturbed except in so far as large areas must give way to smaller holdings. What has happened in the agricultural areas must happen in the pastoral districts.

The PREMIER: I know that the hon. member believes that we can have a much larger population settled on the Murchison land than we have now. We discussed this matter at great length some time back on a motion by the member for Geraldton. I pointed out then that the average holding in that area was about 250,000 acres, and that that area was well improved. The land is fairly stocked now, and if it were stocked more heavily than it is, it would not be to the advantage of the future of this country. In the Eastern States the method the hon. member advocates has been tried without success. When the top feed is destroyed it takes a heavier rainfall to produce the grass that must grow to enable the sheep to do well. It is not of any advantage to have a large number of people on small areas unless they can produce more. I admit of course that it would be better to have 10 men making £1,000 a year than one man making £10,000 a year. The hon. member wants more sheep to be carried. We have bought stations for soldiers and have bought them cheaply. The hon. member himself will be able to buy a station cheaply if he is willing to give up his farm. It is in the minds of many people that every man who takes up a pastoral area makes a fortune straight away. We know, however, that many pastoralists are not wealthy men. There are many millions of acres of pastoral lands still in the hands of the Crown. In the Kimberley district there are 40 million acres of well watered country right up to the Wyndham Freezing Works. Unfortunately, however, the natives are troublesome.

Mr. Troy: If there is so much land available, why purchase estates?

The PREMIER: Because it was cheaper to purchase the pastoral holdings on which we have settled soldiers, and they were in localities where soldiers wished to go. The hon. member has a keen desire to cut up

the Murchison areas. The member for Geraldton submitted a petition to Parliament only a little while back in favour of that being one, and that petition was supposed to have been signed by returned soldiers who wanted to become pastoralists. When I examined the signatures, I found that there were no budding pastoralists, but that anybody and everybody appeared to have signed the petition. People signed it because they were just asked to sign. Again I tell the Committee that under the appraisements now being made, it will not pay pastoralists to hold land unused. Under the 1917 Act the land will have to be used and it must be improved.

Mr. WILLCOCK: The Premier has referred to the petition which I submitted to Parliament and he questioned some of the signatures which appeared on it. I said at the time that I knew at least 70 or 80 of the signatories of the returned soldiers, while the member for Mount Magnet knew about 100 others to be those of returned soldiers.

The Premier: The petition had only 11 names of returned soldiers.

Mr. WILLCOCK: Very few of those whose names were on the petition signed themselves as returned soldiers. They gave the occupations that they were following at the time. The leases which expire in 1928 need not be disturbed and I would agree to the payment of compensation. It was a grossly immoral political act to further extend the leases for 20 years, and I see no reason why we should do more than pay legitimate compensation.

Mr. CHESSON: I support the amendment in the interests of closer settlement, but I would have preferred that the year 1928 had been stipulated instead of the term of three years. The Murchison is one of the best watered tracts of country in Australia, but better results have been obtained from the small holdings of 50,000 to 100,000 acres than from the big holdings. Sooner or later these big holdings will have to be resumed for closer settlement and the Geraldton freezing works will provide an outlet for surplus stock.

Mr. MALEY: The member for Mount Magnet should have brought down a better considered proposal. His amendment is on all fours with the motion he introduced for the compulsory resumption of 20 million acres for the purpose of soldier settlement. As an afterthought, he now suggests the payment of compensation.

Hon. P. Collier: Second thoughts are generally considered to be best.

Mr. Troy: You are making excuses.

Mr. MALEY: The hon. member cannot tell me that anyone could make a success of 100,000 acres south of the Gascoyne or south of Shark Bay. Immediately after the repatriation scheme was initiated, three million acres south of Shark Bay was taken up by soldier settlers and others, and not until these settlers actually got on the land did the Government wake up to the fact that

this country having been neglected so long could not be much good. A departmental officer who was sent to investigate reported that practically every acre of the three millions was almost valueless for pastoral purposes. I think the member for Gascoyne was responsible for inducing these people to go up there.

Mr. Angelo: No.

Mr. MALEY: The member for Mount Magnet inferred that a man could become possessed of a good holding and make an income of £2,000 a year with practically no effort on his part.

Mr. Green: The pastoralists are the wealthy people in this country and they do the least for it.

Mr. MALEY: The pastoralists on the Murchison have worked as hard as any other section to develop their holdings. One half of our territory is still unalienated—

Hon. W. C. Angwin: You know it is not all suitable for pastoral purposes.

[Hon. G. Taylor took the Chair.]

Mr. MALEY: The pioneering difficulties to-day are not nearly so great as were those which confronted the people who went to the Murchison 30 or 40 years ago. There is a disinclination nowadays to move far from the capital where the maximum amount of comfort is to be obtained. The old spirit of the pioneers is practically dead, and unless one can pioneer by means of motor car or aeroplane, there is no desire to do it. The amendment would lead to the compulsory acquisition of much of this country in the short period of three years and that would cause chaos among a big proportion of pastoralists. I oppose the amendment, which I regard as being similar to that of the member for Geraldton.

Hon. W. C. ANGWIN: In order to remove some of the objections raised by the member for Greenough, I move an amendment on the amendment—

That the amendment be amended by striking out "three years from the commencement of this Act," and inserting in lieu the words "the thirty-first day of December, 1928."

Mr. TROY: I propose to stand by my amendment, but if the Committee adopts the amendment moved by the member for North-East Fremantle on my amendment I will take that as the next best thing. I fear, however, that the hon. member will be disappointed if he expects his amendment to remove the opposition of the member for Greenough and those associated with that hon. member, for they will find another excuse. They would find 100 excuses to meet 100 amendments. The settlement of Ajana, which is in the Greenough electorate, was visited by the member for Moore when Premier; and the settlers then pointed out to the Premier of that day and to the member for Greenough that they could not make

a success of growing wheat, and they said that about 3,000 acres of grazing land for each settler would enable them to get on well. The member for Moore had just then passed the Act of 1917, but neither he nor the member for Greenough told those settlers anything about that Act. The reply given to the settlers was, "We are very, very sorry; but you know, we cannot break existing contracts." They did not tell the settlers that they had just made a contract on behalf of the State with the pastoralists, by which leases expiring in 1928 were extended to 1948. I now propose to let the people of Ajana know what is the real position at present. An opportunity to meet their wishes presents itself here once more, but another excuse is being found. I fear that my fertility of resource, to which the member for Greenough alluded, is not equal to overcoming the many objections which have been raised, and are being raised, and will be raised to any proposition I put forward to secure my wishes. The present Premier is the greatest pessimist in the country. I never heard more piling arguments than those which the Premier put forward against these proposals. If the Premier does not know the value of the Murchison lands, the people of the Murchison and of Geraldton do. Land which is not suitable for the present purpose need not be discussed. I am speaking of land that is suitable.

The Premier: And held.

Mr. TROY: Yes, held by the hon. gentleman's friends. The Agricultural Bank Trustees declared that the country around Geraldton was not suitable for closer settlement, and for years they would not advance money on it. The old Tory politicians have for years condemned those lands. The member for Greenough has never been able to get away from his prejudices, or to see anything except the Greenough flats. He can see no further than those flats. The country I have in mind is, year in and year out, good seasons and bad seasons, country suitable for development in small pastoral areas. I have never put forward that country from the agricultural standpoint, though I certainly think experiments should be made on it with hay crops. However, I stick to my amendment, which does not represent a new thought on my part—I have frequently expressed in this House my adherence to the principle embodied in that amendment.

The PREMIER: I certainly will not support the clause if it is amended as proposed by the member for Mt. Magnet, though I am prepared to vote for the amendment moved on that amendment by the member for North-East Fremantle. The member for Mt. Magnet wants something to happen in three years; the member for North-East Fremantle wants it to happen in eight years.

Hon. P. Collier: And you want it to happen never.

The PREMIER: Since speaking a few minutes ago, I have been furnished with some figures, from which I learn that 6½ million acres in the South Murchison district have been appraised, and that the stations there average 180,000 acres. The largest station contains 700,000 acres, and the second largest 350,000 acres.

Mr. Troy: What is the size of Gabyon station?

The PREMIER: The area of that station is not given.

Mr. Troy: Those figures are not worth the paper they are written on; they are ridiculous.

The PREMIER: They are not so ridiculous as the hon. member's statements. I am not anxious that the hon. member should believe in my figures, but I think the Committee will accept them. I shall vote for the amendment on the amendment, but I shall vote against the amendment itself in any case.

Hon. W. C. Angwin: My object in moving the amendment on the amendment is merely to help my friend the member for Greenough over his difficulties.

Hon. P. COLLIER: I support the amendment of the member for Mt. Magnet, and also the amendment on that amendment moved by the member for North-East Fremantle. I want to secure the three years if I can; otherwise, I shall have to be content with the nine years; and, failing that, I shall have to fall in with the Premier's view that this thing shall happen never. The author of a certain work on social problems has included in it a chapter on land monopoly. The work is entitled "The Case for Labour," by W. M. Hughes, M.J.R., the gentleman who recently, in return for the great services he has rendered to Australia, received a guarantee of the basic wage for life in the form of a gift of £25,000.

The CHAIRMAN: Has the quotation which the hon. member proposes to make from that work a bearing on the amendment?

Hon. P. COLLIER: Yes, because the amendment seeks to prevent land monopoly. Mr. Hughes points out the evils of land monopoly, not only in Australia, but the wide world over.

Mr. Davies: He has not changed his views.

Hon. P. COLLIER: I shall read a portion of the chapter in order to show whether or not Mr. Hughes has changed his views on the subject.

The Premier: Give us the date when that work was written.

Hon. P. COLLIER: It was written before Mr. Hughes became associated with the people who quite recently presented him with £25,000. It was written in the years following on the time when, as he has said, he slept in the Sydney domain for three nights running, with newspapers for covering, and was hungry. Stung, possibly, by those then recent experiences, he dipped

his pen in vitriol to write on the subject of land monopoly. After all, if Mr. Hughes has changed his views, I am not immediately prepared to blame him. Change of views is largely a matter of temptations. It is hard to say who would not change his opinions if he saw £25,000 in the near distance. The chapter on land monopoly begins—

If the mills of God grind slowly, yet they grind almighty small. If there are, between the seed time and the harvest of reform, long and dreary days, if all promise of the good days coming seems to have died, yet in the end, and often unexpectedly, the harvest time comes, and the slow ripening grain waving in the soft warm summer air calls for the man with the scythe. Such a time is now at hand. It is not a local but a world wide phenomenon, and the call for labourers for the harvest does not fall on unheeding ears; the workers of the world straighten their backs, put down for a brief spell hammer, pen, yard stick and needle, and march with resolute step and joyful eye to their task. We are living in stirring times. We see on all sides signs betokening the death knell of despotism. Everywhere the sceptre of the despot is falling from his nerveless hand. Russia, bathed in blood, groaning with agony, marches each day a little nearer to her goal. Russia has a Duma. Persia and Turkey, those ancient strongholds of tyranny and despotism, are now enjoying the first fruits of constitutional government. The people are everywhere coming into their own. Privilege is everywhere on the defensive. Monopoly stands with its back to the wall. Many days will wax and wane before the day of Armageddon comes. But no longer can monopoly lounge in its stronghold gazing beneath lazy eyelids with contemptuous indifference at the puny efforts of the disinherited. It is keenly alert; visibly alarmed; in a little while it will be desperate. The ranks of the sacred band of privilege and monopoly—men denationalised, knowing no country, affecting a bastard patriotism; screaming with jingoistic hysteria when necessary to "rig the market" or "befool the people," are hurriedly closing up. They call upon their deity, they pour excitedly into their synagogue, they frantically call their creatures and servants to their aid. Gold is their god, the Stock Exchange their temple, the world their hunting ground, their fellow-man the game they hunt, capture, sell and degrade. From their fellows they wring the fruits of their toil, save the means of bare subsistence; and with this ill-gotten gold purchase the mercenary ones of the earth body and soul. The lords of the land of Britain, those patriotic men whose untiring efforts on behalf of the country, a deserted countryside bears such pathetic witness, are called upon by the Lloyd George Budget to show cause why they should continue to usurp the functions of

the deity. Furiously they rally their forces to crush this audacious champion of the people of England. We hear in the antipodes the muffled roar of the battle. The struggle leaps over the artificial boundaries of nations. It is world wide and homeric. In Australia the Fisher Government shook the firm foundations of their citadel to its centre. They sought in the desperation of their alarm refuge in the fusion. And so far as it is able, the fusion will do its best to save them. But, though the day of reckoning may be postponed, it cannot be avoided.

And Mr. Hughes went on to say—

In Australia events are moving rapidly in the same direction. If the Fisher Government had had an opportunity of going to the country it would have made a land tax the main plank of its programme. A few months delay has been secured by the supporters of the fusion, but at the elections next year this will be the question which the constituencies will be asked to decide. Upon the land question, defence and immigration are absolutely dependent. Without land talk of immigration is mere babble, without land we cannot expect a sufficient population, and we ought not to advertise resources which, however splendid, are monopolised by an unpatriotic and unselfish few. The main issue upon which the next election is to be fought has long been apparent. That there must be a radical reform of our land policy the briefest and most casual review of the position makes clear. All tinkering with land monopoly has failed to arrest it. Closer settlement schemes are not sufficient. They involve an expenditure of large sums of public money, which go into the pockets of the great landowners and increase the value of all surrounding land, but as a whole they do nothing more. The figures show that the aggregation of big estates grows at a faster rate than closer settlement can keep pace with. In New South Wales it has been difficult to obtain figures showing exactly the effects of land monopoly on the one hand and efforts at settling the people on the land on the other. When the Fisher Government asked for statistics showing the number of estates over the value of £5,000 in this State they were told that none were to be obtained.

and so he goes on to deal with land monopoly in the several States. There are many ways of breaking up large estates. Evidently the Government here have no idea of imposing a land tax which would be effective in that direction. That being so, the hon. member is taking the opportunity to endeavour to break up some of the large pastoral holdings. All experience tells us that land will be more intensively used when held in smaller areas than if it be held in large areas. That applies equally to agricultural and pastoral lands. Even if we were to allow that one person should make the maximum use of land, it is better

from every point of view to have 20 men cultivating and producing wealth than to have one.

Mr. DAVIES: There can be no argument against that.

Hon. P. COLLIER: In all the States the large holders have had to yield to the march of settlement. In Queensland and in New South Wales 30 years ago land was held in large areas, which to-day is cut up among thousands of settlers. In many of the districts the pastoral industry has had to give way to agriculture. That applies to the Darling Downs, which 25 years ago was held as pastoral country but which to-day is the richest dairying and agricultural district in Queensland. I admit that when an estate can be put to that purpose there is for its breaking up an argument which does not apply when the land is suited only to the raising of sheep and cattle. But even in these circumstances the large holdings should give way to smaller holdings. For that reason I will support the amendment.

Mr. DAVIES: I will support the amendment of the member for North-East Fremantle (Hon. W. C. Angwin). For a while I was afraid it might work an injustice on the men we should protect. However, I think that by extending the time to 1928 full opportunity will be given to the Government to make suitable provision. Moreover big changes will take place in Australia before 1928, and I hope that long before that time our population will warrant the cutting up of estates, and that there will be plenty of applicants for every holding.

Mr. Troy: There would be 20 or more to-day.

Mr. DAVIES: I have been assured that closer settlement must be successful up there, provided the settlers are of the right stamp. As to the remarks of the leader of the Opposition concerning the Prime Minister, I must remind the hon. member that Mr. Hughes has tackled the biggest monopoly in the world, namely the shipping trust, by the inauguration of the Commonwealth fleet.

The Premier: I do not know that the trust are much concerned about it.

Mr. DAVIES: They are just as much concerned about it as are some members of the House about land monopoly.

Hon. W. C. Angwin: They are concerned all right. You should hear about them in England.

Mr. DAVIES: A man prepared to tackle a monopoly such as that should not be maligned in this House.

Hon. P. Collier: Nonsense. I quoted him as an authority.

Mr. DAVIES: Yes, but it was the way you said it. I will support the amendment of the member for North-East Fremantle.

Amendment on amendment put and passed.

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

Ayes	...	...	...	11
Noes	...	...	...	20

Majority against ... 9

AYES.

Mr. Angwin	Mr. Teesdale
Mr. Brown	Mr. Troy
Mr. Chesson	Mr. Willcock
Mr. Collier	Mr. Wilson
Mr. Davies	Mr. Green
Mr. Lutey	(Teller.)

NOES.

Mr. Angelo	Sir H. B. Lefroy
Mr. Broun	Mr. Maley
Mr. Draper	Mr. Mitchell
Mr. Duff	Mr. Money
Mr. Durack	Mr. Pickering
Mr. George	Mr. Plesse
Mr. Griffiths	Mr. Pilkington
Mr. Harrison	Mr. Thomson
Mr. Hickmott	Mr. Willmott
Mr. Johnston	Mr. Hardwick
	(Teller.)

Amendment as amended thus negatived.

Hon. W. C. ANGWIN: I move an amendment:—

That the following be added to stand as Subclause 9: "Nothing in this section shall affect the liability to forfeiture of any pastoral lease held or acquired or in which any person is beneficially interested contrary to the provisions of Section 30 of the Land Act Amendment Act, 1917."

This is designed to protect as far as possible the guarantee given to this Chamber when we passed the 1917 Act. We are told that the measure now before us does not affect the 1917 Act. Hon. members should maintain the provisions of that Act in regard to the area of land that each person or company may hold in each division. This is a Bill of confiscation, whereas the 1917 Act confiscated nothing.

The Premier: What does it confiscate?

Hon. W. C. ANGWIN: If a person holds more than one million acres in more than one division, he has to get rid of it.

The Premier: No.

Hon. W. C. ANGWIN: The 1917 Act provided that the pastoral lessee could avail himself of the provisions of that Act after 1928 by complying with certain conditions. There was, however, very grave doubt as to whether the provisions of the Act could not be evaded. I wish to provide against that. It was intended that no company or member of a company could hold more than one million acres.

The Attorney General: You want to ensure that no right of forfeiture which has occurred shall be affected.

The Premier: It is not affected now.

Hon. W. C. ANGWIN: It will remove any doubt.

The Attorney General: There is no doubt.

Hon. W. C. ANGWIN: We shall be protecting the provisions of the 1917 Act.

The PREMIER: The object of the hon. member is to see that the people who hold a million acres in each division are protected.

Hon. W. C. Angwin: It is under the 1917 Act.

The Attorney General: You want to preserve the rights of the 1917 Act?

The PREMIER: This Bill says the pastoralist may hold that which he possesses to-day, but after the passing of the Bill he must not acquire more than a million acres. What the hon. member now wants is that we should say this over again.

Hon. W. C. Angwin: Repetition does not do any harm.

The PREMIER: The hon. member said it did the other night.

Hon. P. Collier: You cannot be too emphatic where confiscation is concerned.

The PREMIER: I resent the suggestion that there is any confiscation. All we say is that after the passing of this Bill the limit shall be a million acres where land is acquired. We say nothing about forfeiture of any existing holdings. I have here a list of the 24 holdings which do exceed a million acres. The hon. member is anxious that there shall be no confiscation. I am with him there for I do not desire to ask the House for one moment to agree to anything in the nature of confiscation. The Bill, however, provides for the reverse.

Hon. W. C. Angwin: I want to protect those who came in under the 1917 Act.

Hon. P. Collier: The Premier will surely not oppose that.

The PREMIER: I do not know that we should pass it, because it might be construed as an admission that the Bill provides for confiscation, which it does not do. The amendment simply says what the Bill says and is therefore unnecessary.

Mr. Chesson: Let us pass it for the sake of harmony.

Hon. P. Collier: Yes, on the question of confiscation. We have to be careful about that.

The PREMIER: But there is no confiscation in the Bill at all. Hon. members can be quite certain of that.

Amendment put and passed; the clause, as amended, agreed to.

Clause 6, 7—agreed to.

Clause 8—Amendment of Section 30 of No. 19 of 1917:

Hon. P. COLLIER: What is the reason for this amendment?

The PREMIER: It is to give a selector of pastoral land an opportunity to bring his land into use before he is called upon to pay the higher rent. We propose that the rent shall not be more than 10s. per thousand acres for the first five years.

[Mr. Stubbs resumed the Chair.]

Hon. P. COLLIER: I do not see that there is any need for the clause, notwithstanding the fact that the settler will have to pay a slightly higher rent, I consider that five years is a fairly lengthy period. It is not likely that the rent would extend beyond 10s. and that would scarcely prove a hardship.

The Premier: It might easily prove to be a hardship on new settlers.

Hon. P. COLLIER: The limit was 10s. regarding pastoral lands taken up in the past.

The Premier: The rents were 10s., 5s., and 3s.

Clause put and passed.

New clause:

The PREMIER: I move—

That the following new clause be added to stand as Clause 9:—(1) Any person aggrieved by an assessment under subsection 4 of Section 30 of the Land Act Amendment Act, 1917, of the rent to be payable under a pastoral lease, or by re-assessment of the rent payable under any pastoral lease, may within three months after notice has been given to him of such assessment or re-assessment, appeal in the prescribed manner from such assessment or re-assessment to a judge of the Supreme Court. (2) Every such appeal shall be heard and finally determined by a judge with the aid of two assessors, one to be appointed by the Minister and the other to be appointed by the appellant, and the amount of the annual rent shall be thereby fixed. (3) If after an appeal has been heard and determined, the appellant refuses a lease at the rent thereby fixed, the costs of the appeal shall be payable by the appellant; but subject thereto the judge may make such order as to the cost of the appeal as in his discretion he thinks fit. (4) On an appeal under the provisions under this section by a lessee, the prescribed period of six months for the declaration by the lessee of the acceptance or refusal of a new lease shall be extended for one month after the appeal shall have been heard and determined.

Mr. Troy: I thought so. The appeal is to a judge. The Attorney General must have drafted the amendment.

The PREMIER: The appraisements are now being made and recently I informed hon. members that 26 million acres had been appraised, the average being about 25s. 7d. per thousand acres. The highest rental fixed was 43s. per thousand and the lowest 14s.

Mr. Troy: Where was the 43s. rental fixed?

The PREMIER: I think it applied to the leases on Dirk Hartog Island. We only want to do justice to the country and to the pastoralists, and if they feel aggrieved at the rents which are fixed they should have means of appeal. Evidence would have to be produced in support of the appeal and the rental would have to be determined in relation to the carrying capacity, situation of holdings, cost of development and so on. The Chairman of the Board of Appraisers is the Surveyor General (Mr. King) and the other members are Mr. Canning, Surveyor in charge of the North-West, and Mr. McLean, a very experienced pastoralist. Where the pastoralists are dissatisfied with the appraisements that have been made by the board of appraisers, it is only right that they should have the power to appeal. In the Eucla division a person can hold pastoral areas at a rental of 3s. per thousand acres. If he surrenders that land and takes up a new lease he may have to pay a higher rental. Land in one part of the State has already been appraised at four

times the rental the pastoralist was formerly paying. Pastoralists may now be called upon to pay much heavier rentals. It is possible, of course, for the lessee to retain his holdings and allow them to run out in 1928. I hope that will not be done often because I think that where the leases are extended, we should be entitled to the increased rents. We want to do justice to the pastoralist and he should have the right of appeal to a judge of the Supreme Court. I did not think of giving the right of appeal when the Bill was originally drafted. The point has been brought under my notice, however, and I agree that it is not a matter which should be left to a Minister to determine. It is too big a subject to be dealt with by a Minister and should be the subject of an appeal to the Supreme Court. I hope the Committee will agree to the new clause. It is a fair thing to give a lessee the right to go to some tribunal if he feels that the assessors have made a mistake in connection with the appraisalment of property. It may be that the appraisers have over valued or under valued the cost of making improvements, or even over estimated the profit likely to be made out of sheep. Parliament will be doing the right thing to give the lessees the opportunity to appeal to a tribunal which I think will be satisfactory, a tribunal such as that suggested in the new clause.

Hon. P. COLLIER: This is a most important amendment, and I am going to resist it with all my strength. In doing so I must express my surprise that the Premier has launched it upon the House at this stage. There is no clause in the Bill which we have been dealing with of equal importance to the new clause submitted by the Premier. We have had the Bill before us for a considerable time, but no intimation has ever been given that it was the intention of the Government to submit such a proposal. The Premier told us by way of explanation for it not appearing in the Bill, that it did not occur to him. It is a most extraordinary thing that in drafting a Bill of this kind, which has been under the consideration of the Government since December of last year, these amendments of the Land Act as they affect pastoral leases with such a vital question as this, did not occur to the Government until to-day. It is rather significant that during the debate on the second reading, two hon. members in this House who represent the pastoral areas of Kimberley and Gascoyne, suggested that there ought to be some board of appeal set up to deal with the appraisement.

Mr. Angelo: We have only just heard of the appraisements.

Hon. P. COLLIER: The appraisements have been out for months. The people affected are not living in the wilderness: they are living in comfortable circumstances in Perth. Besides, they have attorneys and representatives who watch every move. The appraisements have been out for months. Let the hon. member defend the position on more substantial grounds. Those two hon. members told us last night that they thought there ought to be some board of appeal. It was a kind of afterthought, and the Premier very obligingly said, "All right, I will draft an amendment." We have heard a good deal about the amendments which have been moved and the attempts which have been

made to go back on the Act of 1917, the attempts to include something in the Bill which would take away the right of someone or which would affect the pastoral holders detrimentally. Now we have this sprung upon us which is a breach of the contract entered into by Parliament with the pastoralists. This House in 1917 would not have agreed to the renewal of the pastoral leases at that stage had it not been for the provision that there would be an impartial tribunal appointed. One of the arguments then was that the State was going to get large sums by way of increased rents. Now, having secured an extension of the Leases to 1948, mainly by telling the House that there was going to be an increase in revenue, they say that the rents do not suit and therefore a tribunal must be set up which will be instrumental in reducing the appraisalment decided upon by the board. The Premier has told us that the men who have made these appraisements are highly qualified and impartial officers who have had years of experience in the North-West, that they were well fitted for their work and that they had no interest in fixing the appraisements beyond what their honest judgment dictated to them those appraisements should be. Now when the results are known to be not acceptable to some of the people concerned, an effort is made to get behind the Act of 1917 by saying, "We will have an appeal board." The Premier declares that these officers may not have taken into consideration many factors affecting the pastoralists. But if we are going to allow appeals against the decisions of a qualified board who have been through the country— they know its capabilities and its carrying capacity— and these appeals are to be made to a board, the chairman of which is to be a supreme court judge who has never seen the North-West and who does not know anything about it—

Mr. Angelo: Neither have the board been to the North-West.

Hon. P. COLLIER: Does the hon. member say that Mr. Canning, the surveyor, does not know the country?

Mr. Angelo: He has not been there recently.

Hon. P. COLLIER: Mr. Canning led an exploration party right through that country. When it was stated in the House who the members of the appraisalment were to be, we were also told that we had nothing to fear. We were told that we could extend these leases because we would get increased rents. Now, learning what the appraisements are, fault is being found with the personnel of the board. If the members of the board are not qualified to conduct these appraisements, where are we going to find anyone in the State who is qualified, excepting of course the men who actually hold the leases? The Government should stand by the arrangement that was made under the 1917 Act. Pastoralists at that time asked for the right of the renewal of their leases: they were to have the option of continuing their present leases until 1928, or to have the right of renewal to 1948 subject to reappraisalment by the board. Now, because the prices fixed are not satisfactory to the leaseholders, we are asked to allow the matter to be referred to a judge. There are many things that a judge may be qualified to do, but with all due respect to the judges of the Supreme Court, they are the least qualified.

of anyone to carry out this work of reviewing the appraisements. The amendment submitted by the Premier is a monstrous proposition. It seems to be that members representing the North-West have only to stand up and make a suggestion in a casual kind of way and immediately the Government, never having thought of it before, set to work to oblige those hon. gentlemen. The proposal of the Government is wrong, and it is unjust, and members on this side of the House who have been voting mainly in the hope of preserving the provisions of the existing Act should not tolerate the passage of an amendment of the nature submitted by the Premier. Will the hon. member defend a judge who has never seen the district and express opposition to Mr. Canning because he has not been there recently?

Mr. Angelo: A judge acts as chairman of the Civil Service Appeal Board.

Hon. P. COLLIER: There is no comparison between the two.

Mr. Angelo: He adjudicates on the evidence.

Hon. P. COLLIER: What is the evidence which has guided the board who fixed the rent? It has been first hand knowledge; they know the country. We could call evidence in Perth till the crack of doom, and it would be impossible to convey a proper comprehension of the conditions existing in the North-West. Has it not been the complaint of members representing that part of the State that we do not know the North-West, that we have had no practical experience of it because we have not been there? But that does not matter when it comes to fixing the rents for pastoralists: a judge of the Supreme Court will do. It is strange that this amendment did not appear in the Bill when it was introduced. The Premier did not overlook some very trivial amendments, but he overlooked this all-important one. Why is a concession to be given to the pastoral lessees by way of an appeal which is not conceded to other land holders? Clause 2 of this same Bill gives power to the Minister to decide the price to be paid for blocks in our townsites, and there is no appeal there. The land holder has to accept the decision of the Minister.

The Premier: But there is a limit of 15s.

Hon. P. COLLIER: But within the limit the land holder has to accept the price fixed by the Minister. The Minister might fix the price at 15s. for land which is not worth 5s.

Mr. Thomson: The land holder could have it reclassified on paying the fee.

Hon. P. COLLIER: But there is no appeal from the decision of the Minister. I ask members to point to any Act affecting the purchase price for land or the rental price for leasehold in which a right of appeal is given. It is not given anywhere. This is a special concession. The pastoralists, having secured the right of renewal of their leases under certain conditions, now seek to go back on those conditions. It is a breach of faith with the Parliament that passed the Act.

Mr. Willcock: A repudiation.

Hon. P. COLLIER: Yes; it is a repudiation of the conditions under which the leases were granted to set up a tribunal which will enable them to get behind the rental fixed by the board constituted under the Act. The Premier cannot justify the proposal. It is an all-important

matter which may mean tens of thousands of pounds in revenue to the State. Yet it did not occur to the Premier till this morning, notwithstanding that so many tin-pot amendments were included in the Bill. It would be wrong for the Committee to agree to the proposed new clause at this late hour of the night. We should afford people outside an opportunity to voice their opinions.

The Premier: I do not wish to hurry it. I shall agree to report progress.

Hon. P. COLLIER: It will not be hurried if I can prevent it. I am going to oppose it so long as I am able to talk. It is a breach of the conditions under which the right of renewal was given in 1917. It is an attempt to get behind the Act and to obtain concessions which were never contemplated. If these concessions had been contemplated, the right of renewal would never have been given.

Mr. Thomson: Do not you think—

Hon. P. COLLIER: I do not think anything like the hon. member thinks. He is an apologist for everything where special privileges and vested interests are concerned.

Mr. Thomson: Nothing of the sort.

Hon. P. COLLIER: We have had the spectacle of imposing a super tax on the worker getting £5 a week, but the hon. member finds all sorts of plausible excuses to relieve the burden on a wealthy section of the community which will be the effect of this amendment. Members opposite are quite willing to pile taxation on to the man earning £5 a week—

Mr. Thomson: That is incorrect.

Hon. P. COLLIER: The hon. member is one of the first to trot out plausible excuses where vested interests are concerned. The hon. member had no excuse for the unfortunate individual receiving £5 a week who has taxation piled upon him.

Mr. Thomson: You are talking nonsense and piffle.

Hon. P. COLLIER: This is the most unjustifiable proposal which has come before the House for many years, and it is brought down at the tail end of the Bill. It is an absurd and ridiculous proposition, and I shall oppose it to the utmost limit of my power.

The PREMIER: I think members might well ask for some time to consider this proposal, but having considered it they will realise that it is quite a reasonable proposal.

Hon. W. C. Angwin: Not after the 1917 Act.

The PREMIER: We want to do justice to the pastoralists.

Hon. P. COLLIER: We want to do justice to the people of the State.

The PREMIER: The board are capable of making the adjustments. The utmost care is exercised: the reports are very complete, every detail is given, and I think the chances are that these reports would be the evidence on which the judge would decide. It is reasonable that the pastoralists should have an opportunity to present their case if they think the rent is excessive. I am willing to give members an opportunity to consider the proposal. I admit that it represents a considerable amendment to the Bill, and that members might reasonably ask for time to consider it.

Progress reported.

House adjourned at 11.12 p.m.