

Hon. E. ROSE: I do not think his work here has qualified him for recommending a potato expert for the South-West. We want a fully qualified man. As a rule the men appointed to these positions are not qualified. Mr. Baxter says that Mr. Wickens has control of the State farms and of the butter and bacon factories. Judging by the result of the Busselton factory, I do not think he has proved himself altogether capable. The State farm at Brunswick is sending the whole of its cream all the way to Busselton. That in itself should condemn the action of the manager. Why should not that cream be sent to Bunbury and so save many miles of railway carriage?

Hon. H. Stewart: Does not Mr. Wickens know all about potatoes?

Hon. E. ROSE: I cannot say, but I know we certainly want a potato expert down there to advise the growers. Mr. Baxter quoted the tonnage of potatoes grown in Western Australia during the past two years. Over 2,000 tons per annum are sent away from farms along the Collie River. It was that district I had in mind when speaking of the blight. The question there is very serious. Unless we learn how to eradicate the blight, all the smaller growers will be squeezed out of the industry. We want to know the best and cheapest way of eradicating the blight. Mr. Baxter also stated that 4½ acres of potatoes were growing at the Brunswick State Farm. From what I have seen, the potatoes have not been a success at Brunswick. Only two or three years ago they had a blight there, and I asked Mr. Connor what was wrong with the potatoes. He replied, "Irish blight." I then asked him if he had tried the spray and he said, "No. Have you any other questions to ask?" That was the attitude of Mr. Connor towards a civil inquiry. I do not know that it is necessary to say anything further, seeing that Mr. Baxter has already appointed Mr. Young for the time being. I hope that, if Mr. Young is not found to be capable, he will be replaced by an expert. There are only 18 cows milking on the Brunswick State Farm, and how the farm can be financially successful, I do not know.

Hon. C. F. Baxter (Honorary Minister): I did not say it was. I thought you were referring to the butter factory.

Hon. E. ROSE: If Mr. Wickens were the man he is said to be, he would advise the Government to buy more stock and so make the farm more profitable. I am pleased to hear that it is proposed to purchase some cows and to introduce good pigs down there. In view of what Mr. Baxter has said, I will withdraw the motion.

Motion by leave withdrawn.

House adjourned at 9.59 p.m.

Legislative Assembly,

Tuesday, 3rd December, 1918.

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

[For "Questions on Notice" and "Papers Presented" see "Votes and Proceedings."]

PAPERS—WITHDRAWAL FROM TABLE.

Mr. SPEAKER: I would draw the attention of hon. members to the fact that the file relating to the Goldfields Mining and General Workers Industrial Union of Workers has been asked for by the department. I shall be glad if hon. members will peruse it before tomorrow as I intend to permit its removal from the Table of the House.

BILL—DISCHARGED SOLDIERS' SETTLEMENT.

Resumed from the 29th November; Mr. Stubbs in the Chair; the Premier in charge of the Bill.

Clause 24—Restriction on right of transfer:

Hon. J. MITCHELL: This clause will not allow a soldier to transfer his land under a period of 10 years. I think that is too long. It seems to me that five years' residence should be sufficient.

The PREMIER: We should not allow a returned soldier to transfer under a period of 10 years a lease which has been granted to him under such generous conditions. It would be unwise to allow the lease to be transferred too soon and five years is not long enough.

Mr. SMITH: I cannot agree with the Premier. I do not see why we should make any distinction between leases granted to soldiers and leases granted to others. We are granting these concessions to soldiers for services rendered, and if they put in the ordinary term of five years there should be no objection at the end of that period to the soldiers doing what they like with the property. They have rightly earned it, and having spent five years in improving the property, it would be hard upon them to make any distinction so far as they are concerned. I move an amendment—

That the word "ten" be struck out and "five" inserted in lieu.

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

Clause 25—agreed to.

Clause 26—Power to extend Act to advances made before the commencement thereof:

Hon. T. WALKER: What is the scope to be given to those who are interested, apart from the Government or the board, in settling soldiers upon the land?

The PREMIER: This is intended to legalise any concessions that have been granted to the returned soldier in accordance with the provisions of this Bill.

Hon. T. Walker: By whom?

The PREMIER: By the Government. It cannot apply to any scheme, but that which has been set in motion by the Government.

This merely makes the Bill retrospective in regard to these matters.

Hon. T. WALKER: If it simply means what has been done in anticipation of the Bill the clause should say so.

The Premier: That is all.

Hon. T. WALKER: That is not stated. There are many private schemes that contemplate the settlement of returned soldiers, and this clause ought to be amended to prevent it from embracing those schemes.

The Premier: There are no private schemes in operation.

Hon. T. WALKER: The clause should be amended so that the Governor may extend it to all things done with the sanction of the Government in contemplation of the passing of this measure.

The PREMIER: I think the clause is definite enough as it is. Power is only given to the Executive to extend the provisions of the Act in this way. It only applies to any scheme which may be embodied in the Bill, and to no other. I know of no scheme except those which have been inaugurated by the Government.

Hon. P. Collier: There may be some.

The PREMIER: There are none now, and after the Bill is passed it will not apply to any. I do not know that there is even a necessity for the clause.

Hon. T. WALKER: I move an amendment—

That after the word "made" in line 2 there be inserted "with the sanction of the Government."

The PREMIER: I have no objection to that.

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

Clauses 27 to 29—agreed to.

Postponed Clause 10—Special provision for settlement of discharged soldiers:

The PREMIER: I move an amendment—

That in Subclause 4 all the words after "be" be struck out and "remitted, but this shall not apply to an area of more than 100,000 acres" be inserted in lieu.

This will mean that the payment of the rent on a pastoral lease granted to a discharged soldier may, for the first five years' term, be remitted.

Mr. ANGELO: If this amendment is carried, will it debar a returned soldier from applying for more than 100,000 acres?

The Premier: No. If he takes up 500,000 acres, this will apply to 100,000 acres, and no more.

Amendment put and passed.

The PREMIER: I move a further amendment—

That Subclause 4, as amended, of Clause 10 stand as Clause 12.

Amendment put and passed.

Clause, as amended, put and passed.

Postponed Clause 11—Price of land:

Hon. J. MITCHELL: I move an amendment—

That, in lines 5 to 8, the words "or (b) before the commencement of this Act, but after his appointment as an officer or enlistment as a member of the forces, as afore-

said" be struck out.

The PREMIER: I have no objection to the amendment.

Amendment put and passed.

Hon. J. MITCHELL: I move a further amendment—

That, in lines 9 to 15, the words "by one-half; and any discharged soldier who, at the time of his appointment or enlistment as aforesaid, was the holder of a conditional purchase lease under the Land Act, 1898, shall not, as from the date of his appointment or enlistment, be required to pay more than one-half of the balance of the purchase money (exclusive of the value of improvements, if any) payable in respect of his holding" be struck out.

The proposal is to reduce the price of land by one-half. The effect will be to let the soldier select up to 640 acres of agricultural land just as he can select 100,000 acres of pastoral land, the 640 acres being the same as the 160 acres free farm to-day. I shall later move a subclause to give effect to that desire. The 640 acres will really be a free homestead farm, but the provision will apply only to the wheat belt. It would be better to allow the soldier 640 acres free of all charges than to allow him half rent on, say, 2,000 acres. If he were selecting 2,000 acres he would be better off under the half rent arrangement, but if he were selecting only 1,000 acres he would be better off by getting the 640 acres free. If we want to be liberal to the soldier, let us give him 640 acres free under the conditions of residence and improvements.

Mr. Smith: What would be the average value of 640 acres?

Hon. J. MITCHELL: The value may be 10s. or perhaps 15s. per acre.

Mr. Smith: Suppose the soldier took 2,000 acres priced at 20s. per acre?

Hon. J. MITCHELL: In that case, of course, the soldier would save £1,000.

Hon. W. C. Angwin: Your proposal is to put all soldiers on the same level?

Hon. J. MITCHELL: Yes.

Mr. Smith: The Bill is really more generous to the soldier than your proposal.

Hon. J. MITCHELL: Only in the case of those who take up very large areas.

The Premier: But one can only take up 2,000 acres of grazing lease.

Hon. J. MITCHELL: One can take up 1,000 acres under Section 55 and 1,000 acres under Section 56, neither of which would be a grazing lease at all.

Hon. P. Collier: The one is with residence, and the other is without residence.

Hon. J. MITCHELL: One can take up 5,000 acres of grazing lease.

Mr. Harrison: Section 56 carries double improvements.

Hon. J. MITCHELL: Yes. I am anxious to see all soldiers get equal treatment, and also the treatment that will suit them best.

The PREMIER: I think I shall be able to satisfy the House that the provisions proposed by the Government are more reasonable than those which the hon. member desires to insert. In the first place, no one can take up more than

1,000 acres of first-class land. Of course, in addition he can have a homestead lease of 160 acres and, if he wishes, he can take up 5,000 acres as a grazing lease. Under the provisions of the Bill, the soldier will get 160 acres free. To that every selector is entitled. Then the soldier gets 1,000 acres at half-price. Suppose the land be valued at 10s. per acre, the total value would be £500; at half-price, of course, it would be £250. So the returned soldier would pay £250 for 1,160 acres. The hon. member, in his amendment would allow the returned soldier 640 acres free, but the returned soldier would have to pay for the balance at 10s. per acre, which would amount to £260. Therefore, under the amendment the soldier would be paying £10 more than he would have to pay under the Bill. Say a soldier takes up 3,000 acres of grazing lease. Of that area 160 acres would be free. That leaves 2,840 acres at 4s. per acre, or £568. Half of that amount is £284. Under the amendment he would be allowed 640 acres free, which would reduce the area to 2,360 acres, for which he would pay full price, or £472, whereas under the Bill he would be called upon to pay £284 for the same proposition. It will thus be seen that the conditions in the Bill are more generous on the larger area than is the amendment, while even on the smaller area there would be an advantage of £10.

Hon. J. Mitchell: No.

The PREMIER: But it is so. He can take up 1,000 acres, and in addition he has 160 acres as a homestead.

Mr. Pilkington: But you are not giving credit for the 160 free acres under the amendment.

Hon. F. E. S. Willmott: But that is wrong.

The PREMIER: It is proposed in the amendment not only to give the returned soldier 640 acres free, but also to give him the right to apply for another 160 acres as a homestead lease. I am afraid it would cause a great deal of trouble determining whether the climatic conditions were unsuitable for intense cultivation.

Hon. J. Mitchell: We are not discussing that now.

The PREMIER: No, but the hon. member, even in his first amendment, proposes to adopt that proposal. The provisions in the Bill are generous, and I hope the hon. member will not press his amendment.

Hon. J. MITCHELL: On the larger area, I must admit, the Bill has an advantage over my amendment. I was not so much concerned about the larger area, but I do want to be generous to the extent of a farm.

Mr. Munsie: And to give every man the same concession.

Hon. J. MITCHELL: Yes. An area of 1,000 acres would be a fair-sized farm on the wheat belt. If the returned soldier took up 1,000 acres he would be £45 better off under my proposal than under the Bill. I was surprised to hear the Premier say that a man could take up only 1,000 acres of first-class land and 160 acres of homestead, because I think a man can take 1,000 acres under residence conditions and

1,000 under non-residence conditions, or 2,000 acres in all.

The Premier: But the soldier must reside.

Hon. J. MITCHELL: Yes, but he may in addition select 1,000 acres under Section 56 of the Land Act. Therefore he can take 2,000 acres in all.

The Premier: But I meant under residence.

Hon. J. MITCHELL: Any soldier may take up 2,000 acres. I admit that on the larger area he would be better off under the Premier's scheme, but on the smaller area he would be much better off under my proposal. When I framed my amendment I was contemplating agricultural land, not pastoral areas. I confess that for some injured men the grazing farms might be of considerable advantage. I should be sorry to interfere with the Premier's proposal in that regard, but so far as my proposal applies to agricultural lands, it is absolutely right. If the amendment is carried I hope the Premier will provide a new clause dealing with grazing leases.

Mr. MALEY: I do not propose to support the amendment with regard to the larger areas. We have a definite illustration of the non-success of farming in this country with men holding areas not large enough to carry stock. The people who have gone under have been those who have confined their attentions solely to agriculture, those who have not had sufficient area to graze stock. My advice would be to take as much area as possible and stock the holdings instead of going in for agriculture or anything else solely.

Mr. MUNSIE: I do not like the clause or the amendment. If we are limiting the area to 1,000 acres, there is not the necessity for the amendment that there would be if the area were not limited. If the clause is carried as it is now, it certainly will give a man in a position to take up a larger area a greater benefit than the man who can only take up 1,000 acres. As it stands we are not giving the man who has a c.p. lease a fair deal. If a soldier has paid half the money owing on the land and he returns from the Front, the Bill only gives him a rebate of half of the balance owing, whereas the soldier who did not have land and who enlisted and returns, gets the full rebate. If there is to be no amendment to give a man who has already taken up a c.p. area better conditions than the clause gives him, I will support the amendment which has been moved.

The Premier: I have an amendment which will meet the position.

Amendment put and negatived.

The PREMIER: I move an amendment—

That after the word "holding" at the end of line 15 the following words be added:—"and one half of the amount of instalments of purchase money paid by him prior to his appointment or enlistment exclusive of the value of improvements, if any, may be applied towards the payment of such balance of the purchase money."

Mr. MUNSIE: I agree that the amendment makes the position fair. The Premier stated the returned soldier may possibly be taking up land that has been repurchased with improve-

ments on it. Therefore, this amendment will not apply to repurchased land.

Hon. J. Mitchell: Often Crown lands are improved before sale.

The Premier: The clause does not apply to repurchased land.

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

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported.

BILL—CRIMINAL CODE AMENDMENT.

Council's Amendments.

Schedule of six amendments made by the Legislative Council now considered.

In Committee.

Mr. Stubbs in the Chair; the Attorney General in charge of the Bill.

No. 1. Clause 7, Subclause (1).—Add the following proviso:—Provided that if the offender's age does not exceed twenty-one years he is guilty of a misdemeanour, and liable to imprisonment with hard labour for two years with or without whipping:

The ATTORNEY GENERAL: In this amendment made by the Legislative Council a differentiation in the case of carnal offences has been made in the punishment meted out between an offender under 21 and an offender over that age. A somewhat similar suggestion was made in Committee in this Chamber by the member for North-East Fremantle. I see no reason to object to the amendment. I move—

That the amendment be agreed to.

Mr. ROCKE: I cannot see why a girl of sixteen should be made responsible, whereas a boy is not made wholly responsible until he is 21. When the Bill was in Committee I moved to raise the age of responsibility of a girl to 18. In order to be consistent I move an amendment on the Council's amendment—

That the words "twenty-one" be struck out and "eighteen" inserted in lieu.

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

Ayes	13
Noes	19
Majority against ..	6

AYES.

Mr. Angwin	Mr. Jones
Mr. Brown	Mr. Lambert
Mr. Chesson	Mr. Locke
Mr. Collier	Mr. Walker
Mr. Davies	Mr. Willcock
Mr. Foley	Mr. Munsie
Mr. Green	

(Teller.)

NOES.

Mr. Angelo	Mr. Nairn
Mr. Brown	Mr. Pilkington
Mr. Duff	Mr. R. T. Robinson
Mr. Gardiner	Mr. Smith
Mr. George	Mr. Teesdale
Mr. Hudson	Mr. Underwood
Mr. LeRoy	Mr. Vervard
Mr. Maley	Mr. Willmott
Mr. Mitchell	Mr. Hardwick
Mr. Mullany	(Teller.)

Amendment thus negatived.

Question put and passed; the Council's amendment agreed to.

No. 2. Clause 7, Subclause (3).—Strike out this subclause, and insert the following in lieu thereof:—(3.) A prosecution under this section must be begun within three months after the offence has been committed:

The ATTORNEY GENERAL: This amendment is in connection with the lapse of time during which a prosecution may be made for the actual committal of an offence upon a girl, and also for the attempt to commit such an offence. The amendment made by another place substitutes for the term of six months, as was contained in the Bill when it reached the Council, a period of three months. When a girl of 16 has carnal knowledge with a man it is reasonable to assume that she will not own up to it until circumstances reveal the fact; and discovery cannot probably be made before the lapse of three or five months. Women's associations and mothers complain that three months is too short a time, because it renders it possible for persons, who should be liable, to get off scot free. Under the original English Act of 1885 a charge had to be made within three months, and that was the Statute copied when the amended Criminal Code was brought forward by the member for Kanowna. In 1904 in England that three months was extended to six months. I find by the Criminal Law Amending Bill of 1918, which, according to the report I have, had passed its second reading, there was a proposal to increase the period to 12 months. If it is suggested in England to increase the term to 12 months it is not unreasonable to ask the Committee to pass legislation fixing it at six months. I therefore oppose the amendment made by the Council. I move—

That the amendment be not agreed to.

Mr. ROCKE: We have had two cases recently, one in Perth and one in Subiaco, in which assaults have been committed against girls, and in which proceedings could not be instituted, when it was found necessary to do so, because the period of three months had elapsed. I hope the Committee will disagree with the Council's amendment.

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

No. 3. Clause 8, Subclause (1), paragraph (iii).—After the word "guardian" insert the word "employer," and add the following proviso:—Provided that if the offender's age does not exceed twenty-one years he is guilty of a misdemeanour and liable to imprisonment with hard labour for two years with or without whipping.

The ATTORNEY GENERAL: It is proposed by this amendment to add to the category, provided in the clause, persons who are employers of girls. It is quite right that girls should be protected, not only from schoolmasters or teachers, guardians, and so on, but that they should also be protected from those who stand to them in the relation of employers who for the time being may be said to have the care of them. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 4. Clause 3, Subclause (3), omit the first two lines and insert: "If a person accused of the offence of unlawfully and indecently dealing with a girl under the age of sixteen years proves that the act was done with the consent of the girl":

The ATTORNEY GENERAL: While the Bill was being discussed here, an hon. member took exception to Subclause (3) and an amendment was carried providing that if the act was done with the consent of the girl and the accused believed the girl to be over the age of sixteen years, then he should stand in the same position as if the girl's age had in fact been what he believed it to be. While the Bill was passing from this House to another place, it occurred to me that the provision had been made too wide; and I took steps to induce the leader of another place to confine the provision solely to girls between the ages of thirteen and sixteen years, and not let it apply to idiots or imbeciles. In the case of idiots or imbeciles, age should be no protection whatever to an offender. Similarly, in the case of girls under the age of seventeen years it should be no defence to a guardian or school teacher or employer, all of whom would have means of knowing the age of the girl, to say, "I believed the girl was over the age of seventeen years." Girls under guardianship should have protection up to the age of seventeen years. I accordingly move—

That the amendment be agreed to.

Hon. W. C. ANGWIN: I fail to understand the reference to "the age of thirteen years."

Hon. T. Walker: It seems to be in the wrong place.

Mr. Pilkington: It is quite right.

The Attorney General: The word "proves" carries it right through.

Hon. W. C. ANGWIN: The provision refers to girls between the ages of thirteen and sixteen years.

Mr. Pilkington: Yes.

Hon. P. COLLIER: As I understand the position, if the amendment is agreed to, any person accused of indecently dealing with a girl between thirteen and sixteen years of age offers a sufficient defence if he proves that he had the consent of the girl.

The Attorney General: No. If he proves that he believed the girl to be over the age of sixteen years he shall stand in the same position as if she had in fact been over that age.

Mr. Pilkington: He would be guilty as if the girl were, say, 16½ years old.

Hon. P. COLLIER: What does the reference to the act having been done with the girl's consent mean?

The Attorney General: Go on reading the clause.

Hon. P. COLLIER: I want it to be perfectly clear that consent on the part of a girl under sixteen years is not to be deemed a sufficient defence.

The ATTORNEY GENERAL: That is not so. Before an accused man can get the benefit of belief as to the girl's age, he must prove her consent. If there is no consent, the case is one of rape.

Question put and passed; the Council's amendment agreed to.

No. 5. Clause 9, after the word "by," in line 2, insert the words "inserting the word 'employer' after the word 'guardian' in line 1, and by":

The ATTORNEY GENERAL: The punctuation of this amendment appears to be wrong.

Sitting suspended from 6.11 to 7.30 p.m.

The ATTORNEY GENERAL: Before tea I was a little confused as to the meaning of amendment No. 5. The difficulty about it is that it is an amendment on an amendment. Its object is to insert after "guardian," in Section 190 of the Criminal Code, the word "employer," and to do this the amendment of the Council has taken the peculiar form presented on the Notice Paper. It is quite in order, and it is really consequential on our having introduced the term "employer" into the privileged class intimately associated with young persons. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 6—Strike out Clause 13:

The ATTORNEY GENERAL: It will be remembered that Clause 13 is an amendment of Section 211. It deals with racing, and it was introduced at the eleventh hour. It was contended that we should state plainly in the statute whether betting on racecourses was or was not allowed. The Committee took upon itself to amend the section as provided in Clause 13. At the time I was in favour of leaving things as they were, and so I agree with the amendment. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

[The Speaker resumed the Chair.]

Resolutions reported and the report adopted.

A committee consisting of the Attorney General, Hon. T. Walker, and Mr. Davies drew up reasons for not agreeing to the Council's amendment No. 2.

Reasons adopted and a Message accordingly returned to the Council.

BILL—AGRICULTURAL LANDS PURCHASE ACT AMENDMENT.

In Committee.

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

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 4:

Hon. W. C. ANGWIN: When speaking on the second reading I made a mistake in regard to this clause. I apologise to the Premier for that error.

Clause put and passed.

Clauses 4, 5—agreed to.

Clause 6—Amendment of Section 8:

Hon. W. C. ANGWIN: This strikes out from the Act the words "and is likely to be immediately selected for agricultural settlement." I think some explanation should be given. Does it mean that the Government do not intend to purchase land likely to be selected for agricultural settlement? In any case I think the Lands Purchase Board might well deal with this.

The PREMIER: It is considered by the Lands Department that this has caused some inconvenience. The land may not be all required for agricultural settlement; some of it may be suitable only for grazing purposes. I conclude that the Lands Department has found some difficulty in this matter and has thought it better that the words should be struck out. As it is, the provision hampers the operations of the department.

Clause put and passed.

Clauses 7, 8—agreed to.

Clause 9—Extension of the term of leases:

Hon. W. C. ANGWIN: This clause is very indefinite. In almost every case the matter is left entirely to the discretion of the Minister. Under the clause no person can state what actually can be offered to a soldier, because the Minister may vary the conditions considerably. Paragraphs (a) and (b) extend the terms for payment, but when we come to No. 2 we find that they "may" dispense with certain things, that they "may" impose certain conditions or "may" do away with the lot. The position should be definitely set out.

Mr. MALEY: Paragraph (a) of the clause extends the period of the lease of all conditional purchase leases from 20 to 30 years, and this was a measure of relief that was brought about by the people on the repurchased estates in my district, and it is a form of relief which the Government extended. I question the measure of relief, because those settlers are on high priced land and the burden of interest is almost unbearable. Apropos of this I would like to ask what has been done in connection with the recent deputation to the Premier from those people on repurchased estates. I would like to know whether this is all the alleviation which is to be given to these particular settlers in that regard.

The Premier: The price of land has been reduced.

Mr. MALEY: In many cases, yes, and in some cases, no.

Clause put and passed.

Clause 10—Rate of interest payable by lessees:

Hon. W. C. ANGWIN: What is the reason for charging 1 per cent. in excess of the rate payable for the money raised for the acquisition of land? This Bill has been brought in to deal with returned soldiers with the idea of settling them on land adjacent to our rail-

ways. Why charge them 1 per cent. in addition to the rate paid for money raised? In all probability the Treasurer will have to pay 6 per cent. and these people will be made to pay 7.

Hon. F. E. S. Willmott (Honorary Minister): To make it cover extra expenses.

Hon. W. C. ANGWIN: No, not at all. What extra expense can there be?

Hon. F. E. S. Willmott (Honorary Minister): Subdivision and survey.

Hon. W. C. ANGWIN: No, the expenses of subdivision and survey are added to the cost of the land. This clause merely deals with the rate of interest. I move an amendment—

That in line 2 the words "one per centum in excess of" be struck out.

The PREMIER: These words were inserted so as to provide for the payment of administration.

The Colonial Treasurer: It costs from $\frac{1}{2}$ to $\frac{3}{4}$ per cent. for the administration.

The PREMIER: And it was thought that it would take more than $\frac{3}{4}$ per cent. It was considered, therefore, that it would only be right that we should protect the State by adding 1 per cent. in excess of the rate payable.

Hon. P. COLLIER: I hope the amendment will be agreed to. The proposal in the clause seems to savour of the pound-of-flesh attitude. I would not mind it so much if this principle applied all round in regard to the use of public funds, but we know perfectly well that in many directions money is being used and nothing more than the actual interest paid, and even not that much sometimes is asked for.

Mr. Smith: What was the rate proposed to be charged to the ship builders?

Hon. P. COLLIER: The interest proposed there was $5\frac{1}{2}$ per cent.

The Colonial Treasurer: That was 1 per cent. more than we were paying for it.

The Attorney General: It was insurance money.

Mr. Smith: Confiscated money.

Hon. P. COLLIER: We were generous to the proposed shipping company with funds that really did not belong to us, funds confiscated from other sources; but that is by the way. It seems to me even allowing for administration, assuming that it would absorb $\frac{1}{2}$ to $\frac{3}{4}$ per cent., it is a charge that the State might well pay. If we only recover the interest that we paid we should be doing very well.

The Colonial Treasurer: I think we would.

Hon. P. COLLIER: As a matter of fact, we do not recover it in dozens of other directions, and I think we should not impose conditions more stringent upon the people who will be affected by this measure than we do in other directions.

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

Clause 11—Deferment of rent payable by discharged soldiers:

Mr. MALEY: In the Discharged Soldiers Bill we struck out the word "deferred" and substituted "waived." I think the concession could equally well apply to the returned soldiers settled on conditional purchase lands

as to those following pastoral pursuits. The initial outlay is not nearly so great in regard to pastoral pursuits as it is in respect of agriculture. I move an amendment—

That in line 2 "deferred" be struck out and "remit" inserted in lieu.

The PREMIER: The two cases are in no way analogous. Pastoral leases are Crown lands, but this provision deals with repurchased estates. If the amendment be agreed to the State will be losing the rent for five years and will still have to pay the interest on the outlay. It is a totally different position from that of the leasing of ordinary Crown lands. The amendment would mean a very serious thing for the State. I hope the hon. member will not press the amendment.

Mr. ANGELO: I agree that the two cases are not analogous. The returned soldier going on to a pastoral lease has to be content with land inferior in quality to that already acquired. Several applications by returned soldiers have been received for pastoral land in the Gascoyne district which has lain idle for the last 20 years. It is but a small concession to give those soldiers that land rent free for the first five years, but I do not think we can afford to give land on repurchased estates free, as proposed in the amendment.

Mr. MALEY: The Government have power to repurchase lands held under pastoral leases.

Hon. F. E. S. Willmott (Honorary Minister): We cannot resume a pastoral lease.

Mr. MALEY: Well, if that is so, I ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clause 12—Power to acquire land compulsorily for the settlement of discharged soldiers:

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

That the proviso be struck out.

Some of our landholders have more land than they can work, and it would be better if portion of that land were taken from them and cultivated by somebody else. Under the clause, land cannot be acquired unless it exceeds the value of £10,000, exclusive of improvements. I think this question of limitation should be left entirely with the Government. If there be unused land and it can be acquired without hardship to the owner, the Government should have power to acquire it, whatever its value may be. There should be no limitation. The striking out of the proviso will achieve this object. Along the Wongan Hills railway there are thousands of acres lying unimproved. If the owners of that land paid their rents they could not carry on. It would be in the interests of those owners if the Government decided to acquire some of that land.

The PREMIER: The amendment is very drastic. It means that the Government may compulsorily acquire any private land in Western Australia. Already we have gone farther than has any other State Government. In Queensland the value is limited to £20,000, and in all the other States it is higher than is set down in this proviso. I cannot agree to the amendment, for it would frighten

everybody out of the country. Some people have too much land and would be very much better off if they had less. Therefore I do not think it is any hardship to give power to acquire land where it exceeds £10,000 in value; but it would appear very much like confiscation if we made it legal for the Government to compulsorily acquire, under this provision, any man's land, no matter what its value.

Mr. ANGELO: I am inclined to support the amendment. We must realise that a great deal of the lack of development in certain portions of the State is due to the holding of large unused areas. I should prefer the limitation to take the form of stating the time for which the land must have been previously held without improvement. The Premier has said that there are men in the State holding land which they will not improve. Surely those people should be made to disgorge that land. If a man has held land for 10 years and has not improved it, whether it is one acre or 20,000 acres, the Government should be authorised to resume it for the benefit of returned soldiers.

Mr. BROWN: I hope the Premier will leave the proviso as it is. The clause gives all the powers that are necessary to bring about the compulsory sale of these large estates. In the old established areas along our railway lines there is a good deal of land which is worth up to £2 and £3 an acre. The men who are holding those lands are experienced farmers. Are we going to leave it open for any Government to compulsorily resume those estates, and replace the experienced farmers by inexperienced farmers?

Hon. W. C. ANGIN: Yes, if they are not improving their lands.

Hon. P. COLLIER: The amendment would confer upon the Government the power to take a holding away from any person. The member for North-East Fremantle, however, assumed that this power would be exercised with judgment. He did not think for a moment that land would be taken from an experienced farmer and placed in the hands of an inexperienced farmer.

Mr. Brown: That can be done.

Hon. P. COLLIER: Of course, if we have any Government foolish enough to do such a thing. There are not many agricultural estates in Western Australia of an unimproved value exceeding £10,000. If the Bill is to be effective, we must have a fairly low limitation. Much of the settled lands alongside our railways have not been properly developed, and settlers as a result, have been forced into inferior parts of the country. The interest of no individual owning these old estates should be permitted to stand in the way of the interests of the State. He should be pushed off, if he will not improve his land, in order that others may have an opportunity of doing so. I should like to know from the Premier the number, area, and estimated value of estates which have been offered to the Government for repatriation purposes. In cases where estates of 10,000 acres have been lying idle for generations, we should have power to resume them for re-

turned soldiers. Whilst it might be dangerous to strike out the proviso, I think we might reduce the limitation mentioned in it.

Hon. W. C. ANGWIN: The general opinion seems to be against the striking out of this proviso. When I moved my amendment I had no thought of party politics. There are areas which are held by men who do not make full use of them, and that is detrimental to the interests of the State. I have confidence in the Government not exercising these powers without using their discretion. I do not think they would turn off experienced men and put inexperienced men in their places. If a man has 5,000 acres, however, and leaves half of it unimproved and has no intention of improving it, the Government should be able to see that this land is dealt with in such a way that it can assist in paying the interest and sinking fund of our railway system. In view of what has taken place I desire to withdraw my amendment.

Amendment by leave withdrawn.

Hon. P. COLLIER: I move an amendment—

That in the proviso the words "ten" be struck out and "five" inserted in lieu.

Hon. J. MITCHELL: It would appear from the remarks of hon. members that nothing has been done with the land in this State. I would remind them that we have had a war during the past four and a half years, and it has been difficult to get labour or money as a result.

Mr. O'Loughlen: Settlers take up too much land as a rule.

The CHAIRMAN: Hon. members must confine themselves to the amendment before the Chair.

Hon. J. MITCHELL: The improvements effected upon lands adjacent to our railways during the last 10 years are far greater than they were for the previous 70 years. There is no doubt at all that we are using our lands a great deal. Where is our wealth coming from if not from the land?

Mr. Smith: You will admit that some estates have not been improved?

Hon. J. MITCHELL: Yes; but no other State has done as much as Western Australia has in the way of improvement.

The CHAIRMAN: I think the hon. member is getting beyond the clause.

Hon. J. MITCHELL: I maintain that the Committee should be in possession of the facts on the subject.

Hon. W. C. Angwin: Every school child knows that the company have made improvements.

Hon. J. MITCHELL: But this clause applies to improved land. In two or three years, if the land increases in value, there may be another attack on the man's homestead, because there is no limiting period in this Bill. I am perfectly willing that unimproved land should be acquired; but I see no good to the country from putting a man off an improved farm in order to put a returned soldier on in his place. We want to increase production, but we do not increase production by simply putting one man in the place of another. Some of the men along the Great Southern

railway are doing probably more for this State than three or four men would do on the same holding. They are breeding high class stock and using their land to the best advantage. This clause will apply to improved land, or certainly to land partly improved. We must not leave the administration of this clause to chance. Let us remember that during the past four years neither labour nor money has been available for the making of improvements. Grave injustice would be done to any man compelled to sell his land at present prices. Land worth £10 per acre prior to the war is now unsaleable. There are many landholders who need not pay the Treasurer any taxation under the existing taxation law, because their improvements are equal to the unimproved value of their land. Would the member for Boulder compel the owner of land worth £6 or £7 per acre before the war to sell it now for, say, £3 per acre?

Hon. P. Collier: That has no bearing whatever on my amendment.

Hon. J. MITCHELL: The limitation to £5,000 is not going to make any real difference.

Hon. P. Collier: Where are you going to get the land?

Hon. J. MITCHELL: The Bill should be designed to apply to land which is not being used, and the limitation should be £10,000. Let us avoid doing any injustice.

Mr. MALEY: Under this compulsory provision a landholder with 2,500 or 3,000 acres of an unimproved value of £4 per acre, but every acre of which he has under crop, may have his land taken from him in order that it may be used for the same purposes by others.

Hon. P. Collier: Not necessarily.

Hon. W. C. Angwin: Do you think the Government would take such land?

Mr. MALEY: If this provision is allowed to stand, a similar provision should apply to pastoral lands. As regards the amendment of the member for Boulder, there are large areas of land alongside existing railways which are valued by the Commissioner of Taxation at £4 per acre unimproved. I should be inclined to support something in the nature of compulsory acquisition as applied to huge pastoral areas.

The COLONIAL TREASURER: The limitation of £10,000 is merely fair. The leader of the Opposition suggests £5,000. The owners of land along the Midland Railway are not similarly situated to holders of land along Government railways, for the former paid for the price of the railway in the price of their land. Plenty of land alongside the Midland Railway has been sold in its virgin state at 45s. or 50s. per acre. I agree with the member for North-East Fremantle that certain things ought not to be done, but one does not know what certain Governments might do if they had power to do it. I have a farm property, and I have two sons at the Front, and also another son, and I want to put the three of them on that property. Yet it might be argued that I am not putting that land to its full use. Who is to be the judge of that? It

might be argued that the land should be all under cultivation. I may reply no, and that it is better to put sheep on part of the land. Where land alongside railway lines is not being used, I consider the Government ought to acquire it.

Mr. Munsie: The Bill will not allow you to acquire it if you retain the limitation of £10,000.

The COLONIAL TREASURER: By going to extremes we may take the land from a man using it and give it to a man who will not use it. Numbers of landholders in the Midland district will be affected by the amendment of the member for Boulder. They are men who have paid for the railway in the price of their land. They use their land principally for the breeding of high class stock. If compelled to sell, I may not receive from the Government half the true value of my land, which has for me a sentimental value, since I intend it as a home for my sons. The leader of the Opposition, who I know does not want to do an injustice, had better leave the amount at £10,000. In the Midland district the unimproved value for taxation is as much as £2 10s. per acre. I do not think the Committee want to make a mess of a man's holding.

Mr. Munsie: I am sure the leader of the Opposition does not want to do that.

The COLONIAL TREASURER: Land owners will have no redress if we pass this amendment.

Mr. MUNSIE: I have never heard members of a Government condemn themselves to such an extent as members of the present Government are doing to-night. They have no confidence in themselves.

The Colonial Treasurer: We are not asking for the power.

Mr. MUNSIE: The Colonial Treasurer is afraid to take the power for fear that some of his colleagues will misuse it.

The Colonial Treasurer: Oh, no!

Mr. MUNSIE: The member for West Perth said that if the amendment was carried it would mean the compulsory purchase of all land of an unimproved value of £5,000. I do not think this clause does compel the Government to resume any estate, no matter what its value may be. It only gives them an option of doing so when estates are of a value up to £10,000.

Mr. Brown: No one contends otherwise.

Mr. MUNSIE: The Government would not compulsorily resume one man's holding because it happened to be worth over £5,000 in order to give it to someone else who would do just what the previous owner had been doing. Does the Colonial Treasurer not know of dozens of estates in Western Australia the unimproved value of which is over £5,000 and less than £10,000, that could be used to better advantage than they are to-day, if resumed under this Bill?

The Colonial Treasurer: That is matter for argument.

Mr. MUNSIE: I do not agree with the principle of compulsory resumption. No returned soldier will make good on land resumed under this Bill, because he will not get it at

a reasonable price. If the arguments put up by members on the Ministerial benches hold good, why limit the amount to £10,000? They will apply equally to estates worth over £10,000, just as they will apply to estates worth over £5,000. If the Committee have to pass legislation for fear that some future Government may do an injustice to someone, God help the Parliament as a Legislature.

Hon. J. Mitchell: We must have some regard to the effect of legislation.

Mr. MUNSIE: I think this £5,000 is too high.

Hon. J. Mitchell: Make it £50.

Mr. MUNSIE: I would make it £1,000.

Mr. Duff: Wipe it out altogether.

Mr. MUNSIE: I would rather do that and leave it to the discretion of the Government. If we made this £1,000 instead of £10,000, we would not be doing anyone an injury.

Hon. J. Mitchell: If the amount is over £10,000 it will disturb values all over the State.

The Colonial Treasurer: I want to put soldiers on my land. I do not want the Government to put them there.

Mr. MUNSIE: Even if the proviso was wiped out the Colonial Treasurer could still do that, and the Government would not interfere with him. If anyone is holding land alongside our railways worth £10,000 and not putting it to proper use, the Government should have the right to resume it for use by returned soldiers.

The Colonial Treasurer: Quite right.

Hon. J. Mitchell: The same thing may be said of 1,000 acres.

Mr. MUNSIE: Quite so. The Treasurer is afraid to trust his own Government if the amount is reduced from £10,000 to £5,000. I do not think the Government would attempt to take land from anyone who is using it legitimately. How are we to get land for returned soldiers alongside our railways under the conditions set down in the proviso?

Mr. Smith: You will not get it at all.

Mr. Duff: Put a time limit on the improvements.

Mr. MUNSIE: I venture to say that when the first resumption is made it will be found that the owner of the land is not paying tax to the State on the amount that he gets for it. This is a Bill to enable us to get land for returned soldiers, but if we have no land for the purpose what is the use of the Bill?

Hon. W. C. ANGWIN: I would point out that this also deals with unimproved land as well as improved land. Clause 16 provides for the improved land that the owner may retain, and this, therefore, protects the right of the owner. The man I wish to get at is the one who does not use his land to the best advantage. There are holdings which have never been used, and which will never be used by the owners. They are only holding them for speculative purposes. I wish the Government to have power to resume land adjacent to our railway lines, that is not being used, whether large or small holdings. I do not believe any Government would use a clause like this unfairly.

Mr. Broun: If the Government did so the owner would have to walk out.

Hon. W. C. ANGWIN: If the Government did all they have power to do they could drive the majority of men off the land if they wished.

Mr. BROWN: I hope the Committee will not agree to the amendment. An experienced farmer knows that to farm successfully he must work on the three years' system. If a man has 2,000 acres, working on the three years' system, he can only put in 800 acres, that is, provided he is going in for agriculture alone.

Mr. Munsie: If you can only crop land every three years it is not worth £4 an acre.

Mr. BROWN: The hon. member does not know anything about farming.

Mr. Munsie: I have probably lived as long as you have on a farm.

Mr. BROWN: The hon. member does not own one to-day.

Mr. Munsie: I do not, and I am thankful for it.

Mr. BROWN: We should certainly not go below the £10,000 unimproved value. No doubt the Premier should know by now how many estates are available that he can acquire under the measure. Surveyors have been out for a considerable time and surely the Premier knows how many properties there are.

Hon. P. COLLIER: I hope the Premier will give the Committee any information that he may possess of the kind referred to by the member for Beverley. I read in the newspaper the other day that the Government had under offer a considerable number of estates. We do not expect any particulars as to where the estates are situated. The whole of the opposition to the amendment ranges around the supposition that we shall have some day in office a set of Ministers who will be absolutely insane and will go to Beverley and tear an hon. member off his farm. If any Government were to adopt the policy of turning a genuine farmer off his property, they would not remain long in office. Where there are estates of less than £10,000 improved or unimproved value, the Government should have the power, where it is desirable, in the interests of the country, to acquire those estates. I presume an attempt will be made to provide small holdings of 10 or 20 acres for our soldiers. There are places in the South-West where families can do well on 10 acres. Suppose a person had a holding of 500 acres capable of producing fruit and maintaining a number of families, that area would be held up out of use.

Mr. Broun: What would be the unimproved value?

Hon. P. COLLIER: Perhaps a few pounds an acre. We purchased the Harvey estate of 2,000 acres for £3 an acre. That was first class fruit growing land and it has been held up out of use. Under this Bill a similar property would remain out of use and the Government would not have power to purchase it. If we reduce the amount to £5,000 we will bring within the possibility of purchase a greater number of areas in connection with the

purchase of which the Government can exercise discretionary power. I may remind hon. members that it is just as possible for the Government to commit an act of injustice in connection with the £10,000 limitation as with a £5,000 limitation.

Mr. ANGELO: There seems to be an idea that if the amendment is carried it will interfere with some of the larger farms. I do not care how much a man holds provided he utilises the land and helps to make wealth for the State. What we want is to get at those men holding large estates without making use of them. It is useless to say there are not people of this sort. I know of a town along the South-Western railway which has not made any progress during the past 20 or 30 years. I refer to Pinjarra. I asked some of the residents why it was that it had not gone ahead and I was informed that it was because the land was held by a few people. That land would be suitable for dairy farming but nothing of that kind is taking place and the district is being kept back.

Hon. F. E. S. Willmott (Honorary Minister): Would you pick the eyes out of the estates and leave the unfortunate possessors with stuff that was only rubbish?

Mr. ANGELO: I would like to ask whether it will be possible for me to move another amendment, if the one before the Committee is defeated. The amendment that I would move to the proviso would have reference to property held by private owners for at least 10 years in an unimproved condition. That would cover all the ground. The people who are holding the land are those we want to get at.

Mr. MULLANY: I support the amendment. I am surprised at the opposition shown to it, especially in view of the fact that so many members have recently declared their readiness to do everything possible for the returned soldiers. I think the amount set out in the amendment is not too small.

Hon. J. MITCHELL: I should like to see some amendment which would give the Premier the right to take partially improved or unimproved land. If we give him the right to cut down estates already improved, as proposed by the member for Boulder, we shall be doing a good deal of injustice and even interfering with employment. The Bill will apply principally to the South-West, because in the wheat areas it will be impossible to buy improved farms and sell them in thousand-acre blocks to returned soldiers. I think the clause should give to the Government the right to acquire unimproved land. The limitation largely destroys the value of the provision. The Premier requires to get cheap land and good land for the soldiers, without, of course, disturbing anyone who is doing his best with his land.

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

Ayes	..	..	..	..	18
Noes	..	..	..	..	18
					—
A tie	..	..	..	..	0
					—

AYES.

Mr. Broun	Mr. Money
Mr. Draper	Mr. Plesse
Mr. Gardiner	Mr. Pilkington
Mr. George	Mr. R. T. Robinson
Mr. Harrison	Mr. Underwood
Mr. Hickmott	Mr. Veryard
Mr. Hudson	Mr. Willmott
Mr. Lefroy	Mr. Hardwick
Mr. Maley	(Teller.)
Mr. Mitchell	

NOES.

Mr. Angelo	Mr. Mullany
Mr. Angwin	Mr. Munsie
Mr. Brown	Mr. Locke
Mr. Chesson	Mr. Smith
Mr. Collier	Mr. Teesdale
Mr. Duff	Mr. Walker
Mr. Green	Mr. Willcock
Mr. Holman	Mr. O'Loughlin
Mr. Jones	(Teller.)
Mr. Lambert	

The CHAIRMAN: I will give my casting vote with the ayes.

Amendment thus passed; the clause as amended agreed to.

Clauses 13, 14—agreed to.

Clause 15—Procedure for taking land:

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

That the following new subclause be added to stand as Subclause (3):—In acquiring land compulsorily under this Act, the following shall be deemed to be added to paragraph (a) of section sixty-three of the Public Works Act, 1902:—(a1) The unimproved value of the land at the date aforesaid. (a2) The amount stated by or on behalf of the claimant to be the unimproved value of such land in the last return preceding the date of the notice of resumption rendered by him to the State Commissioner of Taxation under "The Land and Income Tax Assessment Act, 1907," but if in the opinion of the court such value has been overstated, the court may award a less amount than that stated in such return.

Hon. F. E. S. Willmott (Honorary Minister): That is more stringent than the New Zealand Act.

Hon. W. C. ANGWIN: The amendment means that the owner of the land will fix his own price, provided it be just and fair. It is the value on which his land tax has been based. If the land is to be acquired for the settlement of soldiers there can be no injustice done to the owner of the land if he is paid his own fair value.

Mr. Broun: It would be the unimproved value of his taxation return?

Hon. W. C. ANGWIN: That is so, and the court has power to give him an additional 10 per cent. If he arrives at a settlement with the Government, the Government exercise the provisions of the Public Works Act, and that is always taken into consideration by the departmental valuers. I do not object to giving a man 10 per cent. The reason the amendment does not provide for that is because it

is already contained in the Public Works Act.

Mr. Smith: But the Government will not pay 10 per cent.

Hon. W. C. ANGWIN: When the Government have had to acquire the land the value has been increased above the value disclosed for taxation purposes. No one is entitled to any more than he has put upon his land for taxation purposes. The latter part of the proposed new subclause is in order to protect the State where knowledge is obtained in advance before the land taxation returns were put in that in all probability the land will be acquired by the Government. This is for the purpose of protecting the State.

Mr. Draper: The court would not take any notice of them if that was so.

Hon. W. C. ANGWIN: I put this here in order to make the position secure. The State should see that fair and proper values are placed on the land in the taxation returns. I do not think this proposed amendment will inflict a hardship on anyone.

Hon. J. Mitchell: It would not matter if it did.

Hon. W. C. ANGWIN: The only hardship would be in that it would make a man pay his just dues should he wish to evade them.

Mr. PILKINGTON: I oppose the amendment. It will be extremely difficult to understand. The clause will read as amended that the court has to have regard, in arriving at the value of land, to certain things. The court must have regard to the real value of the land and have regard to the valuation put upon it by the taxpayer. What conclusion can the court arrive at in these circumstances? It is a very unsatisfactory form of legislation. The right way to compel people to put a proper value upon their land for taxation purposes is by the penalties provided under the taxation measures. No doubt many people evade their land tax by putting an inadequate value upon their land, but they only do so for a certain time. The court also has to have regard to the value put upon the land by the taxpayer on the last return that he sends in. I would point out that returns are not sent in every year, and that the land may have increased in value since the date of the submission of the last return.

Hon. P. Collier: I have to put in a valuation on my small property each year.

Mr. PILKINGTON: What happens in actual practice is that the department puts their own valuation on the land.

The Colonial Treasurer: The Taxation Department send out men to put values upon the land.

Mr. PILKINGTON: And the taxpayer accepts that value as a rule, and pays on it from year to year.

Mr. Smith: The department rarely reduces the value of the land.

Mr. PILKINGTON: A street is valued by the various householders in it, and the department send out men to put values upon the street. That is my experience. That often results in a reduction of values.

The ATTORNEY GENERAL: If the object of the member for North-East Fremantle is to deal with taxation and so make taxation values more stringent, it should be achieved by an amendment of the Taxation Act.

Hon. W. C. Angwin: That is not the object.

The ATTORNEY GENERAL: If it is for the purpose of making more stringent the valuations under this Bill, it is not necessary. Section 63 of the original Act already provides for this, and under the Federal Act, regard shall be had to the value of the land at the time of resumption. The Federal Act of 1910-11 provides that for the protection of the revenue against under values of land, if the Commissioner is of opinion that the owner of any land is under-stating the unimproved value of it to the extent of 25 per cent., he may apply to the High Court for a declaration that there has been an under-valuation of 25 per cent. The application shall be heard by a judge of the Supreme Court, and the owner shall be entitled to be heard by that court. In all proceedings of this class, the rule adopted is, what would a willing buyer and what would a willing seller give? In the valuations under the Public Works Act it is the full value of the land, with the improvements, that is taken. That is provided for already, and yet the hon. member would have us add to the clause, "we shall also have regard to the unimproved value of the land." It is almost impossible to ascertain the unimproved value of the land now. As the member for Perth pointed out, it is no criterion at all.

Hon. P. Collier: Why is it no criterion?

The ATTORNEY GENERAL: Because, to start with, very few persons value any land at the same value. The Taxation Department have their own officer who values land in a given district. If one applied to six of the leading valuers of Perth to value Perth city land, they would not agree, but would vary by large amounts. In every case coming before the compensation court as to value of land there are half a dozen witnesses on the one side all giving different values, and half a dozen on the other side all giving different values. And the general run of valuers, like the general run of people, are honest. Any court assessing land values gets to the bottom of the concern and fixes the value. There is hardly ever a case tried where the taxation return does not find its way into evidence. When the owner goes into the box one of the first questions he is asked in cross-examination is, "What have you valued the land at for taxation purposes?"

Hon. W. C. Angwin: Can you produce a case where that has been done?

The ATTORNEY GENERAL: It is done frequently.

Hon. P. Collier: Can one demand the production of the taxation return?

Mr. Pilkington: The Government have it and produce it.

The Colonial Treasurer: I have sat in 15 or 20 of these cases, and in every case the taxation return was produced.

The ATTORNEY GENERAL: The amendment proposes to load up our statute-book with useless words. The court already has the power here suggested. The law as it stands is quite good. In fact, the hon. member let the cat out of the bag when he said he wanted to get at the taxation return.

Mr. DRAPER: I have had perhaps the misfortune to appear in a number of compensation cases, and the member for North-East Fremantle admits that he always keeps away from the courts. The hon. member seems rather confused as to the principle of the Bill, which is not to interfere with the methods of valuation for land taxation, but to obtain land for returned soldiers. Surely, if we are going to apply the principle of compulsory purchase of land for returned soldiers, we should adopt the same principle as is enforced when the Government acquire land compulsorily for other purposes.

Hon. P. Collier: We must make a start somewhere.

Mr. DRAPER: Then let us make the start in a proper place. The mover of the amendment, I feel sure, would desire to deal only with the majority of taxpayers. Merely for the sake of a few men who may not assist the department in the way they should, he would not desire to inflict a hardship on the ordinary taxpayer. The ordinary taxpayer making returns is not an expert land valuer. Expert land valuers are very few. Generally speaking, the ordinary taxpayer puts down what he considers the fair value of the land. In compensation cases the owner of the land mostly is not put into the box, because not much value would be attached by the court to his evidence. The evidence is generally given by experts. What an inexperienced man may have honestly put down as the value of land for taxation purposes cannot be taken as the value of the land when resumed, not for general purposes, but for the purpose of the settlement of soldiers.

Hon. W. C. Angwin: Land tax payers are not generally as innocent as all that.

Mr. DRAPER: The staff of the department have a general knowledge of land values throughout the State, and in properly doing their duty they would detect any under-valuation of the kind suggested, and would prosecute the man making it. When dealing with taxation matters there is a Federal margin of ten per cent.; but no margin is suggested here. That margin has nothing whatever to do with the question of compensation. The ten per cent. is never allowed by the compensation court in the case of unimproved land.

Hon. P. Collier: It is compensation for disturbance, is it not?

Mr. Pilkington: It is allowed for re-investing the capital.

Mr. DRAPER: Yes; and it may be given where a man is making his living on the land, or it may be allowed for sentimental reasons, such as the demolition of a home.

Mr. PIESSE: I hope the Committee will not agree to the amendment. To make it compulsory to accept the taxation return as

a valuation would not be fair. In the majority of instances, when making those returns the landholders endeavour to fix a fair value; but I know that property valued by the owners at comparatively low figures, and accepted by the department at those figures, has carried a very high value. I could give instances in point. There is land on the Swan River, probably valued for taxation purposes at £2 or £3 per acre, which, if subjected to intense culture, say, for the growing of raisins and currants, would be worth, if situated in the Eastern States, about £40 per acre, and here at least £20 per acre. The value placed on land in taxation returns would not be a fair value to place on it if applied to closer settlement. Therefore the fair means of arriving at the value is by arbitration. I should like to see a provision inserted in this Bill that the fair value of the land should be fixed.

Hon. P. COLLIER: I am of opinion that no very strong case has been made out against the amendment. The Attorney General says that it is already provided for in the other Acts. If it is merely repeating something which is already in the Acts, why object to it here?

The Attorney General: I said the custom of the courts has been to take evidence.

Hon. P. COLLIER: The point has been stressed that in every case that comes before the court the unimproved value put upon the land for taxation purposes is taken into consideration.

The Attorney General: The courts take very little notice of it.

Hon. W. C. Angwin: They would have to under this amendment.

Hon. P. COLLIER: I am surprised, then, at all the noise which has been made about it. I think we should have it in the form as set down in this amendment so as to compel the court to take notice of it.

The Attorney General: It is worthless.

Hon. P. COLLIER: I am not prepared to believe that the owners of land are so unsophisticated that they do not know the real value of their land. I do not think that any injustice will be done to anyone if we say to him that we will pay to him the amount which he declared upon his taxation return to be the value of the land.

Mr. Brown: Plus 10 per cent.

Hon. P. COLLIER: Yes, in order to compensate the owner for being turned out of his property, and disturbed and inconvenienced through the resumption by the Crown. I hope the Committee will agree to the amendment.

Mr. WILLCOCK: I move an amendment on the amendment—

That in paragraph (A2) after the figures "1907" there be inserted "plus 10 per cent."

Amendment on amendment put and passed.

Hon. W. C. ANGWIN: The strongest argument in favour of the amendment is put forward by the Attorney General. I hope hon. members will pass the amendment as amended so that the court will be obliged to take notice

of these returns. We are told that people innocently undervalue their land. I doubt that very much. I have here a list of some valuations which were put upon the land by the owners. A piece of land was valued at £4,000 by the owner, and when the State took it over the owner's valuation was £20,000. He knew something about the valuation of land. Then there was the case of one of the principal land surveyors in the Government service, who placed a valuation of £2,500 upon his land. The court, however, took no notice of it and made the State pay £4,000 for it.

The Minister for Works: Were there any improvements on the land?

Hon. W. C. ANGWIN: That was the full value of the land with improvements. One of the chief business firms in Perth knew nothing about the value of their land, but when the Government wanted it they put up the value £10,300. It shows that it is necessary that we should give only a fair value and that the court should not take the valuation returns sent in at the value fixed by the owner in his calm moments, before knowing that the Government intended to acquire the land compulsorily, and when, of course he did not look for a high price. The clause now provides that they shall get 10 per cent. in addition. I am justified in asking hon. members to support my amendment.

Mr. PIESSE: I hope hon. members will not be led away by the leader of the Opposition or by the member for North-East Fremantle. If we took those gentlemen to the Swan district they would not have as much idea of the value of the land there as a Chinaman.

Hon. P. Collier: We are talking about the owner.

Mr. PIESSE: The leader of the Opposition talked in his characteristic strain about farmers not knowing the value of land. One can go to the Swan and find there land which is of extremely high value.

Hon. P. Collier: And the owner does not know it.

Mr. PIESSE: No, he cannot possibly put the land to its fullest use because it would be too costly to do so. But if sold for intense culture, it would be of extreme value. In South Australia I saw land fetch as high as £100 an acre for intense culture and on the Swan we have land equally as good.

[Mr. Foley took the Chair.]

Hon. J. MITCHELL: If the land is to be sold, it ought to be sold at a fair value, not necessarily the amount set upon it for taxation, which might be high or low. But I venture to say, the man who acquires land after it has been compulsorily taken by the Government would not want it other than at a fair price.

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

Ayes	..	..	..	..	15
Noes	..	..	..	..	19

Majority against 4

AYES.

Mr. Angwin
Mr. Brown
Mr. Chesson
Mr. Collier
Mr. Green
Mr. Holman
Mr. Jones
Mr. Lambert

Mr. Mullany
Mr. Munsie
Mr. Roche
Mr. Smith
Mr. Teesdale
Mr. Willcock
Mr. O'Loghlen

(Teller.)

NOES.

Mr. Angelo
Mr. Broun
Mr. Draper
Mr. Duff
Mr. George
Mr. Harrison
Mr. Hickmott
Mr. Hudson
Mr. Lefroy
Mr. Maley

Mr. Mitchell
Mr. Money
Mr. Plesse
Mr. Pilkington
Mr. R. T. Robinson
Mr. Stubbs
Mr. Underwood
Mr. Willmott
Mr. Hardwick

(Teller.)

Amendment thus negatived.

Clauses put and passed.

Clauses 16 to 25—agreed to.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported with amendments.

House adjourned at 10.30 p.m.

Legislative Council,

Wednesday 4th December, 1918.

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

[For "Question on Notice" and "Paper Presented" see "Minutes of Proceedings."]

PAPERS—MILLING WHEAT.

Hon. J. DUFFELL (Metropolitan-Suburban) [4.35]: I move—

That all papers in relation to the disposal of wheat below milling quality be laid upon the Table of the House.

My reasons for moving this motion spring from an interjection made by Mr. Baxter when I was speaking on this question a few days ago. On that occasion the Honorary Minister stated that the sale of wheat below milling quality was entirely outside the Wheat Scheme which he controls. With a view to showing hon. members what part the Wheat Scheme were playing in this connection, I now move for the papers; and I am quite satisfied that the result of the carrying of the motion

will be to enable me to prove to hon. members that the action of the Honorary Minister controlling the Wheat Scheme in this connection has had a grave effect on the poultry raising industry of this State.

Hon. A. SANDERSON (Metropolitan-Suburban) [4.36]: I second the motion.

Question put and passed.

BILL—CRIMINAL CODE AMENDMENT.

Assembly's Message.

The Council having made an amendment which was not agreed to by the Assembly, the reasons for such disagreement now considered.

In Committee.

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

No. 2—Clause 7, Subclause 3, strike out this subclause and insert the following in lieu thereof: "(3) A prosecution under this section must be begun within three months after the offence has been committed—Reasons of the Assembly for not agreeing to amendment made by the Council: 1, That evidence of the offence frequently consists, in the first instance, of the condition of the girl, which would not be apparent until three months had elapsed. 2, That six months is the period adopted by the English Statute of 1904".

The COLONIAL SECRETARY: I move—

That the amendment be not insisted upon. There is, I know, considerable difference of opinion in this Chamber on the matter. The amendment was first made here and then reversed, and then again adopted. The reasons set out by the Assembly are, in my opinion, very strong reasons. In addition to the fact that the English Act of 1904 makes the period six months, the English Bill of 1918, which, when the last mail left England, had passed its second reading, still further extended the term to 12 months; so that in making the amendment we are certainly not going beyond what is being done in English legislation. I know of at least two cases which have occurred in the metropolitan area alone within the last three months in which prosecution has been prevented because the condition of the girl was not known until after the period of three months had expired. I am aware that arguments may be raised on the other side, but I consider the arguments in favour of extending the time to six months are the stronger. It must be borne in mind that under this section of the Criminal Code no person can be convicted upon the uncorroborated evidence of any one witness, so that no jury are likely to convict unless the evidence is absolutely convincing. It does seem to me necessary to extend the time during which prosecution may be taken beyond the three months at present provided.

The CHAIRMAN: For the information of hon. members, I may state that if the amendment is not insisted upon the subclause will resume its original form.

Hon. Sir E. H. WITTENOOM: I must enter my protest against the Colonial Secretary's motion because I have held all along, and hold now, that the innovation of allowing