Legislative Council,

Tuesday, 1st November, 1927.

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

BILL—LAND TAX AND INCOME TAX.

Assembly's Message.

Message from the Assembly notifying that it declined to make the amendment requested by the Council now considered.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

The CHAIRMAN: The Council's requested amendment reads—

Clause 2, Subclause (1).—Insert after the word "tax," in line 4, a proviso as follows:—"Provided that the rate of tax payable on the unimproved value of improved agricultural land shall be one half-penny in the pound sterling.

The CHIEF SECRETARY: I move—

That the request be not pressed.

I have nothing fresh to add to the reasons I gave when opposing the amendment in first instance. It should be recognised by members that this is the wrong time to suggest a reduction in taxation. The financial future of the State is very uncertain; much depends upon the acceptance or rejection of the Financial Agreement. If that agreement be accepted, the State will immediately benefit to a substantial extent, and then the question whether advantage should be taken of the surplus further to reduce taxation is one that might well receive earnest consideration. But if the agreement fails to run the gauntlet—if it does not pass the Commonwealth Parliament, if it be not approved by all the States or if it be rejected when submitted to a referendum—then the proposal must be not to reduce but to increase taxation. The per capita payments are gone. They have been abolished by an Act of the Federal Parliament, and we lose £474,000 a year for start. That will take some making up. On the one hand it is hard to see how it ca be made up without paralysing enterpri in the State, and on the other hand it difficult to see how the State can carry without levying fresh taxation in numero directions. It is unnecessary to remin members of the extent to which the Go ernment have gone, since they have been office, in reducing taxation, for several mem bers have been generous enough to co gratulate the Government on what they hav done in that direction. When the measu was previously discussed, I stated on th authority of the Commissioner of Taxatio that if the request were agreed to it woul mean a loss to the revenue of £30,000 year. Since then there have been haphazar references during other discussions to a los of £10,000 or £12,000 a year. On Thursda morning last I again consulted the Com missioner of Taxation, and he informed m that the figures I gave were correct an that if the request of the Council wer granted the loss would be £30,000 a year.

Hon. A. Burvill: That is on the enhance valuation, is it not?

The CHIEF SECRETARY: Yes. Th farmers must have benefited substantiall by the reduction of income tax. For in stance in 1925-26 they paid £22.8 per hea while last year they paid only £14.65 pe head, a reduction of £7.43 per head. I 1925-26 4,064 farmers paid £105,191 i income tax, while last financial year 2,35 farmers paid only £34,513, or less than on third of what was paid in the previous year

Hon. C. F. Baxter: They did not hav the income; that is the trouble.

The CHIEF SECRETARY: I feel tha the good sense of the Committee will pre vail and that the request will not be pressed

Hon. E. ROSE: I do not wish to em barrass the Government in their financia arrangements, but I cannot follow the Min ister's statement regarding the probable loss that will accrue if the amendment be accepted. Let us consider the enhanced valuations. In the report of the Commissioner of Taxation only 36 road districts are mentioned and the total of the new valuations is £10,841,693, compared with the old valuations of £6,240,804, or an increase of £4,600,889 since 1923-24 when the increased tax was imposed on farmers. That is one reason why I desire to have the land tax reduced. Not only have valuations been increased considerably, but the Government

have abolished the £250 exemption and also the concession of deducting the land tax or the income tax, whichever was the greater. I cannot see how there can be a loss of £30,000, especially in view of the enhanced valuations. The amendment should have received greater consideration in another place. If a conference between managers of the two Houses becomes necessary, I would rather compromise by removing altogether the tax on improved land and increasing the tax on unimproved land.

Hon. H. Stewart: Hear, hear!

Hon. E. ROSE: The man who is improving his land should receive greater consideration than he is getting from the Government. It is the small man that I am endeavouring to assist. The Minister quoted figures relating to income tax. That has nothing to do with land tax. I am appealing for the man who is developing the land and doing so much for the State. The increased development that would follow reduced taxation would assist the Government in that greater quantities of produce would be raised for transport on the railways and more money would be circulated in the community. If the money is not taken from the farmers by way of taxation, it is put back into the land.

Hon. H. STEWART: I regret that in the Press and in another place this matter has not been put fairly to the public. The "West Australian" has written—

> Moreover, in requesting a reduction from 2d. to ½d. in the rate upon improved agricultural land the Legislative Council possibly went further than ever it intended.

In its Parliamentary notes the "Primary Producer" expressed itself to the same effect. A similar statement was also made in another place. These assertions are all absolutely incorrect. The tax on improved agricultural land is 1d., and a reduction of ½d. is asked for. The statements I allude to are not a fair portrayal of the position. In the discussion elsewhere the wheat farmer was well represented. The public regard the wheat farmer as a man with a good income who pays income tax. I and other representatives of the agriculturists speak on this matter because the Government's policy was first to wipe out the exemption, and is now to give relief to people with taxable incomes and not to the small men who are in real need of relief. Such a position is economically unsound. There are about 8,000 wheatgrowers in Western Australia, and the total number of our farmers is about 11,000. According to the report of the Commissioner of Taxation, of the farmers in this State 3,400 paid income tax in 1924-25, 4,600 in 1925-26, and 2,300 in 1926-27. It is apparent that not 50 per cent. of the 11,000 farmers here pay income tax. We who know the agriculturists are aware that the man who has an income not sufficient to be taxed is still taxed on the land which is his capital, from which he derives his income. Therefore the small man with exemption from income tax is hit more than the farmer with the larger, taxable income. In the industrial sphere the Government seek to protect the small men, but in the case of agriculture they, either through ignorance or through insufficient appreciation of the position, impose an additional burden on men who can ill afford to bear it. Under this Chamber's requested amendment the wheat farmers will suffer. Of mixed farmers, the proportion paying income tax would be less than that among wheatgrowers. And not 50 per cent. of our wheatgrowers pay income tax. According to the figures of the Commissioner of Taxation for 1924-25, the average income of 3,400 farmers paying income tax was £450. It is on the lowest average incomes of the different avocations that the land tax falls. The Chamber is perfectly justified in asking for reduction.

Hon. V. HAMERSLEY: I endorse Mr. Rose's remarks. The men directly concerned in this matter are already paying tax, whether they have taxable income or not—paying tax, that is to say, on their capital, their land. With the increase in valuations from six millions sterling to something over ten, a great burden was cast upon the capital of these men. Whether or not they have taxable income, they must find means to pay land tax. The increased valuations, moreover, imply increases in road board and other rates. These facts account for many agriculturists having smaller incomes and paying less by way of income tax than formerly. Many of them are in a worse position than ever before. I hope the Government will speedily bring down an amending measure relating to assessment, so that there may be an opportunity of restoring to the farmers what they had formerly, the right to pay either land tax or income tax, whichever might be the less. They should not be taxed both for income and property in respect of their

land. The Bill proposes to lay a heavy burden on men who are doing noble service to the State.

The CHIEF SECRETARY: When speaking on the requested amendment I carefully avoided dealing with the intrinsic merits of the case, it being quite unnecessary that I should do so. My main argument has not been attacked by any member who has spoken, and that is the uncertain financial future of the State. We know where we are now, and in twelve months' time we may know where we are—to our sorrow. That is, if the financial agreement is not accepted; and there are powerful influences against its acceptance in a small section of this Chamber. The electors of Western Australia have been circularised against acceptance. Members have said they could not see where the loss of £30,000 came in. I have not personally inquired into that matter, but placed myself in communication with the Commissioner of Taxation and obtained information from him. Mr. Rose suggested a conference. Conferences are useful where several issues are to be decided. In this case there is only one issue. If a conference were held, possibly one obstinate manager, even contrary to the wishes of the Chamber appointing him, might decide the fate of the Bill. Mr. Stewart stated that the arguments with reference to income tax reduction were irrelevant.

Hon. H. Stewart: Yes, in regard to those who do not pay income tax.

The CHIEF SECRETARY: The Government could have used the money in a hundred different ways, but they decided it could best be utilised in the interests of the State by making a substantial reduction in taxation. That is far from being irrelevant and it is a matter that should be taken into consideration in connection with this request. I hope the amendment will not be pressed and that the Committee will not depend upon the result of a conference in order to achieve success.

Hon. A. BURVILL: The Chief Secretary referred to the uncertainty of the agreement with the Federal Government. Mr. Rose suggested a remedy for this, and if it were adopted it would mean that those who did not improve their land would have to pay a greater tax to correspond with the reduction made in respect of those who did improve their properties. That would not be taxing industry; it would be an incentive to those who had idle lands to br those lands into cultivation.

Question put, and a division taken w the following result:—

Ayes	..	..	..	10
Noes	..	..	..	12
Majority against			..	2

AYES.

Hon. J. R. Brown	Hon. Sir W. Lathlain
Hon. J. E. Dodd	Hon. J. Nicholson
Hon. J. M. Drew	Hon. G. Potter
Hon. E. H. Gray	Hon. H. Seddon
Hon. J. W. Hickey	*(Telle*
Hon. W. H. Kitson	

NOES.

Hon. C. F. Baxter	Hon. E. Rose
Hon. A. Burvill	Hon. H. Stewart
Hon. J. Ewing	Hon. Sir E. Wittenoon
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. J. M. Macfarlane	Hon. E. H. Harris
Hon. W. J. Mann	*(Telle*
Hon. G. W. Miles	

Question thus negatived; the Counci requested amendment pressed.

BILL—ELECTORAL ACT AMENDMEN

Recommittal.

On motion by Hon. E. H. Harris, Bi recommitted for the further considerati of Clauses 5 and 18.

Hon. J. Cornell in the Chair; the Chi Secretary in charge of the Bill.

Clause 5—Application of this part:

Hon. E. H. HARRIS: I move an amen ment—

That in line 4 the figure "4" be struc out, and after the figure "5," in the sam line, insert "except Section 52."

Hon. members may recall the fact that du ing the discussion on the Bill I pointed ou the necessity for having 14 days to objec to complaints that might be lodged. By substantial majority the Committee agree to reject Clause 22, and in order to have th necessary machinery whereby the forme procedure would be available to those wh desired to object, it will be necessary t delete from the Bill all reference to Divisio 4. The other part of the amendment relate to Section 52 of the principal Act. Tha section makes provision for the time fo altering the rolls and cards, etc. It is neces sary to delete those provisions, and the the position will be as hitherto.

Hon. J. Nicholson: You are preserving the section in the principal Act.

Hon. E. H. HARRIS: Yes, as relating to the Assembly.

The CHIEF SECRETARY: I submitted the proposed amendment to the Chief Electoral Registrar and asked him for his comments on it. He has supplied this information—

The attached excerpts from the principal Act show Division (4) namely, Sections 46, 47, and 48, and it will be seen that this division deals solely with "Objections" and "Powers of Magistrates" in relation thereto.

Clauses 30 to 36 (inclusive) of the Bill, which have already been passed without amendment by the Legislative Council, refer similarly to objections and relative appeals, and it is not quite clear to me how it is proposed to apply simultaneously two modes of procedure (State and Commonwealth) when objecting to the same enrolment on a joint roll. It is true the two procedures do not vary greatly in essentials—(except as regards provision for objections to claims, which is not in the Commonwealth Act and is not provided for in the Bill)—but they do vary, and if an attempt were made to have joint rolls under such conditions one method would be applied in regard to objections under the State law and a different method under the Commonwealth law to achieve the same result. The elector would be hopelessly confused, and labour-saving and simplification of procedure —the essence of co-operation—would be conspicuously absent.

As you are aware, Clause 22 of the Bill was struck out by the Legislative Council.

This deletion of Clause 22 of the Bill has left the important matter of the closing of Assembly election rolls for receipt of claims totally unprovided for, and therefore I assume the re-enactment of Section 52 is proposed, but is subject to my following remarks for serious consideration.

Under the joint rolls scheme, and assuming, for purposes of illustration, that a writ for an Assembly election will be issued on, say, 16th February, the Commonwealth-State Electoral Registrar concerned (one officer) on the 1st February preceding will retain all valid claims received by him between that date and the 16th February, inclusive, and will not enter them in his roll until the latter date or thereafter. This action would, of course, be tantamount to non-compliance with Section 43 of the Commonwealth Act, of which Clause 20 of the Bill (passed without amendment by the Legislative Council) is a copy.

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

Ayes	16
Noes	5
Majority for	11

AYES.

Hon. C. F. Baxter	Hon. G. Potter
Hon. A. Burvill	Hon. E. Rose
Hon. J. Ewing	Hon. H. Seddon
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. E. H. Harris	Hon. H. Stewart
Hon. Sir W. Lathlain	Hon. H. J. Yelland
Hon. J. M. Macfarlane	Hon. W. J. Mann
Hon. G. W. Miles	(*Teller.*)
Hon. J. Nicholson	

NOES.

Hon. J. R. Brown	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. E. H. Gray
Hon. J. W. Hickey	(*Teller.*)

Amendment thus passed; the clause, as amended, agreed to.

Clause 18—Claims for enrolment or transfer of enrolment.

Hon. E. H. HARRIS: The other day I pointed out that under the Bill a person could not live in two subdivisions for a part of a month and get on the roll. The Chief Secretary submitted the matter to the Crown Solicitor and he drafted an amendment which made the clause perfectly clear so far as the enrolment on the State rolls is concerned. I cannot see how the Bill, even as amended, will operate satisfactorily both for State and Federal enrolments. If a person for half a month lived in one subdivision for the Assembly electorate of Leederville, in View-street, near the North Perth town hall, and then for the other half of the month he lived in Wasley-street, which is still part of the Assembly electorate of Leederville, he would be eligible to be placed on the roll for the State, but because he would have lived in the Fremantle as well as the Perth Federal divisions for part of the month in each case, he would not be eligible to be put on the Federal roll. He would have resided in the State district of Leederville for a month, but would have resided in two separate Federal subdivisions, although we would have moved just across the street. I submit that he would not be eligible for enrolment on the Federal roll on the day when he was eligible to enrol on the State roll. The registrar must, under one clause of the Bill, immediately notify the man that he is enrolled for the State, but that he cannot be put on the Federal roll, as he has not lived in the Federal subdivision for the requisite time. It is, therefore, impracticable to put this clause into operation as for the joint rolls.

Hon. A. Burvill: There are three Federal subdivisions in Leederville.

Hon. E. H. HARRIS: I have here a joint claim card such as is used in South Australia, where the residential qualification for State enrolment is three months. I have another illustration to give to the Committee. A person may have resided for portion of a month in the vicinity of the Shenton Park Hotel, Nicholson-street, Subiaco. He then moves to a boarding-house just across Derby-road, which separates the divisions of Perth and Fremantle. He has changed his residence from one side of the street to the other, but he is still in the Subiaco electorate and would be eligible to enrol for Subiaco. For Federal purposes he has not resided in either of the subdivisions for the requisite time, and will not be eligible for Federal enrolment.

Hon. J. Nicholson: If he completes a month in a subdivision he is eligible.

Hon. E. H. HARRIS: Yes. As the boundaries between the State and Federal electorates are not coterminous, I can foresee difficulties in this matter. So far I have pointed out the position regarding two divisions only. It must be remembered that we have 50 divisions and a greater number of rolls to deal with. In such circumstances, hon. members can see the difficulties that will arise in various directions. I had prepared a couple of instances to show how they would operate in a contrary direction so that the electors would be eligible to be enrolled on the Federal rolls, but not on the State rolls. However, our amendment got over that difficulty, but for the moment I cannot understand what can be done. I have furnished the Chief Secretary with a copy of the points I wish to raise and perhaps, later on, he may be able to inform us, after he has consulted our Chief Electoral Officer and Mr. Way, the Federal Electoral Officer, what the position will really be.

Hon. J. Nicholson: The electoral registrar will have a busy and confusing time.

Hon. E. H. HARRIS: More confusing than busy.

Hon. J. Nicholson: Do you intend to move an amendment?

Hon. E. H. HARRIS: No. I suggest that the only way to solve the difficulty is to wait until we have co-terminous boundaries. I also wish to comment on Subclauses 4 and 5. The former provides that any member of the Legislative Assembly and his wife may have his or her name placed upon the roll for the district or subdivision represented by the member, and shall be deemed to live in the district or subdivision. I do not object to that, but merely wish to draw attention to it to preface what I wish to say regarding Subclause 5. That provides that any senator or member of the House of Representatives may, if he so desires, have his name enrolled for any district or subdivision which he represents, and shall be deemed to live in the district or subdivision. I am surprised at the Labour Party introducing such an innovation into our Electoral Act. They claim to object to plural voting and we have before us a Bill to amend the Constitution Act to do away with plural Voting. The Federal members, who will be affected by Subclause 5, obviously must live in the Eastern States, and they are compelled by the Federal Government to register their names in the districts in which they reside. Now we are asked to give them two votes: one for the district in which they live in New South Wales or Victoria, and also one for a district in Western Australia. I will require some justification for such a provision before I can support it.

Hon. G. W. Miles: If our members reside in Canberra, they will not have a vote there at all.

Hon. E. H. HARRIS: I cannot say. Subclause 5 does not go as far as Subclause 4 inasmuch as the wives of the Federal politicians are not provided for in the same way as the wives of State members are dealt with. If it is good under Subclause 4, it must be equally good under Subclause 5.

Hon. H. Stewart: Is there not a provision to the effect that no one can have two votes in the Commonwealth?

Hon. E. H. HARRIS: They cannot have two votes in any one State. I do not know if the provision in the Bill is in conflict with any Federal legislation. I cannot see any justification whatever for Subclause 5.

The CHIEF SECRETARY: I would have been better pleased had Mr. Harris supplied me with a copy of his statement before the House met. It is utterly impossible for me to grasp the position he sets up straight away.

Hon. E. H. Harris: That is why I suggested you should give your explanation later on.

The CHIEF SECRETARY: Under Section 41 of the Federal Act an applicant for the Commonwealth franchise may live for half a month in a subdivision and consequently cannot get on the roll, but the sec-

tion sets out that any person qualified for enrolment who has lived in a subdivision and has so lived for one month last past, may have his name placed on the roll. He may have made application for enrolment on the subdivisional roll and have been only half a month in that subdivision, yet there would be no option for the Electoral Registrar but to place the man's name on the roll.

Hon. E. H. Harris: But the section says distinctly that he must have lived there for a month.

The CHIEF SECRETARY: If the person had lived in the subdivision for one week only, he would be entitled to have his name placed on the rolls and that man could exercise the franchise.

Hon. E. H. Harris: Under what section?

The CHIEF SECRETARY: Under Section 41, subsection 5, which sets out that the validity of any enrolment shall not in any case be questioned on the ground that the person has not lived in the subdivision for a month. I understand the Act is being administered.

Hon. E. H. Harris: But that is not in the State Act.

The CHIEF SECRETARY: No, in the Federal Act.

Hon. G. W. Miles: Surely that is not the law!

The CHIEF SECRETARY: Yes, the validity of the enrolment cannot be questioned.

Hon. G. W. Miles: It must be a misprint. Surely that cannot be the law.

The CHIEF SECRETARY: If the elector has lived one week only in the subdivision, his name can be placed on the roll.

Hon. E. H. HARRIS: I knew that provision was in the Commonwealth Act, but I have never read into it what the Minister has indicated. A subclause along the lines of Subsection 5 was included in the Bill when it was introduced in another place, but the Government consented to its withdrawal. I noted the fact at the time, but did not realise what could be read into it. In reply to my point regarding the residence of an individual in a subdivision, the Minister quoted the section from the Federal Act. I contend that Subsection 5 refers only to a person whose name has been enrolled. If a person has lived in a subdivision for a month and has been duly enrolled, he can go away from the district for awhile, and when he returns his enrolment under Subsection 5 is safeguarded. The section quoted by the Minister referred to the necessity for an elector having resided in a district for "one month last past." If the elector has complied with that condition, then no objection can be taken to the appearance of his name on the roll under Subsection 5. If what the Chief Secretary stated is correct, it nullifies the whole clause and it is, so to speak, "over the fence." If what the Minister says is correct, we can read quite a lot of things into the Bill as it was introduced into the Legislative Assembly. I do not consider the Minister's interpretation correct, and I would like the opinion of some Federal authority on the provision.

Hon. H. STEWART: A man would have to be up to all the electoral dodges possible under the Act and would have to be a bit brazen, too, if we were to reside in a subdivision for a fortnight and put in an application for enrolment. It is to be hoped that there is no loophole in the clause that will permit people, because they are "in the know," and spend a lot of time investigating the Electoral Acts to discover loopholes and so forth, to take advantage of them. A good deal of very unsatisfactory and unsavoury work could take place if the interpretation of the Chief Secretary were correct.

Hon. E. H. HARRIS: I did not expect the Chief Secretary would be able to answer the case I have put up; I doubt if he will be able to do so even when he has consulted the authorities. However, I should like to hear a word from him before I move any amendment. If he can justify Subclause 5 I should like to leave it in, but I want some reason for its being there.

The CHIEF SECRETARY: It is there for the purpose of uniformity. I have no feelings in the matter whatever. The subclause is taken from the Commonwealth Act.

Hon. E. H. HARRIS: I move an amendment—

That Subclause (5) be struck out.

Since the Labour Party are keen opponents of plural voting, I expect good support for my amendment.

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

Bill reported with further amendments.

BILL—HOSPITALS.

In Committee.

Resumed from the 19th October. Hon. J. Cornell in the chair; the Honorary Minister in charge of the Bill.

Postponed Clause 27—Power of local authorities to expend revenue on public hospitals:

Hon. H. J. YELLAND: I have drafted an amendment, but on looking further into it I see it is going to be a difficult matter to introduce a validating clause in the Bill. These validations are always done by a special Bill. I am of opinion that Subclause 3 should be deleted, and that if the Government wish to validate the actions taken by the Katanning and Collie local authorities it should be done by means of a proper Bill. I hope Subclause 3 will be deleted.

The CHAIRMAN: Subclause 3 is all that is left of the clause, Subclauses 1 and 2 having been struck out at a previous sitting.

Hon. J. EWING: Subclause 3 is required to validate what has been done by Collie and Katanning, although I understand Katanning, even if acting illegally, was justified in doing so. Without the Bill the position of Collie is very satisfactory, except for the Government. The people there are doing all that is necessary to pay off their share of the cost of the hospital. Still, if the people were to repudiate their responsibility, the Government, without the Bill, would have no security for the £16,000 expended. Fortunately everybody is anxious to assist the Government in the matter. If the subclause be struck out, a validating Bill can still be brought down.

Hon. A. LOVEKIN: I do not think the position is as difficult as Mr. Yelland believes it to be The remaining subclause could be made to cover the position. If the Minister will report progress, I will endeavour to re-draft the subclause before the next sitting. It would be better to validate the actions of the local authorities in this way than to have a separate Bill brought down. I think the difficulty can be overcome.

The HONORARY MINISTER: When Mr. Yelland was successful in repealing Subclauses 1 and 2, which I very much regret, he undertook to do something about amending Subclause 3. I thought that, having succeeded in defeating the two earlier subclauses, Mr Yelland was going to prepare an amendment. Indeed, he intimated that he would do so, with the object of validating the actions of the Collie and Katanning local authorities. That being so, I have not taken any steps in the matter. However, Mr. Yelland has now adopted a different attitude. I believe, with Mr. Lovekin, that the position can be overcome and so, Mr. Yelland having failed to do what he undertook to do, I will report progress in order to allow of the subclause being re-drafted. I may say that never again will I place much credence upon any attitude taken up by Mr. Yelland. The people concerned have been taking a good deal of notice of this, and I shall not be surprised if, at a later date, Mr. Yelland hears some little argument about it

Progress reported.

BILL—CLOSER SETTLEMENT.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2: The board:

Hon. J. NICHOLSON: I move an amendment—

That in line 2 of Subclause (1), the word "three" be struck out, and the word "four" inserted in lieu.

The Bill proposes that the board shall consist of three members, one to be an officer of the Lands Department, another an officer of the Agricultural Bank, and the third a practical farmer. My amendment would increase the number to four in order that the pastoral industry might also be represented. I admit that four might be an awkward number, but as we look to the board to advance the welfare of the State, no difficulty would be likely to arise. If an odd number were desired, another member could be appointed.

The CHIEF SECRETARY: I do not wish to cast any reflection on the pastoralists, who have done a great deal for this country without much Government assistance. They contribute heavily to taxation and get little in return. As Mr. Holmes has frequently said, they simply wish to be left alone. Mr. Nicholson does not propose to leave them alone.

Hon. J. Nicholson: I do not think Mr. Holmes intended his words to be applied in that way.

The CHIEF SECRETARY: I should be sorry to see a representative of the pastoralists on the board. The experience of a pastoralist would unfit him for the work. All his prejudices would be in the opposite direction. He thinks sheep and talks sheep——

Hon. J. Nicholson: He would be only one amongst four.

The CHIEF SECRETARY: And wheat growing has little attraction for him. I admit there are exceptions to every rule. Mr. Nicholson desires to have appointed a pastoralist who is a breeder of stud stock. If the amendment be carried, it will be followed by another amendment to prevent land being acquired if it can be profitably used for the breeding of stud stock. No doubt some of our richest agricultural land could be used for the raising of sheep, but it could be used much more profitably if subdivided and cultivated. It would be easy for nine-tenths of the men who are using their land for a sheep walk, in many instances without carrying out the statutory improvements, to show that sheep breeding was profitable, and the Government would find it impossible to resume the land.

Hon. H. STEWART: When a similar measure was before us previously we considered that one member of the board should be a representative of the Lands Department or the Agricultural Bank, and one a representative of the Department of Agriculture. If a board of that kind were accepted, Mr. Nicholson's amendment would be unnecessary, because we should then have a fair and well-balanced board. The officers of the Department of Agriculture deal with all phases of production, and as the salient point of the measure is that land should be utilised to produce what the board consider it should produce, it is essential that the Department of Agriculture should have a representative on the board. He would be able to realise how necessary to the interests of the State was the continuance of the stud stock industry.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. BURVILL: A little explanation of the exact import of the clause would throw new light on it. Are the board to sit continuously, or merely at intervals, whenever a block of land is to be resumed? Then the practical farmer—it should be "farmer or grazier"—would presumably be chosen for his knowledge of the district in which the block proposed to be resumed was situated. A practical agriculturist—farmer or grazier—with the departmental officers should suffice. The whole question, however, hinges on whether the board would be permanently constituted.

The CHIEF SECRETARY: "A practical farmer having local knowledge of the matters under inquiry for the time being" means a practical farmer in the Geraldton district if the block proposed to be resumed is in that district, or a practical farmer in the Great Southern district if the block is situated in that district, and so on. There would be only one farmer on the board at one time.

Hon. E. H. ROSE: The practical farmer, I take it, would be a farmer from the particular district in which the land proposed to be resumed was situated, and a man who would be able to give due consideration to the important matter of the use to which the land was being put. Where land was being used for the breeding of stud sheep for the North-West and thus was the means of saving thousands of pounds now being sent from here to the Eastern States, there should be no interference. I do not consider a fourth member of the board necessary.

The CHIEF SECRETARY: It has been suggested that a member of the board should be drawn from the Agricultural Department. I do not consider that necessary, but I do consider it necessary that one officer should be drawn from the Lands Department, since he would be an expert as to whether land was agricultural or pastoral land, and another from the Agricultural Bank, since that institution would, if the land were resumed, be called upon to grant loans to settlers. Probably the two departmental members would be the Surveyor General and the General Manager of the Agricultural Bank. The board should not be overloaded with an officer of the Agricultural Department, which acts simply in an advisory capacity to farmers.

Hon. C. F. BAXTER: I am pleased the Chief Secretary has made the definition of "local knowledge" quite clear. I cannot, however, agree with him regarding the officer from the Lands Department. That department has no officer able to say exactly what should be done with land. Surveyors have no practical knowledge of the productive value of land. An officer of the

Agricultural Bank is necessary because the question of finance comes in. It is true that the officers of the Agricultural Department act in a purely advisory capacity, but each of them is an expert—in sheep, or cattle, or wool, or wheat, or potatoes, and so on—and is able to say what is the proper use of a particular block of land. An officer of the Agricultural Bank and an officer of the Agricultural Department with a practical farmer would be a splendid combination. If the question related to the Lands Improvement Act, an officer of the Lands Department would be suitable. An appeal board would keep the resumption board down to hard and fast lines.

Hon. J. NICHOLSON: The purpose of the Bill, I take it, is to assist towards utilising land to the best possible advantage, and presumably the Government will desire to be aided to the fullest extent by expert advice. Mr. Rose, Mr. Baxter, Mr. Burvill, and other hon. members have a close, intimate, expert knowledge of the various branches of industry concerned in the measure. They appreciate fully the need for building up on the strongest possible lines an industry which means so much to Western Australia, and Australia as a whole, as the pastoral industry in combination with agriculture. The Chief Secretary seems to have overlooked the important fact that as regards the pastoral industry Australia occupies a pre-eminent position, especially in the finest wools, for the supply of which the world looks to the Commonwealth. If the Bill is going to destroy an industry which means so much to Australia, the injury may be irreparable. Mr. Rose, who possesses expert knowledge of the subject, has drawn attention to the need for including on the board a member familiar with the peculiarities of the particular district concerned. I would point out there is nothing in the clause that states that that man shall be drawn from the different districts where land may be examined by the board and reported upon.

The CHAIRMAN: I have allowed a good deal of latitude, but I draw attention to the fact that the question before the Chair is whether the board shall consist of three or four members. The hon. member is anticipating a further amendment and I hope when that is moved he will not go over the same ground.

Hon. J. NICHOLSON: My object is to lessen the need for debating the matter later. The clause states that the third member shall be a practical farmer, but not in the district.

Hon. A. Burvill: It says, "having local knowledge."

Hon. J. NICHOLSON: Any man may have local knowledge, but once the member is appointed he will hold the position permanently. Any man could say that he had local knowledge. What does "local knowledge" mean? The clause does not say anything about local knowledge of the district.

Hon. C. F. Baxter: The Chief Secretary made that clear a little while ago.

Hon. J. NICHOLSON: If the board were operating in one district, they would make a definite appointment for a definite period. I contend that once the appointment is made, it will be more or less of a permanent nature. I agree with what Mr. Stewart suggested that it is desirable to have a representative from the Agricultural Department and Mr. Baxter emphasised that, too. It is wise that there should be such a representative on the board, because undoubtedly the officers of that department have a wide knowledge of the soils and conditions, a greater knowledge, in fact, than would be possessed by some of the other members of the board. The board is there to advise, and the stronger that advice is the better will it be for all concerned. Recently in New South Wales a Bill to deal with large estates was introduced by the Lang Government. That Bill, which by the way did not pass, recognised the importance of maintaining the breeding of stud stock, and it was proposed to exempt those properties that were properly being used for the purpose of breeding stud stock. I ask the Chief Secretary to realise how important it is that we should build up our flocks. Mr. Rose told us that great interest was being manifested in this State in the strengthening of stud stock. That is very important for this State, but if we pass the Bill and provide for the appointment of a board whose recommendation would carry great weight, and if that board was composed of men who are essentially agriculturists, and they became obsessed with the one idea of subdividing properties that were being used for stock raising purposes, it would be a very serious matter for the State. Is it not right that there should be on the board a representative of an industry that means so much to us? The advice of such a representative would be of

great service in assisting the board to arrive at a wise decision. I cannot understand why the number of members should be limited to three. Make it five if you like.

The CHIEF SECRETARY: There seems to be an impression on Mr. Nicholson's mind that the board when appointed will run all over the country and resume land compulsorily. This is a two-edged sword and can cut the Government as well as the owner of the land. Suppose the board resumed small stations on which stud stock were being reared, there would be a protest from the whole of the community. It is not necessary to have a pastoralist on the board. Farmers are deeply interested in the continuance of the breeding of stud stock. The majority of farmers in Western Australia keep sheep and some of them hold stock on a fairly large scale. I do not think any member of the board would be guilty of perpetrating such an act as Mr. Nicholson fears. The intention is that the representative on the board, having local knowledge, should belong to the district in which the proposed resumptions take place. The difference between this clause and the clause contained in the 1924 Bill is that the present clause does not contain the words "shall be appointed from time to time." Instead, these words occur—"for the time being," which mean the appointment of a person possessing special local knowledge. If Mr. Nicholson can express the position in any clearer terms, I shall be only too pleased to accept an amendment in that direction.

Hon. H. STEWART: The Chief Secretary is correct in saying that the clause is as amended by the Council in the 1924 measure, but only in reference to the wording as it applies to the third member of the board. The remainder of the clause was drastically amended.

Hon. G. W. MILES: The latter portion of the subclause should be more clearly defined. We know what anomalies exist in the classification of our pastoral areas. We should provide that the farmers' representative must have a practical knowledge of the district that the board is classifying.

Hon. A. BURVILL: If at the end of the subclause we added the words, "and appointed from time to time," that would meet Mr. Nicholson's difficulty and improve the subclause. In view of Clause 3 I do not think it is necessary to provide that there shall be four members of the board.

Hon. H. A. STEPHENSON: It will be sufficient to have three members on the board. The clause might be improved if the suggestion of Mr. Baxter and Mr. Stewart were adopted, namely that one member was taken from the Department of Agriculture. I cannot imagine that there is any need for alarm on the part of Mr. Nicholson. The clause seems to be very explicit as it is worded.

Hon. J. M. MACFARLANE: One member of the board should be a man who is experienced in stock matters. Our lands are devoted largely to the breeding of stock. Many wheat farmers are now carrying sheep on their holdings. My main desire is that the board shall consist of the right class of men. Officers of the Lands Department have not the requisite knowledge of the growing of produce to enable them to carry out the duties associated with this board.

Hon. C. F. BAXTER: If four or five persons were appointed to this board, it would make it unwieldly. If one member were a practical farmer, having a knowledge of the district concerned, he would be able to guide the board as to the productivity of the land. Wheat farmers are most successful at country shows with their stud sheep. I do not agree that one member of the board should represent the stud breeders. We cannot have a board consisting of only one Government nominee. The Government must be represented by two members.

Amendment put and negatived.

Hon. W. J. MANN: I move an amendment—

That in lines 1 to 4 of Subclause (2), the words "of the Department of Lands and Surveys, and one member shall be an officer of the Agricultural Bank. The third member shall be a practical farmer" be struck out, and the following inserted in lieu:—"either of the Department of Lands or Surveys or of the Agricultural Bank, and the other two shall be practical farmers."

I have not heard anything yet to convince me that there should be two Government officers and one practical farmer on the board. The Government will be dealing with land that a man has lawfully acquired and will desire to take that land, although the man may not wish to part with it. I think one Government representative will be sufficient on a board of three. The practical farmer is the only one who is supposed to have local knowledge, yet the two Government officials apparently are expected to

possess knowledge of all phases of agriculture. I fear the danger of departmental officers being appointed to the board, although they may be men not fitted to express an opinion as to what a person should do with his property. They may have particular fads and theories, but according to the Bill there will be one practical man only who will be in a position to really say what should be done.

Hon. Sir Edward Wittenoom: I do not think you are well advised to proceed with your amendment; the clause is better.

Hon. W. J. MANN: I have a precedent because when the Government finally appointed an advisory board to deal with group settlement matters, one Government representative and two practical farmers were appointed. That should apply in this instance as well.

Hon. H. STEWART: It would be better to proceed step by step and so word the amendment that we can first deal with the representation of the Government on the board. We could then consider the advisability of having a representative of the Agricultural Department instead of the Lands Department.

Hon. W. J. MANN: I am prepared to adopt that suggestion. It would be better to have a representative from the Agricultural Department in preference to one from the Lands Department. The alteration I seek to effect is the inclusion of two practical agriculturists on the board.

Hon. Sir EDWARD WITTENOOM: I intend to support the clause, which is fair. Under the clause there will be a man having practical knowledge of the locality where the board will be carrying out their investigations and that should overcome the difficulty.

Hon. J. Nicholson: No, it provides that he shall have local knowledge of the matters under inquiry.

Hon. Sir EDWARD WITTENOOM: That means he must have practical knowledge of the locality. Later on I intend to move an amendment, the effect of which will be that the decisions of the board must be unanimous. If that is agreed to, it will fully safeguard the position.

Hon. W. J. MANN: In view of what Mr. Stewart has said, I will ask leave to withdraw my amendment so that he may move in the direction he suggested.

Amendment by leave withdrawn.

Hon. H. STEWART: I move an amendment—

That in line 2 of Subclause (2), the words "Lands and Surveys" be struck out, and "Agriculture" inserted in lieu.

During the general discussion the Committee seemed to consider that three members of the board were sufficient and that the inclusion of one practical farmer was adequate. As it is of paramount importance that the different phases of production shall be considered, it is more advisable to have a representative of the Agricultural Department on the board, rather than a representative of the Lands Department. I shall be satisfied if the board consists of representatives of the Agricultural Department and of the Agricultural Bank and a farmer with local knowledge of matters under inquiry.

The CHIEF SECRETARY: I hope the amendment will not be agreed to. In the first place, it is essential that the Agricultural Bank be represented on the board.

The CHAIRMAN: This has no reference to the Agricultural Bank.

The CHIEF SECRETARY: But the object of the amendment is to limit the Government's representation to one.

Hon. H. Stewart: No, no.

Amendment (to strike out "Lands and Surveys") put and passed.

The CHIEF SECRETARY: The Bill is to be administered by the Department of Lands, which is well equipped for the task. There are in that department surveyors who have served a lifetime in land classification. It is essential also that the Agricultural Bank should be represented. The Government take on a big responsibility in forming this board and sending it out into the country to make recommendations. If the board be incompetent, the adoption of their recommendations may land the country in enormous expense. The Government desire that only a competent board shall be appointed. Personally I am not much concerned whether there be one or two practical farmers on the board, but it seems to me a board of three will be quite sufficient.

The CHAIRMAN: The Committee have agreed to strike out the words "Lands and Surveys" with a view to inserting "Agriculture." If that be a mistake, it cannot be remedied at this stage. I suggest that the amendment be completed, and that the Bill be recommitted.

Hon. E. ROSE: It would be better if the board consisted of a representative of the Agricultural Bank, a representative of the Agricultural Department, and one practical farmer.

The CHAIRMAN: The amendment is that the word "Agriculture" should be inserted in lieu of the words struck out.

Hon. Sir EDWARD WITTENOOM: I am opposed to the amendment. The Department of Lands and Surveys knows much more about this question than does the Department of Agriculture.

Hon. H. STEWART: A good deal of discussion took place on the clause. The feeling of the House was that the board should be composed of one representative of the Agricultural Bank——

The CHAIRMAN: It is not advisable to have the discussion all over again. We had the discussion when the hon. member moved his amendment, and he has gained his end to the extent that "Lands and Surveys" have been struck out.

Hon. H. STEWART: I want "Agriculture" to be inserted in lieu of the words struck out, after which, for my part, the clause can stand.

Amendment (That "Agriculture" be inserted in lieu) put and passed.

Hon. G. W. MILES: I want it to be clearly set out that the third member of the board shall be a practical farmer having local knowledge of the district. I move an amendment—

That after "knowledge," in line 4, the words "of and the district and" be inserted.

We want more than the assurance of the Government that the third member shall be a man of local knowledge. Let us have it in black and white.

The CHIEF SECRETARY: The clause provides that the third member of the board shall be one having local knowledge of the matters under inquiry. What are the matters under inquiry? Of course, the resumption of an estate. It is perfectly clear.

Hon. J. NICHOLSON: I suggest to Mr. Miles that after "farmer," in line 4, he inserts "resident within the district," and that after "knowledge" he inserts "in each district to be reported on."

Hon. G. W. MILES: I will withdraw my amendment.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 3—Inquiries of board:

Hon. H. STEWART: Subclause 1 states that the board may inquire into the suitability and requirement for closer settlement of any unutilised land. In similar legislation such as the Agricultural Lands Purchase Act a restriction has been imposed. The board should act at the request of the Minister; otherwise they would have scope to make inquiries without definite instruction. In order to hear the opinion of the Minister I move an amendment—

That after "board," in line 1, the words "at the request of the Minister" be inserted.

The CHIEF SECRETARY: The Minister should not be brought into the matter in the early stages as that would probably give it a political aspect. He would come into it later on. The matter would be brought before the Executive Council and his mind should remain unbiassed.

Hon. H. Stewart: How about making it "at the request of the Governor-in-Council"?

Hon. Sir EDWARD WITTENOOM: It would be difficult for the Minister or for the Governor-in-Council to take any antecedent action. If the board did not know where to go for unutilised land the Minister or the Governor-in-Council would not. The board's duty would be to find out the land to which the measure should apply.

Hon. H. STEWART: If there was an unsatisfied demand for land, the Government would create a board and hand over the measure to them. If it is the feeling of the Chief Secretary and of such experienced ex-Ministers as Sir Edward Wittenoom and Mr. Baxter that the subclause is sufficient, I shall withdraw the amendment. I did not intend that the Minister should give definite or drastic instruction, but the board should not have carte blanche to go wherever they like and make whatever recommendations they like. I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Hon. J. NICHOLSON: Subclause 3 reads—

Land shall be deemed unutilised within the meaning of this Act if in the opinion of the board the land, having regard to its economic value, is not put to reasonable use and its retention by the owner is a hindrance to closer settlement and cannot be justified.

The owner is the best judge whether land is being reasonably and profitably utilised, and if it is he should be allowed to remain in occupancy of it. Such a man provides rev-

enue for the Government and assists the progress of the State. I move an amendment—

That the words "in the opinion of the board the land, having regard to its economic value, is not put to reasonable use" be struck out, and the words "it shall be shown that such land is not reasonably or profitably utilised either for breeding of stud stock or for grazing purposes or for cultivation" inserted in lieu

Hon. A. LOVEKIN: If the amendment is moved in that way it will prevent Mr. Mann from moving his amendment to strike out "having regard to its economic value."

The CHAIRMAN: The Standing Orders provide that if we make an amendment in the clause, we cannot go back.

Hon. Sir Edward Wittenoom: Mr. Mann's amendment should be taken first of all.

Hon. A. Lovekin: Mr. Nicholson might withdraw his amendment and let Mr. Mann move his.

The CHAIRMAN: Mr. Nicholson's amendment commences before Mr. Mann's.

Hon. A. LOVEKIN: Parliamentary practice is that every amendment shall be so put from the Chair that it does not bar another amendment. If you put Mr. Nicholson's amendment it will completely bar Mr. Mann's.

The CHAIRMAN: Mr. Nicholson's amendment contains words that precede Mr. Mann's amendment and must be given precedence. If Mr. Nicholson's amendment is carried there will be no need for Mr. Mann to move his amendment. If, on the other hand, Mr. Nicholson's is lost, I shall allow Mr. Mann to move his.

Hon. W. J. MANN: I shall oppose Mr. Nicholson's amendment, because I consider that the amendment of which I have given notice will make the position perfectly clear.

Hon. V. HAMERSLEY: Both amendments leave me in a quandary. Mr. Nicholson's is of the utmost importance to persons owning property used for breeding stud stock. Mr. Mann desires to delete the words "having regard to its economic value." If the reference to the economic value were deleted, would the board give consideration to land used for stud stock?

Hon. Sir Edward Wittenoom: Who understands what the economic value is?

Hon. H. Stewart: No one.

Hon. V. HAMERSLEY: The pastoralists in the North have been in the habit of purchasing stud sheep from South Australia, but there are now men in this State who have devoted years and capital to breeding stud stock, and Mr. Nicholson is endeavouring to protect them. Having regard to the economic value of stud stock to the State, it is questionable whether land so used should be resumed to grow wheat.

Hon. A. LOVEKIN: I hope the words "having regard to its economic value" will be retained; otherwise the clause would be bare and open. Those words mean the best profitable use to which the land can be put.

Hon. Sir Edward Wittenoom: Let us have a definition of "economic value."

Hon. A. LOVEKIN: The hon. member understands what it means.

Hon. Sir Edward Wittenoom: But plenty of other people do not.

Hon. A. LOVEKIN: If we delete those words it will be left to the board to decide what is reasonable use.

Hon. Sir Edward Wittenoom: What is the difference between the "economic value" and "reasonable use"?

Hon. A. LOVEKIN: "Economic value" means the best and most profitable use for the land, and "reasonable use" means what the members of the board interpret as being reasonable. Some members of the board might think all land suitable for growing wheat, and away would go an area used for breeding, say, stud stock.

Hon. Sir Edward Wittenoom: That means the board would be no good.

Hon. A. LOVEKIN: Possibly. The growing of timber might be the best economic use of land. The owners of such lands might have to give them up because of such an opinion on the part of the board Owners should have an appeal board to go to. The words do no harm, but will help to keep a man in the ownership of his land where, without them, he might lose it.

Hon. J. NICHOLSON: In their own interests the Government should see to it that they do not vest the board with drastic powers which might do immense injury to property in Western Australia and might have the effect of preventing people from coming here to take up land so readily as they are doing. To state the exact meaning of "economic value" is difficult. I do not share Mr. Lovekin's view that the words should be retained. The whole point is in the words "if in the opinion of the board." If the board determine that in their opinion land is not being put to its best economic use, such land will be resumed. Should the words in question be retained, hon. mem-

bers need not bother about an appeal board at all, because the appeal board would say, "It is the opinion and judgment of the closer settlement board that are to govern the matter, and not our opinion and judgment, and we cannot go behind the determination of such a board." Unless people developing their properties reasonably and properly are assured of security of tenure, others will be disinclined to take up our lands and spend money on them. A reference to the growing of timber might be included.

Hon. A. Lovekin: Suppose the timber on the land was natural forest.

Hon. J. NICHOLSON: That would not be land put to use.

Hon. A. Lovekin: The land might have very valuable jarrah timber on it.

Hon. J. NICHOLSON: Such land could not be regarded as utilised. In any case, it would not pay a man to leave land with jarrah indefinitely, because after the timber has reached a certain age it deteriorates. In the Esperance district large areas are used for growing pine.

The CHIEF SECRETARY: The discussion is interesting to me because I remember how in 1924 this part of Clause 3 was moved and carried here. I resisted it to the best of my ability Out of respect for this Chamber it has been included in the present Bill. However, it is not being received with gratitude. There is no objection to land used for the production of stud stock being exempted from resumption, but I strongly object to the exemption of land used for grazing purposes. I know of a few instances where such land is in no sense improved, except for the provision of water supply—rich agricultural land close to a railway line.

Hon. A. LOVEKIN: I agree with Mr Nicholson that if the words "if in the opinion of the board" are retained, any appeal would be absolutely valueless. Where an Act leaves a matter to the discretion of an officer, the court does not interfere with that officer's discretion. On the other hand, if the words "having regard to its economic value" remain, it is not only the officer's opinion which has to be taken into account: the officer will have to form his opinion having regard to the economic value of the land.

Hon. H. STEWART: Subclause 3 is quite different from the clause as amended by the Council in 1924. There are differences in the wording which perhaps leave a loophole in the way suggested by Mr. Nicholson. At the same time there seems to me to be a weakness in Mr. Nicholson's amendment. Mr. Nicholson is treading on dangerous ground because a considerable area of agricultural land is used and is worked by people who themselves are not occupying it. Such people, however, are doing good pioneering work, though perhaps not profitably to themselves.

Hon. H. A. STEPHENSON: I hope the amendment will not be carried. I am very much in favour of the clause as it stands, especially with the words "economic value." Mr. Nicholson considers that if the clause was passed it would have the effect of preventing new men coming to the State to take up land and bringing capital with them. My opinion is that it will have the opposite effect. To-day men are coming here looking for land and are not able to get it, although there are big areas not being utilised and that cannot be purchased. If the Bill goes through, that position will be altered for the benefit of the State.

Hon. V. HAMERSLEY: Mr. Stephenson is concerned about the newcomer, whom he wants to get on the land. I am concerned about the man who is moved on, the man who in the past has had to put up with hardships. I am satisfied that if the words suggested are taken out we shall have to insert those suggested by Mr. Nicholson. However, I am satisfied with the clause as it is.

Hon. A. BURVILL: In "Hansard" of 1924, page 1896, we find that Mr. Lovekin moved as an amendment these words, "Having regard to its economic value." The Chief Secretary offered no objection to the amendment, and it was carried without a division.

The CHAIRMAN: Mr. Nicholson's amendment and the amendment of Mr. Mann overlap, and the way out of the difficulty is for Mr. Nicholdson to move his amendment first by striking out the words "in the opinion of the board the land." Then, if those words are struck out, Mr. Mann can move his amendment and the Committee can decide whether those words should or should not be inserted.

Hon. J. NICHOLSON: I will withdraw the amendment as it stands in my name and move in the manner suggested. If we leave those words in, it will nullify the effect of the court of appeal. One gets an instance

of this, say in connection with powers left to trustees, where it is left to the discretion or the judgment of trustees. In such a case the court would not interfere with the decision the trustees might arrive at. If we leave in the words we shall simply render useless the provision for the court of appeal.

Hon. V. HAMERSLEY: I would prefer to cut out the words "in the opinion of the board."

The CHAIRMAN: Mr. Nicholson has moved his amendment in this way in order that Mr. Mann may afterwards move his amendment.

Hon. J. NICHOLSON: I should like to alter my amendment. I will now move—

That the words "in the opinion of the board" be struck out.

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

Ayes	.. .. ..	12
Noes	.. .. ..	8
Majority for	..	4

AYES.

Hon. C. F. Baxter	Hon. G. Potter
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. Sir W. Lathlain	Hon. H. Stewart
Hon. A. Lovekin	Hon. H. J. Yelland
Hon. J. M. Macfarlane	Hon. E. Rose
Hon. W. J. Mann	*(Teller.)*
Hon. J. Nicholson	

NOES.

Hon. A. Burvill	Hon. G. W. Miles
Hon. J. M. Drew	Hon. Sir E. Wittenoom
Hon. E. H. Gray	Hon. W. H. Kitson
Hon. E. H. Harris	*(Teller.)*
Hon. J. W. Hickey	

Amendment thus passed.

Hon. W. J. MANN: I move an amendment—

That in line 3 of Subclause (3), the words "having regard to its economic value" be struck out, and that after the word "not," in the same line, the word "being" be inserted.

I do not know what the term "economic value" means. Each member of the board would place a different interpretation upon it, and it would provide plenty of food for the lawyers. The words are superfluous and ambiguous.

Hon. A. LOVEKIN: I am opposed to the amendment. If these words are struck out there will be nothing left for the land owner to appeal against. On appeal, the court can have regard to the economic value of the land, which will stand as something quite apart from the opinion of the board.

Hon. Sir EDWARD WITTENOOM: No one can say what the term means. In my opinion these words should be struck out. I believe that the operations of the board, bearing in mind the amendment I propose to move later on, will be such that there will be no necessity for appeals.

Hon. J. NICHOLSON: I find considerable difficulty in determining the proper explanation of the words "having regard to its economic value." I think the inclusion of these words will tend to create difficulties rather than, as Mr. Lovekin suggests, remove them. When we apply that term to land and have regard to the context, it is difficult to fix a meaning. What is the economic value of land?

Hon. A. Lovekin: It means the best use that the land can be put to.

Hon. J. NICHOLSON: If the words were "the economic use to which land can be put," the position would be simplified.

Hon. A. Lovekin: I will bring a lecture along to-morrow and read it to you. That will tell you something about the economic value of land.

Hon. J. NICHOLSON: Economic value is different from the economic use to which land can be put. In my opinion economic value means the actual and true value of land as distinguished from the economic use to which that land may be put. It would be much better to omit the phrase at present and if necessary we can insert other words later on to make the position clearer.

Progress reported.

House adjourned at 9.52 p.m.