Legislative Assembly,

Thursday 14th November, 1912.

The SPEAKER took the Chair at 3·30 p.m., and read prayers.

PAPERS PRESENTED.

By the Minister for Works: Special by-laws of the Upper Gascoyne roads board.

By the Minister for Lands: Report of the Chief Harbour Master on harbours and lights for the year 1911-12.

BILL—NATIVE FLORA PROTECTION.

Read a third time and *passed*.

BILL—GAME.

Withdrawn.

Order of the Day read for the consideration of the report of the Committee.

Mr. SPEAKER: It has hitherto escaped notice both in this Chamber and in the Legislative Council that this Bill contains provisions which do not allow it to originate in the Legislative Council. Clauses 9 and 10 provide that persons shall not do certain things until they have taken out licenses and paid the prescribed fees therefor. Though the sum is not specified, these provisions amount to imposing a tax. Section 66 of the Constitution Act provides—

> That all Bills for appropriating any part of the Consolidated Revenue Fund or for imposing, altering or repealing any rate, tax, duty or impost shall originate in the Legislative Assembly.

Since this Bill has originated in the wrong Chamber, it will be illegal for it to pass through this Parliament, and therefore I must rule that the Bill cannot proceed further. I ask the hon. member in charge to move that it be withdrawn.

Hon. H. B. LEFROY (Moore): I move—

That the Bill be withdrawn.

Motion passed; the Bill withdrawn.

BILL—NORSEMAN-ESPERANCE RAILWAY.

Second Reading.

The MINISTER FOR WORKS (Hon. W. D. Johnson) in moving the second reading said: I again have the pleasure of submitting for the consideration of the Chamber the Norseman-Esperance Railway Bill. I do it again with added pleasure, not because it is necessary to submit it on a second occasion, but because in the meantime, since last session, we have had evidence of progress in that particular portion of the country that not only justifies the Government in again endeavouring to get Parliament to authorise this public work, but justifies Parliament on this occasion taking a more serious view of this important measure. I do not propose to take up much of the time of the Chamber dealing with an historical sketch of the agitations and the various efforts that have been made to get railway communication for Esperance. I just briefly want to point out that the first line of survey was run between Coolgardie and Esperance in the year 1902-3. Then in 1909, a portion of the railway from Coolgardie to Norseman was completed and opened for traffic. Previous to 1909 there had been a considerable amount of agitation for railway communication between Coolgardie and Esperance, but the agitation was practically wholly confined to the necessity for this railway from a mining point of view. It was considered by the people on the goldfields that the railway would be of vast assistance to the gold-mining industry; and while it is true that many years ago, when there were various discussions in the Chamber in an endeavour to get favourable consideration for this project, it was urged that the agricultural possibilities of that portion of the State were worthy of some

consideration, I think I am justified in saying that prior to 1909 very few people realised the agricultural possibilities of that district. But a change came on the scene in 1909, and from that time onwards, more particularly in 1910, various areas of land were selected there for the purpose of agriculture, and quite a number of people pinned their faith to that portion of the State and its agricultural possibilities; and from that time onwards, the line has been urged and agitated for by people anxious to get railway communication so that they might assist in the development of that portion of the State. There are quite a number of resident occupiers there now. Though I admit that there is not a great deal of encouragement for them to be there, still there are now 100 resident occupiers at Esperance, and on the wheat belt itself there are fully 50 resident occupiers in active cultivation of the soil.

Mr. Moore: How many acres are cultivated?

The MINISTER FOR WORKS: I shall deal with that directly. I propose to give the Chamber full information, because I believe the Chamber desires to do a fair deal to the State generally; and by placing before members the full facts, I believe they will take a more favourable view of this question than on the previous occasion. I want members to realise under what conditions the people in that district are living. There are 50 people actively engaged in clearing and in the cultivation of the soil. I ask members to take any portion of the State where agricultural railways have not been built and to consider in how many cases people so far removed have taken up holdings and started cultivating with the experience they have had of Parliament time after time deciding not to give them railway communication. How many times, I ask, have we had experience of people going out in the face of obstacles of that description? The point I desire to make is that we have to-day 50 people there in spite of the fact that Parliament, only last session, decided against the construction of a railway to give them an opportunity of marketing their produce. This, I take it, speaks volumes for the area itself, because the people there must have unbounded faith in its possibilities or they would never go on in the face of the attitude recently adopted by Parliament. The area held by these resident occupiers at Esperance is 15,000 acres, and I may state that most of the land at Esperance is swamp country, and held in small areas. On the wheat belt these 50 people are occupying 50,000 acres; practically, this is 1,000 acres per occupier. The population at the time the return was prepared, and that was quite recently, amounted to 500 persons. So to-day we can urge, in addition to the fact that we have a wheat belt worthy of being opened up, the further argument that 500 people are resident in this particular part of the State. The total land alienated within 12½ miles of the railway, that is the land to be served, is 203,900 acres. The grazing leases held by 25 people, represent 47,500 acres. The land available within 12½ miles of the railway, that is to say agricultural land, amounts to 1,624,600 acres. The total area within the influence of this particular line is 1,876,000 acres. I want to emphasise these figures, and I appeal to hon. members to take this matter seriously and realise exactly what we have in that portion of the State, and ask themselves whether it is not the duty of Parliament to try to develop this large area? The pastoral land under leasehold amounts to 26,000 acres, and the pastoral area held under annual licenses is 100,000 acres, or a total under pastoral occupancy of 126,000 acres. The pastoral land available, apart from what has been taken up, is 1,498,000 acres. The homestead leases held number 115, and the homestead leases applied for but not dealt with when the return was prepared, are 16. The principal timber in this district is, of course, mostly mallee, but we find salmon gum, yate, paper bark, and black ti-tree growing, and we know that West Australian lands, like all other lands, are judged by the class of timber growing on them, together, of course, with the rainfall—but I will deal with the rainfall later. I want to emphasise the fact that the very good class of timber

growing on this area is a distinct evidence of the fertility of the soil. The cost of clearing this area is not as great, of course, as in the principal agricultural lands of the State. Owing to its being mallee it is possible to roll a large proportion of it, and it is estimated that on the average the land can be cleared at a cost of 15s. per acre. The land cleared to-day represents 5,000 acres and in addition to this area there is a very large area rolled ready for clearing. I have not been able to ascertain the exact area rolled, but there have been teams and rolling plants in that district for some time, and a considerable amount of rolling has been done in anticipation of burning. But the 5,000 acres referred to is land cleared, and it is estimated that contracts have been let—this is discovered as the result of investigation by dopartmental officers—contracts have been let to clear 20,000 acres during the coming clearing season. These figures will go to show that the people are taking this matter seriously, and putting their money into it in anticipation of Parliament ultimately doing its duty by them. I would not, perhaps, be justified in saying that because a large area is to be cleared a large area will be put under cultivation. We have a comparatively large area under cultivation considering the remoteness of this particular district, but I quite recognise that the area that will be under cultivation next year will depend largely on the result of the efforts of the Government to obtain authority to build the line. If the Bill is passed by Parliament a very large proportion of this area cleared will be under cultivation next year. The yield last year averaged eight bushels per acre. It must be borne in mind that the methods of cultivation adopted down there are very crude. There is practically no fallow at all in this particular area under cultivation, and for the most part the area is very roughly cultivated. As a matter of fact, we know that is general throughout Western Australia, and it is not casting any reflection on the settlers in this particular part to say that they cultivate in a very rough way, because right through the length and breadth of the country we find many settlers who practically gamble on the season, cultivating in a rough way. For many years they have got very fair profits, but last year in the Esperance district, and throughout the State, the man who used the rough method of scratching in his crop did not get the same results as were obtained by the man who cultivated on more orthodox lines.

Mr. Harper: This loose method of cultivation is too prevalent in Western Australia.

The MINISTER FOR WORKS: I am glad the hon. member admits that, because I do not want the Chamber to think that I am casting any reflection on the Esperance settlers when I say that they cultivate in a rough fashion. As the member for Pingelly says, these methods are altogether too prevalent in Western Australia; and it might be added that people are encouraged to go in for that sort of thing to too great an extent. In dealing with the area under crop, I desire to read for the information of hon. members the report which the member for Irwin (Mr. Moore) was kind enough to call for, the report of the constable in charge dealing with this particular district.

Mr. Moore: I asked for two reports, but I got only one.

The MINISTER FOR WORKS: We have two here, and I will read both. On the 20th August, 1912, Constable Brodie wrote—

> I respectfully report having completed the winter collection of areas under crop for the year 1912 in the Esperance sub-district.

It will be understood that this officer deals merely with one part of the district. The report continues:—

> In the Esperance sub-district, which includes Dalyup, Fanny Cove, 14-mile Condenser, Myrrup, Israelite Bay, Baladonia and Thomas River, the total area under crop this season is 1,283 acres, which is an increase of 612 acres on last year. This is accounted for by the increased settlement on the mallee land along the Norseman-Esperance road, where only 174 acres

was sown last year as against 758 acres this year. There is also an increase around Esperance. The season has been very favourable and the rainfall this year so far has been 14½ inches, which, although slightly later this year, has been very evenly distributed, and the majority of the crops are therefore looking well.

This is only the sub-district attended to by the constable.

Hon. J. Mitchell: That does not apply to Grass Patch, does it?

The MINISTER FOR WORKS: I will take an opportunity of dealing with the rainfall at a later stage. The report concludes—

Should the season continue favourable for a couple of months a record harvest is assured for the district.

Mr. Monger: This is not in accord with the report in the Kalgoorlie *Miner* a few days back.

The MINISTER FOR WORKS: I did not see the report in the Kalgoorlie *Miner* but this report, as hon. members will understand, is in every sense authentic. Then Constable Edward McKinley reported on the 2nd November, 1912, as follows:—

I have to report having completed the crop forecast for areas 11, 17, and 18 respectively. The crops in and around Esperance have been a failure owing to continual drought. Area 11, which embraces Dundas, Salmon Gums, Grass Patch, and vicinity, has also experienced unusually dry weather, but the crops at the last mentioned place, taking into consideration the small amount of rain registered and the hot spell of weather that has been prevailing lately, have given the settlers a good idea of what the gound is capable of producing with a fair rainfall.

Mr Monger: Exactly what Mr. Paterson predicted.

The MINISTER FOR WORKS: I went into an agricultural district and I am sorry to state this gentleman did not predict that I was going to have a dry season, and, last year, going to lose my crop, whilst this year I am to get not too good a crop because of the dry spell in that district also. These gentlemen refer to Esperance, but they forget to point out that the dry weather has been general in Western Australia. In the Kumminin district, which we hear so much about, we lost our crops last year.

Mr. Monger: Bad farming on your part.

The MINISTER FOR WORKS: No, it was the fact that we did not get the rainfall, and that we have had a dry spell there this year the same as in the Norseman district. The report continues—

In only one instance, as far as I could ascertain, was the land fallowed, and that has produced, according to estimates, over one ton per acre, and was being harvested at the time of my visit. The other settlers did not fallow, as in most cases it was their first crop, and was put in after the rolled timber was burned, with the disc harrow, and, in consequence, their returns have not been so satisfactory. The rainfall has been considerably under the average for the locality, and it speaks well for the quality of the land for so favourable result under the circumstances. The settlers are satisfied that next season by fallowing their land they can produce a bountiful harvest. In the majority of places visited in this area harvesting was in full swing, and some of the settlers intended stripping portion of their crop for wheat, the heads of which look satisfactory.

That is the report by the constable whose special duty it is to report on these matters, and it is dated 2nd November, 1912. So I have submitted a report from Esperance dealing with one portion of the area, and this later report from Norseman dealing with the other portion; and there are similar to reports from other portions of the State owing to the fact that we have been unfortunate in having dry spells in many districts. Since submitting the Bill last year the Government have done all that was possible in this district, as in other districts, to encourage the settlers to stick to their holdings and go on with their clearing and general improvements. It is remarkable that while we get applauded for what we have

done in the dry areas closer to the seat of Government, I venture to assert that we will get very little praise for having done what was only our duty towards the settlers of Esperance.

Hon. J. Mitchell: You did more for them in that district than anywhere else.

The MINISTER FOR WORKS: We did not. We have not done as much for them as we have done for the settlers elsewhere, for this reason, that right through the State we supplied seed wheat and fertilisers to the agriculturists who were in need. We have only done that for the settlers in Esperance. We have also liberalised the Agricultural Bank to the other settlers throughout the eastern districts, but the Agricultural Bank does not apply to those settlers at Esperance, so that instead of doing more for the Esperance settlers we have done less. But the point I wish to make is that the Government have not been limited in their view of their responsibilities. We have done our duty to the whole of the agricultural industry and have not limited it to any particular portion. We have done for the dry eastern districts that have gone through a very bad time what we considered was our duty, and we have given to the people on the belt between Esperance and Norseman the same consideration. It is true that we advanced seed wheat and fertilisers, and in addition the Government decided to render some little financial assistance to encourage them to go on with the improvement of their holdings, which had been alienated by the Crown, and for which they are paying purchase money exactly the same as settlers in other portions of the State. In order that the Government might know exactly what settlers were deserving of encouragement and the best way to distribute assistance, Mr. Sutton, Commissioner for the Wheat Belt, was instructed by the Minister for Agriculture to go to this particular area and investigate the matter. He has associated with him Inspector White, who has been connected with the Agricultural Department for some considerable time. These two expert officers visited the district, and after investigation recommended that the Government should grant assistance to the settlers for the purpose of clearing, etcetera, on somewhat the same lines as the Agricultural Bank does for settlers elsewhere, and in addition Mr. Sutton decided to lay down definitely for the settlers on what basis the money would be granted and what improvements would be allowed for. In other words, Mr. Sutton took upon himself the responsibility of telling the settlers what improvements he thought were essential to give them the best results. Under that system laid down by Mr. Sutton 63 applications have been received for assistance up to date, and 57 of them have been approved. It was provided under this system that the greatest amount that would be advanced on any one holding was £500. Up to date advances to the extent of £5,900 have been approved, and of this sum £1,290 has been paid over. As hon. members know, under the system in the Agricultural Bank, which has been followed in this particular area, the advances are made after the improvements are effected. Altogether 26 settlers received seed wheat from the Government. That briefly outlines the assistance that was rendered by the Government since this Bill was introduced on the last occasion. Now, the Government also appointed an officer of the Water Supply Department to go through the district and make a thorough inspection of the area, and report in a comprehensive way on the possibilities of water conservation and water supply throughout that area. In order to get an officer who would combine an investigation into the water supply with a capability of classifying the land, the Government consulted Mr. O'Brien, the Engineer for Mines Water Supply, a very capable officer, and also the Surveyor General, Mr. Johnston, and those two gentlemen selected Mr. Middleton, who was instructed to go through this area, classify it, investigate the water supply question, and submit a report to the Government. Mr. Middleton traversed an area of 80 miles long and 30 miles wide; in other words, he travelled for a distance of 80 miles along the route of the proposed railway, taking in 15 miles on either side, and he states that the land is striking in its consisteney throughout. Others

have reported that this is a particularly consistent area. We know that in Western Australia we have a large proportion of broken country, inasmuch as we find given areas, varying in acreage, of really good land and then we come to poor country.

Mr. Harper: There is plently of good land at Kalgoorlie and Coolgardie.

The MINISTER FOR WORKS: Yes, but there is not the rainfall there. In this particular area, especially in the mallee belt, the land is strikingly consistent, and there are thousands of acres well timbered by mallee which is the very best class of country for wheat growing.

Mr. Moore: Will you let us have Mr. Middleton's report?

The MINISTER FOR WORKS: I am dealing with Mr. Middleton's report now. After Mr. Middleton had been through the country, Mr. O'Brien went over it and made a personal investigation. After his personal investigation, plus the data and detail submitted by Mr. Middleton, Mr. O'Brien, on the 30th August, reported to the Government, inter alia—

> The mallee land gently undulating throughout consists of red loam, light sandy loam, patches of grey loam, with subsoils of good close loam varying to loamy clay, and in parts clay. The grey appearance the surface presents along the coach road has caused many people to believe the country is a miserable sandy waste. The grey colour is caused by rain and wind acting on the loam or clay, and depositing on the surface a fine lawer of sand, mostly disintegrated limestone. This sand is soft, not hard and sharp, and it appears to be contained in surface and subsoils throughout the mallee belt. Proof of the above may be seen on the spoil banks of the Government tanks constructed last year along the coach road, by this department. A film of grey sand has already been weathered out of stiff clay, which was excavated from a depth of 12 feet.

I read this portion because it indicates that this mallee is grown on a clay subsoil, which is undoubtedly the best class of light country we have in Western Australia. Mr. O'Brien emphasises the fact that some of the farmers have not gone in for an extensive method of farming, and he proceeds to give the following list of acreages under crop this year. I will give just the names of the settlers and the acreage which each one has under crop :—at 30 mile and locality, G. Baker 60 acres, Dr. Wace 30 acres, Jenkins, 25 acres, Rogers 100 acres, Cable 150 acres, Bell and Taylor 130 acres, Bretagh 42 acres, Berry 50 acres, Luton 50 acres, Mrs. Brown 12 acres, total 649 acres. At Grass Patch and northwards, A Richardson 260 acres, Mr. Shepherd 110 acres, Dr. Richardson 185 acres, Stearne 80 acres, Harrison 80 acres, Dwyer 40 acres, Thompson 105 acres, Lee 80 acres, Townsend 5 acres, Knight 65 acres, Ottrey 100 acres, Moore, 25 acres, Lewis, 70 acres, Foote 17 acres, McKinnon 23 acres, Roberts 80 acres, Sharp 50 acres, total 1,375 acres. At Gilmore's (92 mile), there are 5 acres. or a total area under crop this year of 2,029 acres.

Mr. Monger : They had almost that area last year.

The MINISTER FOR WORKS : They did not have that area last year, but the fact remains that if they had given us no increase this year I do not think we could have blamed the settlers, because after all what encouragement did they get, outside the encouragement the Government gave them, to go on improving their land. What encouragement is there to cultivate this area unless we give them railway communication?

Hon. Frank Wilson : You have offered to buy their crops.

The MINISTER FOR WORKS: We have offered to buy the wheat which is stripped. The hon. member knows very well that the early crops are not stripped, and that it is better to cut them for hay and hold for feed. If any crops were stripped we would buy the wheat, but we did not promise to buy their hay crops. That is all I propose to say in regard to the reports of Mr. O'Brien and Mr. Middleton in reference to the crops and the agricultural possibilities. But I want to deal for a few moments with the water supply. We all know that much has been said regarding the possibility of

water conservation in this area. As a matter of fact, in the early stages of this Parliament the whole attack on this proposition was concentrated on the fact that there was no water in the area and that the only possibility of water supply was by means of condensing, which was a totally impossible proposition from an agricultural point of view.

Mr. Broun: The crops there are a failure this year.

The MINISTER FOR WORKS: I am prepared to admit that the season this year was not as good as it was last year, but we know perfectly well that has been general. We cannot make that assertion against this particular area any more than we can against many other areas in Western Australia. It has its misfortune exactly the same as other portions of the State, but the fact remains that the crops have not been a total failure because the report of the police constable whose duty it was to investigate this matter says that on fallowed country the farmers are getting one ton of hay to the acre. There is a good deal of fallow country in other portions of the State which is not returning one ton to the acre.

Hon. J. Mitchell: That is what the good season is going to do.

The MINISTER FOR WORKS: I am speaking of particular areas. Generally speaking this season is better than the last season, but even this season there are areas where there has been a very dry spell, and the dry spell has not been confined to Esperance. It is to be found in various parts of the State and members cannot condemn Esperance unless other areas which are getting assistance from the Agricultural Bank, which already have railway communication and which have been assisted to a large extent by the State generally are also condemned. Dealing with the water supply Mr. O'Brien says—

> Various reports and statements have been published to the effect that the mallee country is porous, that no water courses exist, and that great difficulties would be met in providing settlers with water and so on. A few words on the above will show how half a truth given out in all innocence may leave a bad impression. The mallee "surface soils" and to some extent the subsoils are porous, and it is fortunate for the State they are. The soils of the mallee belt can easily absorb all the rain which falls and hold it for a considerable time before the sun's heat pulls it out. The sandy loams which prevail over the surface assist the retention of moisture in the soil below, and require less cultivation in fallow than heavier and clay soils. . . . Surface soils and subsoils absorb rain, and lose it again by evaporation, less the quantity used up by scrub and trees. Taking this in conjunction with the character of the rain (slow soaking falls) and the easy grades of the country—the absence of watercourses is explained. After an examination extending over 6 months and carried out in a systematic way, I see no serious difficulty in providing a reliable economical and clean water supply all over the area of 1½ million acres, including railway requirements.

Consequently the Government have sent these officers into this area with special instructions——

Mr. Monger: With special instructions?

The MINISTER FOR WORKS: With special instructions to give special attention to the possibilities of water conservation, and these engineers have a reputation. There are gentlemen in this Chamber who have very little.

Mr. Monger: Yourself, to wit.

The MINISTER FOR WORKS: These gentlemen have a reputation, and they have to stake their reputation on the report they give. Mr. O'Brien has a reputation as an engineer in water supply matters, a reputation which is worth having.

Mr. SPEAKER: The hon. member is not in order in reflecting on any member of the Chamber by stating that he has not a reputation.

The MINISTER FOR WORKS: Mr. O'Brien has a reputation to uphold and his report is an honest report by an honest engineer, and he has stated definitely

that there is no difficulty, as far as water conservation is concerned in this area.

Hon. J. Mitchell: The dams are holding well.

The MINISTER FOR WORKS: Yes; I was about to point out apart from this report that there are in this area 10 dams excavated by settlers, and these dams, with one exception which has been pointed out by Mr. Middleton, are holding and there is no difficulty. In regard to the exception, Mr. Middleton explains how the settler made a mistake. The dam was placed in such a position that he could not expect it to hold. The same thing applies to various areas in and around the wheat belt nearer to the seat of Government. On my own farm I could sink a dam in a particular spot where there would be a good catchment, but I could not get holding ground; it would be porous, but I could go a few chains away and get a different class of country which would be good holding ground. The same applies in the wheat belt where the settler has had experience; nine out of ten have selected wisely and there is no difficulty.

Hon. J. Mitchell: Are there any dams full as yet?

The MINISTER FOR WORKS: I cannot say, but Mr. Middleton stated early in the winter that the whole of the dams had water, because he dealt with the fact that they were holding well. I want to emphasise also that the area of agricultural land given applies only to the land that will be served by this particular line. I am dealing with the land within 12½ miles radius of the line, but I want members to realise that this is not the only agricultural land available in this portion of the State. There is a very large area that will not be served by this particular line, but I venture the opinion that if the railway is constructed and the railway must come sooner or later, and I believe it will come early, spur lines can be run which will open up a vast area in addition to the area to be served, and which will be additional to the figures I have already given. To deal with the railway the length of line is 125 miles. The total estimated cost is £312,750. In dealing with the land that will be served it is necessary to consider the rainfall in this area. We know we have good land in and around Coolgardie, but there is no rainfall to make cultivation a possible proposition; but we find the rainfall is sufficient in this area, for it is equal, and in many cases superior to that on some of the land alienated closer to the seat of Government. The rainfall figures given by the Advisory Board show that the average at Esperance is 25½ inches, at the Thirty-Mile Post 17½, at Lake View 11½, and at Norseman 10 inches, so that the most northerly portion of the line, Norseman, which is not urged to be an agricultural proposition, had an average at that time of 10 inches, and we know that that is sufficient——

Hon. J. Mitchell: They get heavy summer storms.

The MINISTER FOR WORKS: Yes; that is sufficient for successful cropping provided they get it at the right time. But to ascertain exactly the value of the rainfall from an agricultural point of view, we must take the fall between April and November. The Advisory Board went into this question and they report that between April and November the average rainfall figures extending over a number of years are: Esperance, 22½; Thirty Mile Post, 14½; Lake View, 9; and Norseman, 8 inches. So taking these figures, Norseman itself is not proved to be too dry, and Norseman is no drier than portions of the wheat belt close at hand that have been settled for a number of years. I have given already the details of the number of people settled in this particular area, the lands selected, the land available, the results of cultivation for the last year and also the possibilities of water conservation. The latter is more than a possibility because Mr. O'Brien states there is no difficulty in providing water conservation on economical lines. I claim that no better case than this one for the construction of an agricultural railway has been presented to Parliament. We have built lines without evidence of this description. We have built lines where there has been no cropping and no cultivation at all.

Hon. J. Mitchell: The evidence is against you.

The MINISTER FOR WORKS: It is not, but it goes to show that we have people who without any encouragement, because the people in other areas have always had the Agricultural Bank to assist them——

Mr. McDowall: If the land had been thrown open there would be three times the number in this district.

The MINISTER FOR WORKS: But I would be sorry to see three times the population there because it would be a cruel shame to put people there to cultivate on an extensive scale without the possibility of marketing their produce. I want to emphasise the fact that we have had areas opened up by railway communication where there has not been the population which is to be found in this area and where there has not been the cultivation we have in this area, and where there has not been the guarantee of successful farming that we have in this area, and, certainly we have never had a larger area than this railway will open up.

Hon. J. Mitchell: No line ever opened up so little agricultural land.

The MINISTER FOR WORKS: That is nonsense. The hon. member will have an opportunity of showing where we have built line which have opened up a greater continuous belt of agricultural land. I know the hon. member will take the whole of the land on either side of the railway, and say that the line has opened up all that, but we know that in the case of every one of our eastern agricultural railways a very large area has not been selected, and will not be selected until we find some better means of cultivation than we have at present. We know that sand plain is being used which a few years ago was thought to be worthless, and the sandplain which is thought worth less to-day, I am of opinion will ultimately be cultivated, but at the time railways were built in some of these areas the land was regarded as worthless. Consequently I am justified in saying that we have a larger and more continuous area in this portion of the State than on many of the agricultural lines which have been constructed. In conclusion I want to emphasise that the Advisory Board, apart from the officers already quoted, investigated this proposition and did not condemn it. They urge that a railway should be constructed, but they state that the line should be built from Esperance, 60 miles inland towards Norseman. The Government claim, and I think Parliament will agree, that if the line is to be built at all it should be a connecting link between Esperance and Norseman. To take it 60 miles and leave it there is not a sound proposition. The connecting line would be better from the Working Railways point of view and from the settlers' point of view. Although the Advisory Board do not agree with the construction of a line from Esperance to Norseman, they do not condemn the proposition of building a line to open up this area. Mr. Patterson, who is recognised, and justly so, as the best authority we have on agricultural propositions and possibilities, admits that we have a vast area larger than any other area we have in the State available for selection, and he agrees that railway communication is necessary to successfully farm it. It is true the Advisory Board urged that further investigation should be made and that experiments should be conducted. They urged the Government to make these experiments, and we have done so. We have not done it personally, but have encouraged the settler to do it, and are in the happy position of presenting the results of the settlers' operations, and that result fairly demonstrates that successful agricultural development is possible in this portion of the State. Consequently I claim that when we appeal to Parliament to open up this portion of the State we are only asking what it is our duty to ask, that is, we should not be limited in our view of Western Australia. We must recognise that this is a big country, and that this big country's agricultural belt should receive consideration. I also want to ask members what are we going to do for those settlers who are there? Are not they our own people? Are they not settlers just as much as we are settlers? When they have put in their money and time and energy and taken their families

up there, they are deserving of consideration. I know well there are those who say that the people in the Esperance district are goldfields people and that because they are goldfields people they are not worthy of serious consideration. I want to emphasise the fact that amongst these settlers are some of the pioneers of our goldfields and that these people, when they left the goldfields, instead of coming down to the agricultural areas, close to our own districts, recognised that almost at their doors they had agricultural lands of great possibilities, and they transferred their homes from the mining districts to the areas in the Esperance district. Therefore, have we not a responsibility to carry out now, so far as these people are concerned? And even if there should be any doubt about the construction of this railway should we not give these people the benefit of it? It has been admitted that the gold-mining industry gave Western Australia its start, that it made agriculture, and consequently these people who have done so much are worthy of recognition. When we remember that the best class of men in Australia were found on the goldfields are we not justified in saying, that we may hope to find the best class settled on the wheat belt in the Esperance district. I appeal to members to recognise that these people who have gone down there are our people, that they have done a lot for Western Australia, and that it is their desire to do more, but that they cannot do more until Parliament does justice to them and grants them this railway. The proposal is a sound one. It is a business one also and it will pay, and therefore it is deserving of serious consideration. I ask hon. members not to allow prejudice against the goldfields or parochialism to warp their judgment in connection with this matter, but to look at it in a fair way just as goldfields members look towards agricultural and other propositions for the development of the coastal areas. I trust that hon. members will take a fair view of this matter and that they will not be guided by the old claptrap we heard in days gone by, that if we build a railway from Coolgardie to Esperance the whole of our trade will drift to South Australia. Those days are gone. We are asking for the construction of a line to help the settlers in an agricultural belt which is worthy of development, and consequently I submit the second reading of this Bill to the Chamber and trust that it will not only meet with the support of all hon. members, but that it will pass another place and that we shall thus be able to give encouragement to those settlers who have done so much for the development of the agricultural industry in that portion of Western Australia. I beg to move—

That the Bill be now read a second time.

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

BILL—GOVERNMENT TRAMWAYS.

Second Reading.

The MINISTER FOR MINES (Hon. P. Collier) in moving the second reading said: This Bill is rendered necessary by reason of the purchase by the Government of the Perth tramways, which will be taken over and worked as from the 1st July next year. The provisions of the Bill are self-explanatory. The measure is almost entirely a machinery one, its object being to enable the Government to carry on and operate the tramways. Power is given for the construction and maintenance of railways, following, of course, an Order-in-Council, that is that as extensions, improvements, or new tramways are required, they may be contructed by the Government from time to time. Perhaps the only important feature of the Bill about which there may be some difference of opinion is that with regard to the control of the trams. The Bill provides that the control and management shall be under the Commisssioner of Railways. Only quite recently a local governing body within the metropolitan area thought fit to advise the Government in the direction of the management of the trams. It was contended by that body, and perhaps it will be contended by others, that the trams could be better con-

trolled by an independent body. I do not think that contention will hold water for one moment. If the tramway system be a part of the railway system so far as the metropolitan area is concerned, and if it be controlled by the Commissioner of Railways, the result will be more economical running and mangement than could possibly be the case if the management were in other hands. The proposal will enable the tramways to be run with a much smaller staff than would be the case if they were under separate control and, moreover, if the Commisssioner of Railways for the time being is qualified to manage such a huge undertaking as the railway system, there can be very little argument against his qualification for managing the tramways and the wisdom of placing them under his control. So that the Bill provides that the entire management and control of the trams shall be under the Commisssioner of Railways who shall have the same powers as he has under the Government Railways Act of 1904. The clauses in the Bill are largely of a machinery nature and are such as are required for the operation of any public utility of this kind, and are somewhat similar to those which are contained in the Government Railways Act, namely, that the Commissioner may sue and be sued as provided in the Railways Act. It is also provided that the employees of the trams shall be subject to the same rules and regulations as those governing the railway service, in fact to all intents and purposes the employees on the tramways will be servants of the Railway Department. That I think is absolutely essential. It will then be possible to either transfer an employee from the tramways to the railways or, on the other hand, transfer a railway servant to the tramway system. The whole of the rules and regulations under the Government Railways Act of 1904, so far as they relate to officers and servants of the Railway Department, will apply to the employees of the tramways. I think that is a provision which will meet with general approval, notwithstanding the fact that there has been some talk of an alteration in that regard during the past week or two. It will be fair to the tramway employees and they will have all the privileges and benefits now enjoyed by the officers and servants of the Railway Department, in fact those are the only features of the Bill that may in any way be debated. Thus for the time being the tramways will be under the entire control and management of the Commissioner of Railways, both with regard to the running of the service and the control of the staff. Further than that, there is provision to amend the Government Railways Act of 1904 in a direction which has been found necessary. Section 68 of the Government Railways Act provides that the Commissioner of Railways may appoint, dismiss, or otherwise deal with the staff as he thinks necessary, and Section 69 implies that the Commissioner has power to delegate that authority to the head of sub-departments. As a matter of fact it has been done all along since this Act has been law, because it would be manifestly impossible for the Commissioner to deal personally with every petty offence that might be committed by any of the employees, and the heads of the sub-departments have all along been exercising that power, but it has been found that there is no legal authority for the Commissioner to delegate that power, so we are providing in this Act that the Commisssioner may delegate the power to any head of a sub-department. It will not make any alteration in the practice which has been followed during the past eight years since the Act has been in operation; it is simply legalising the action which has been taken. The only other provision of importance in the Bill is the one which gives the power to run motor buses. In some districts which would not warrant the extension of the tramway service, it might be advisable to run a motor service, and if it is a district where it is desirable to run such a service it is essential that that service should be controlled by the Commissioner and not operated by a private individual. Therefore the Bill gives power to the Commissioner to establish a motor service in any district where such a service may be thought desirable. There

is nothing further of importance in the Bill. As I stated at the commencement, it is almost entirely a machinery measure to enable the Government to operate the tramways when possession is taken. Very few remarks indeed are needed to commend it to hon. members. I have much pleasure in moving—

That the Bill be now read a second time.

Hon. FRANK WILSON (Sussex): I have just had an opportunity of glancing through this Bill, and as the Minister states, it appears to be entirely a machinery measure for the purpose of controlling the trams which Parliament decided should be nationalised. I approve of the proposition to place the control of the tramways under the Commissioner of Railways. I think that the Government are wise in coming to that decision. The tramway system must of necessity, whilst it is a great convenience to the citizens of Perth and to the people living in the municipalities, and indeed to all the people who visit the city, become an adjunct of our railway system. I cannot conceive any means of locomotion provided in any town that would not to some extent be an aid to the railway system. It is often pointed out that we compete with our railway system by transit along the roads. My idea is that we always converge at one point or another to our railway system and therefore we assist in the traffic over that railway system. It is not as though it were a railway in the hands of private people who can reduce fares and get traffic—to reduce fares to perhaps an absurd degree—and even if systems are run parallel to the railways, being under the control of a Government department naturally everything can be adjusted so that the whole will work harmoniously. I do not wish it to be inferred by these remarks that we do not want the cheapest service we can get in Perth. I hope the day is not far distant when the Minister and the Commissioner will be able to carry out the extensions and improvements which have been so sadly required in Perth for many days past, and that the improvements, with the increased number of passengers who will use the tramway service, we shall have a corresponding reduction, of course, in the fares. More especially do we want lower fares on short sections. Ever since the inception of the tramway system we have had to pay a full rate no matter if we only travelled a comparatively short distance within the centre of the City. This ought not to be; it is against all ideas of commercial economy to charge a man a full fare for travelling only a portion of the journey. Penny sections ought to be inaugurated as soon as possible to make this a popular institution. If it is looked on by the Minister and by the department in that light, if it is to be made a popular institution we must have these penny sections. Within a year or so—after the necessary time has elapsed in order that the Government may raise the necessary capital for the improvements—we shall be able to get a better service at a much lower price than we have at the present time. There cannot be the slightest doubt the Minister is right in placing the control of this tramway system under the Railway Commissioner. I have not had time to examine very closely the clauses of the Bill; I accept the Minister's word that it is purely a machinery measure. It appears to be so. There is one clause that caught my eye and that is as to the amount of damages which a person can recover. It is limited to £2,000.

The Minister for Mines: The same as in the Railways Act.

Hon. FRANK WILSON: I was going to say in passing I do not see why there should be any limit placed on the amount which a person can recover. I do not know why it should be in the Railway Act.

The Minister for Mines: It is there.

Hon. FRANK WILSON: That is the explanation why it is here. Perhaps the Minister will be able to say why the limit was placed in the Railways Act.

Mr. Underwood: Perhaps you will tell us why there should be any compensation there at all. You do not obtain compensation if you are run down by a motor car.

Hon. FRANK WILSON: Let the hon. member try.

Mr. Underwood: If you are in a ship you do not get compensation for any accident.

Hon. FRANK WILSON: If it is caused through the neglect of another individual you can get compensation. The hon. member had better put a case in the hands of his friend on the right (Mr. Dwyer), he will be able to recover. The Bill does not require much discussion. As the Minister has said there is no principle underlying it except that it places the tramway system in the hands of the Commissioner of Railways. I should like the Minister to tell us when he purposes taking over the tramway system; if the date has been fixed, or can be fixed, when the trams will be taken over.

The Minister for Mines: I mentioned in my opening that it was our intention to take the system over as from the 1st July.

Hon. FRANK WILSON: That is satisfactory, although seven or eight months hence. It is the earliest date when, perhaps the transaction can be completed, but the sooner the Government take over the tramway system the better. Anyone walking down the street or seeing the trams must notice the inconvenience to which the public are put by their being very much undermanned, or rather under-cared. In nine cases out of every ten one cannot get sitting room in a car especially during the evening. A greater number of cars are required at the earliest possible moment. I support the second reading of the Bill.

Mr. DWYER (Perth): I should like to add a word of congratulation to the Government on introducing this Bill providing machinery for the conduct, running, and management of the tramways in the hands of the State. I am sure the people in the metropolitan area will be glad this step has been taken. For quite a very long time since we have been dissatisfied with the manner in which the tramways have been conducted and managed. As a fairly consistent traveller myself I have felt how badly managed the trams are in being overcrowded and not run sufficiently frequently and in the delays that take place during the various stages of the journey. I disagree with the member for Pilbara (Mr. Underwood) who says that he considers the Commissioner of Railways should not be rendered liable for an action for damages in the event of an injury occurring to a passenger.

Mr. Underwood: I did not exactly say that, I asked why it should be.

Mr. DWYER: The very query itself is an implication that the hon. member considers it should not be. My view of this question and of other similar questions is this, that the Government should be held liable to just the same extent as any private person if they lay themselves open to an action for damages for breach of contract or otherwise at the suit of any individual. There is a limit placed here of £2,000, but that is because I think that limit is placed under the present Railways Act, and in our Crown Suits Act. So far as that limit is concerned I have never heard of any case here where higher damages or damages exceeding much more than half of that amount have been recovered in an action. There is one clause here which I am rather doubtful about, it is a clause which enables the Commissioner to delegate his powers of dismissal to subheads of departments. That is a step of very doubtful widom. I should like to hear, when the Bill is in Committee some reasons why any change or departure in that direction is necessary. It seems that if every head of every small department in the railway service is to be given the power to dismiss a man who is working under them he will have his position considerably jeopardised.

Hon. Frank Wilson: Your loco. manager has the power to dismiss men.

Mr. DWYER: It all depends on what the sub-department is. The clause as it is placed here is capable of indefinite extension. Where is it to end? In the Government service there is a habit of creating small branches, and those branches have sub-heads, and is every sub-head to have the power to dismiss?

The Minister for Mines: There is provision in the Bill for appeal to the Commissioner.

Mr. DWYER: If the power is to be given to the Commissioner under this Bill to delegate the power of dismissal, I think it should be subject to the consent or approval of the Minister, who is responsible to Parliament, before the power is delegated to the sub-head. Some such precaution should be taken as that, and if the Minister in his wisdom thinks the Commissioner should delegate his power of dismissal, then let him have it subject to the provisions of the Bill. I am glad to be reminded that all the provisions of the Railways Act in regard to appeals from dismissals and so forth are embodied in this Bill. I wish to give the Bill my heartiest approval, and trust we shall soon see it embodied in concrete form in the running of our trams as a branch of the railway service.

Mr UNDERWOOD (Pilbara): I intend to support the second reading of the Bill, and have pleasure in doing so. I did not intend speaking on it, only that the member for Perth has made assertions in regard to my opinions as to compensation for accidents. I want to say this. It has occurred to me often that there is a considerable amount of imposition on the Government, particularly in connection with railway accidents. I do not know how it first became introduced, but we find railway companies and particularly railways under Government control are liable to serious damages for accidents that occur on their lines. This does not occur to other carrying concerns. As I have pointed out, if you go to sea in a ship you have no compensation for being drowned; if you go out in a cab you have no £2,000 compensation; if you take a motor car or taxi cab you have no £2,000 compensation; in fact, if you are travelling by coach you have no £2,000 compensation for any accident. In regard to a ship the person injured has no possible chance of compensation; in regard to the others he has to prove negligence or incompetence, or that it is the fault of the proprietor and not an accident. That being so, I contend it is up to the people of Western Australia to give some consideration to this proposition. We know that the Governments of Australia have been deliberately and absolutely robbed of possibly hundreds of thousands of pounds for claims in railway accidents. People claim with a bit of finger nail knocked off or toe nail knocked off, and thousands claim because they get a shock. In my opinion we could very considerably reduce the amount of the claims on railways and these tramways. We find that the utmost we are proposing if a worker is killed by an accident in the course of his employment is £600. The position is that if a worker gets killed in a mine under the present law he gets £400, but if it is on a railway he gets £2,000, and members wish to make it more. The proposition of practically unlimited payment for accidents on Government railways is well worthy of consideration.

Mr. McDonald: Somebody else besides the worker might get killed.

Mr. UNDERWOOD: That is the position we are led into, and in my opinion it is not a sound one. Seeing that those injured by private enterprise or in other lines of railways are compelled to prove negligence or incompetence in case of injury, it might be just as well that those riding on State railways should have to prove the same. As a matter of fact we find on the Government railways that an accident is taken as an act of negligence and incompetence on the part of those running the railways, when it is not the case. I trust the Minister will look into this matter.

Mr. DOOLEY (Geraldton): In regard to the transfer of the present tramway staff, bringing them under the absolute control and jurisdiction of the Commissioner of Railways, will the Minister inform the House whether the question of the necessary railway education test will be applied to that tramway staff? If a man joins the railway service now he must possess certain qualifications in regard to eyesight and hearing, and he must pass an elementary education test and a medical test. Will the present tramway staff to be transferred be subjected to those tests, or will the eliminating process take place?

Hon. W. C. Angwin (Honorary Minister): Each test is necessary for tramways as well as for railways.

Mr. DOOLEY: I have never heard that the tramway services have had those tests in existence.

Mr. Underwood: Undoubtedly they have.

Mr. DOOLEY: I merely wanted to be clear on the matter. With regard to the point that the Bill gives the Commissioner of Railways authority to delegate his power, I differ from the member for Perth. I think it would be a very good thing should that power be given, because at the present time one of the chief faults in the working of the railway service is that the men in direct control of staffs have not responsibility to deal with the staffs under them, and, knowing they have not that responsibility, there is a good deal of bad feeling and shuffling of responsibility and a good deal of red tape and correspondence which could be done away with if these officers were called upon to exercise their authority and ability to deal with their staff directly.

Question put and passed.

Bill read a second time.

BILL—PUBLIC WORKS COMMITTEE.

Message.

Message from the Governor received and read recommending the Bill.

Second Reading.

Debate resumed from the 31st October.

The MINISTER FOR WORKS (in reply): I have followed the criticism on this Bill whatever we have had, and I notice that mostly hon. members concentrated their attention on the fact that we have been working with the assistance of an Advisory Board, and that the Advisory Board's work had been satisfactory so that there was no need to bring in any other system of investigation. But when I was introducing the Bill I pointed out the limitations of the Advisory Board and the objectionable features of that particular method of investigation.

Hon. Frank Wilson: But the arguments did not appeal to hon. members.

The MINISTER FOR WORKS: And the criticisms of the Bill did not appeal to me, and they were absolutely unsound, because the Bill proposes to deal with all public works and the Advisory Board was simply brought into existence to investigate railway propositions, so that it was limited in that sense. Apart from that, however, there is a standing and very strong objection to he advisory board investigation, inasmuch as an advisory board investigates on the instructions of Cabinet. They get instructions to do a certain thing from Cabinet and they report to Cabinet, and Parliament does not get the data on which they based their conclusions, nor does Parliament get the information supplied previous to the investigations as submitted by Cabinet; in other words, Parliament does not get the full information that Parliament is justified in expecting before being called upon to pass a work.

Hon. Frank Wilson: Would the purchase of steamships come under the purview of this committee?

The MINISTER FOR WORKS: All public works come under the committee. If the hon. member can prove that State steamships are a public work, then of course they will come under the purview of this committee. I was dealing with the fact that an advisory board is limited, and because of this limitation such a board cannot be satisfactory to the country. The very fact that we have established an advisory board with its limitations is clear evidence that Parliament, previous to the existing Parliament, recognised the necessity for investigation. The appointment of an advisory board is a public works committee in a limited sense. Consequently the necessity for some committee of investigation has been recognised: but there is no justification, when dealing with public funds, to limit the investigation; and there is no justification for keeping from Parliament the full details, the pros and cons on every public work that is submitted;

therefore a public works committee is sound inasmuch as Parliament gives the instruction, and gets the result after the investigation in detail, and gets the conclusion and result of that investigation. Parliament instructs and gets the report and consequently is in full possession of all details in connection with any public work.

Mr. Nanson: Why limit it to politicians?

The MINISTER FOR WORKS: I will come to that directly. I am dealing with the criticisms, more particularly with those of the leader of the Opposition. I have made a few notes in regard to the member for Greenough (Mr. Nanson) because he desired that I should take particular note of his speech. The only other point made by the leader of the Opposition was the fact, as he claimed, that this was an effort of the Government to try to evade their responsibilities. It is not so. It is evidence of the Government recognising their full responsibility. The hon. gentleman would lead Parliament to believe that with a public works committee in existence it will be possible for the Government to go to the country and advocate a given public works policy without any responsibility, but they have to take this care—they know that they have to take the responsibility of seeing that what they promise is absolutely sound, or later on they will find the Public Works Committee, after investigating a proposition, declare against it.

Hon. Frank Wilson: With a majority of Government supporters on the board equally pledged to the policy?

The MINISTER FOR WORKS: I will come to that point directly. The Government will take care because if the Public Works Committee declare against what they advocate on the hustings then of course it reduces the prestige of the Ministry in the eyes of the general public. So really speaking, instead of it taking responsibility from the Ministry, it is increasing their responsibility, inasmuch as we will not have irresponsible speeches promising millions of pounds of money at election times when, in their hearts, Ministers know perfectly well that they cannot fulfil these promises. Now we will have greater responsibility, because the committee will investigate every proposition in such a way that the country will be able to judge as to the responsibility of the utterances of hon. gentlemen who appeal to them at election time.

Hon. Frank Wilson: Where will your Norseman-Esperance railway be?

The MINISTER FOR WORKS: That would be supported, I am certain, by a Public Works Committee, because of the evidence in favour of it. I have already dealt with the matter, and I do not wish to repeat my arguments; still that is a work that certainly would be endorsed.

Hon. Frank Wilson: Because you would have on the committee a majority in favour of your policy.

The MINISTER FOR WORKS: The hon. gentleman stated that there were no works which needed investigation, judging by the public works carried out in the past. In moving the second reading, I gave two illustrations of recent date, and I suppose if one went into all the public works of the country, numerous intsances would be found of loan moneys wasted because members of Parliament had been induced to vote in favour of public works without having full knowledge of their character. In other words, the Ministry of the day have been in favour of certain works, and in consequence, all that could be urged in support of those works has been put before Parliament, but no information whatever as to the other side of the question. It is not possible for hon. members to investigate all public works. The public works in an hon. member's electorate always get that particular hon. member's support; although knowing all the details, he supports the Government; but a man outside the electorate cannot get all the information, with the result that Parliament sees only one side of the picture, and so we often vote on the blind, so to speak, not knowing the full details. Let me give a couple of illustrations. Take the Bullfinch railway. There is no doubt that the full details in connection with the work were not placed before Parliament.

Hon. Frank Wilson: Undoubtedly they were.

The MINISTER FOR WORKS: I do not desire to say that the hon. gentleman did not give all the information he had, but what I do desire to say is that the Chamber of Mines, a body of men who knew the value of Bullfinch, and its possibilities, who knew exactly its requirements, declared against the railway. They wrote condemning the Government for their action.

Hon. Frank Wilson: No, they never wrote to us.

The MINISTER FOR WORKS: They issued a special pamphlet dealing with the Bullfinch railway, and pointed out that it was a waste of public funds, that there was no need for the railway, that a railway was not necessary for the development of a gold mine in its early stages.

Hon. Frank Wilson: I have never seen that pamphlet.

The MINISTER FOR WORKS: It was posted to every hon. member. I know I got one.

Hon. Frank Wilson: At the time?

The MINISTER FOR WORKS: No, after the damage was done, after the railway had been constructed. This particular pamphlet appealed to me, because in it were used practically the same arguments as I had used against the Bill when I opposed it; because I held that a railway was not necessary during the early stages of mining development, that what we required for the district was a water supply.

Hon. Frank Wilson: Well, you got it.

The MINISTER FOR WORKS: But the railway was not necessary as far as the mine was concerned, not even to the present day. The Chamber of Mines, composed of practical men, opposed the railway, but there was no Public Works Committee to get their opinion. If there had been a Public Works Committee, instead of getting that information after the damage was done, we would have got it before.

Hon. Frank Wilson: No, you were wise after the event: that is all.

The MINISTER FOR WORKS: No, there is no doubt the arguments advanced by those gentlemen responsible for the pamphlet referred to would have been given to the Public Works Committee, and Parliament would have had the case as seen by the Ministry, and also as seen by those opposed to the project, as seen by the Chamber of Mines. Parliament would have had both sides of the question, and instead of being in a minority, I would have been in a majority, and the Bill would never have passed.

Hon. Frank Wilson: That is not right.

The MINISTER FOR WORKS: It is right. The goldfields ridiculed the line, they did not want it. The line was wanted only by Mr. Doolette and those associated with him. It was part and parcel of the booming of the Bullfinch.

Hon. Frank Wilson: Nonsense.

The MINISTER FOR WORKS: No, it is absolutely true. We did not have the full details of that particular line, or the money would have been saved.

Hon. J. Mitchell: Is the Bullfinch dead?

The MINISTER FOR WORKS: No, not by any means. I would advise the hon. member to buy shares in it, because, at the present price, they are well worth buying.

Mr. SPEAKER: Order!

The MINISTER FOR WORKS: But let us take another case, a case dealt with by the member for Greenough, as well as by the leader of the Opposition. They referred to the dock in reply to a statement I had made to the effect that the dock would not have been constructed, and that the money would not have been wasted if we had had a Public Works Committee. The member for Greenough said that they had had a committee whose expert investigated that proposition. But that expert was limited just the same as an advisory board is limited. That expert was told definitely that his investigations were to be confined to a certain limit.

Hon. Frank Wilson: No, simply below the bridges.

The MINISTER FOR WORKS: The facts are on the files, and there is no doubt that Sir Whateley Eliot was limited in his investigation owing to the instructions

given him by the Cabinet, who wanted the dock built in a particular spot. That expert had no alternative but to recommend it in that particular spot.

Hon. Frank Wilson: That is not correct.

The MINISTER FOR WORKS: It is, and what is more, the man who knew more about it than Sir Whateley Eliot, the Engineer-in-Chief, condemned the proposition.

Hon. Frank Wilson: That is absolutely incorrect.

The MINISTER FOR WORKS: I will produce the papers. The Engineer-in-Chief condemned the proposition, and Mr. Ramsbotham, after going into it, advised against it. Why were not the facts given to Parliament?

Hon. Frank Wilson: I advised against it myself. Why not produce the whole of the papers?

The MINISTER FOR WORKS: The facts are that the experts advised against that proposition.

Hon. Frank Wilson: They did not.

The MINISTER FOR WORKS: The Bill for the construction of the dock was passed, and subsequently another place, having got further information, decided to carry a resolution against the construction of the dock. That resolution came into this Chamber, and the party Whips set to work. There were all sorts of political influences brought to bear; lobbying went on inside and outside the Chamber to get the proposition through, at the very time the present leader of the Opposition knew that some of the experts were against the proposition.

Hon. FRANK WILSON: No. I beg to deny that. I knew nothing of the sort at the time. The Minister must accept my denial.

Mr. SPEAKER: The hon. member is not in order in rising and making a denial.

The MINISTER FOR WORKS: I will withdraw the statement.

Mr. SPEAKER: In the first place, no hon. member must interrupt another hon. member. At the conclusion of the speech, the hon. member may rise and make an explanation.

Hon. FRANK WILSON: But our Standing Orders permit an hon. member to make an explanation in the middle of a speech. I can quote the Standing Order if the hon. member will wait a moment.

Mr. SPEAKER: I will wait while you quote the Standing Order. I will even help the hon. member. The Standing Order to which I referred provides that no member shall interrupt another member while speaking unless, (1) To request that his words be taken down, (2) To call attention to a point of order, or, (3) To call attention to the want of a quorum.

Hon. FRANK WILSON: That is not the Standing Order I was trying to find.

Mr. SPEAKER: Under Standing Order 116, by the indulgence of the House, a member may explain matters of a personal nature although there be no question before the House, but that Standing Order does not apply here.

Hon. FRANK WILSON: No, it was another I had in my mind. I know I have seen a Standing Order for some Parliamentary procedure under which a member may interrupt another who is speaking, to make a personal explanation—of course, with the indulgence of the Speaker and of the House.

The Attorney General: It is put in another form. It is to the effect that "no hon. member shall interrupt another except by, etcetera."

Hon. FRANK WILSON: It matters little what the form may be. If a member rises in his place to set right another hon. member who is addressing the House and the hon. member who has the floor permits him to make an explanation, it is allowed; but, of course, if the hon. member speaking goes right on and refuses to give the opportunity for explanation, then the explanation cannot be made until the conclusion of the speech. That is the custom followed here.

Mr. SPEAKER: I do not know anything about the custom. I only know the Standing Orders, and personally I shall insist upon them.

The MINISTER FOR WORKS: I am quite agreeable to withdraw and accept the hon. gentleman's assurance that he

knew nothing of this adverse report of the experts. I regret having made the statement, because possibly I was wrong in giving the hon. gentleman credit for knowing anything about the public works undertaken during his regime. But the departmental files disclose the fact that the Engineer-in-Chief, and again Mr. Ramsbotham, advised against the proposition. This information could have been in the possession of the hon. member. What I desire to emphasise is that, when that information was available on a big public work of this description, running into an enormous amount of money——

Hon. Frank Wilson: How would the Public Works Committee have saved it?

The MINISTER FOR WORKS: Because they would have got the expert advice and opinion.

Hon. Frank Wilson: Which was in favour of it.

The MINISTER FOR WORKS: It was against it, with the exception of the gentleman imported, who was limited to his instructions. So if we had had a Public Works Committee in existence, Parliament would have been in possession of the full facts in connection with the huge blunder made at Fremantle. That money would have been saved, because Parliament instead of having the political side submitted would have had the engineering reports and the expert advice, and would certainly not have passed that proposition. The files are absolutely against it, and when one peruses them he can see nothing else but the fact that the proposition was a political one from start to finish. It was the price of the Fremantle seat, and for that reason I claim that is sufficient to encourage and justify Parliament in passing this Public Works Committee Bill so that we will not have a repetition of that experience. The country cannot stand another loss such as we have had in connection with the Fremantle dock, and we want somebody to investigate every proposition so that there will not be a repetition. The member for Greenough (Mr. Nanson) said that he was prepared to admit, or if he was not prepared to admit it, he thought it was wise, that there should be investigation of proposals for the large expenditure of public funds, but he was not prepared to limit the choice to fifty members of Parliament. He asked why we should not go outside. That, after all, is a matter of opinion. In my opinion the members in this Chamber comprise men more capable of dealing with a public works policy than anybody outside the Chamber. The views of members of Parliament on the whole State are better and sounder than the views of persons outside of Parliament. We may get an individual outside who knows more of a particular centre, but he will be available to give evidence before the committee, which, after all, will be composed of men who have more experience in gaining evidence and making investigation than men outside. Consequently, if a man outside of Parliament has particular knowledge in regard to a certain subject the committee can always get it by way of evidence, and, having regard to the whole of the State and not any particular district, members of Parliament have a better opportunity of acquiring knowledge than people outside of Parliament. Therefore, I claim we can get a better committee inside of Parliament than we can get outside. The hon. gentleman might say that I am dealing now with purely commercial men, and public men in the ordinary sense, but what about the experts outside? In answer to that, let me say it must be borne in mind that, speaking generally, all the big public works in Australia are nationalised. The railway works, and harbour construction, and everything of a big character are done by the Governments throughout Australia. So it is in Western Australia in particular. The expert advice is confined within the Government service and consequently those men are available, and we have evidence inside the public service which cannot be obtained outside. A Public Works Committee appointed from Parliament would comprise men specially skilled in the collection of evidence and specially skilled in investigating propositions, so that they can get the full facts and place them before the Legislature. In conclusion, let me say that a Public Works

Committee is necessary, in my mind, so as to give Parliament full information for and against every proposition. The hon. member for Greenough said, and the leader of the Opposition emphasised it just now, that the committee will be composed of a majority of Government members. That is so. But the virtue of a Public Works Committee is that we have a minority there, and the minority reports to Parliament all that is against a proposition, if there is anything against it. Consequently, while it is true that the Government have, and should have a majority of members on the committee, still at the same time the minority is there to give the other side what is to be urged against the proposition if the Opposition desire to oppose it. The virtue of the committee is that we can get the full facts for and against and enable Parliament to know all the details in connection with any particular public work. Then, I think it is necessary that Parliament should know how they are going to spend the public funds. It is true that we get information to-day on public works, but that information is collected by a Minister who is in favour of the proposition, and the advice he gets from his experts is also in favour of it. The Minister asks for a report on a certain work, and the report that is given is in favour of it. If there is nothing in favour of it in the opinion of the expert, then there is no report, or the report that is submitted to the Minister is not given to Parliament. Therefore, Parliament gets only the one side of the case, and as the Ministry of the day are pledged to the work, the Legislature agrees to the proposal with only one side of the case placed before it. Public policy demands that we should get both sides and there is only way in which that can be done, and that is to allow both sides in party politics to sit together on a committee so that they will get the pros and cons of every proposition for the expenditure of public funds. I say that in the interests of public finance it is necessary to have this committe brought into operation immediately. I do not think the present Government need it more than any other Government, but I say that every Government and every Parliament should have such a committee. It is contended by members opposite that the experience of the committee in New South Wales has not been satisfactory, but we say that it must have been satisfactory because successive Parliaments have adopted the system. In answer to that, the member for Greenough says that once we have a committee doing a duty for which fees are paid it is a difficult matter to abolish it. I am not prepared to admit that. That does not obtain in Australian politics. If the members of a committee are being paid the eyes of the public are on them, and if they are not doing good work there will very soon be an outcry to abolish the committee. The people of Australia will not permit people to draw fees unless they give value for the money they receive, and because the committee has given value for the payment received in New South Wales it has been continued by various Parliaments. Because the committee has been a success in New South Wales a similar committee was established in Victoria, and because it has been a success in both of those States South Australia has recently adopted the system. Those three States of the Commonwealth have public works committees to-day, committees limited in some of the States, but generally dealing with public works and advising Parliament as to the wisdom or otherwise of the expenditure of public funds. Therefore, I claim that the system has been tried in various States and proved a success, and in the interests of Western Australia it is necessary to bring it into operation in this State.

Question put and passed.

Bill read a second time.

In Committee.

Mr. McDowall in the Chair, the Minister for Works in charge of the Bill.

Clause 1—agreed to.

Clause 2—Constitution of committee:

Hon. FRANK WILSON: It would be a mistake to have the Minister as chairman of the committee. The Minister had made a very emphatic speech in supporting the passage of the measure, and had claimed all sorts of virtues for the Public

Works Committee to be provided under this Bill. The hon. gentleman had raked his imagination in the endeavour to prove that certain works in this State would not have been undertaken had there been in existence such a committee as was proposed in this Bill, and had voiced it as his opinion that certain wasteful expenditure would have been saved to the State. Where was the justification for such a statement, especially in regard to a committee such as was proposed under this clause. The committee was to be composed of a Minister and other members elected by the Legislature, one by the Legislative Council, and three by the Legislative Assembly, so that the committee would consist of four members of Parliament and the Minister for Works himself. One could not imagine that the Minister for Works would permit for one moment any other Minister being appointed chairman. He would consider such an appointment derogatory to his office, and an insult to his personality. We might take it then, that the committee would comprise the Minister for Works and four other members of Parliament. Two of the three members to be elected from the Legislative Assembly would certainly be selected from the Government side of the House. The Minister would make the third from that side. Possibly one member would be appointed from the Opposition side.

The Minister for Works: That is sure to be the case under proportional representation.

Hon. FRANK WILSON: Then there would be the member of the Legislative Council. We might assume that the member of the Legislative Council would be unbiassed and beyond the influence of the Government.

The Minister for Works: What about the Liberal League?

Hon. FRANK WILSON: If a committee was appointed from the Liberal League, good results might be obtained. The member from the Opposition side of the House would always be the keenest critic, and what chance would he have? Was it not a farce to ask any Legislature to adopt a committee of this description? Was it not absurd to say that a committee presided over by the Minister backed by two of his supporters and with one member impartial and one in opposition, would never throw out any work? Would such a committee have thrown out the Bullfinch Railway or the Fremantle Dock proposals? The Minister had had his tongue in his cheek when he had been trying to persuade the country that such would have been the case. He had never heard a Minister of the Crown make such foolish and unfair statements as the Minister for Works had made.

The Minister for Works: You do not like them.

Hon. FRANK WILSON: The Minister's want of honesty of purpose had made him blush. If the Minister wanted to make a scene and lay a charge, why did he not produce the papers in connection with the dry dock and not have them dripped out in penny numbers as he was doing? If he (Mr. Wilson) was wrong in regard to the dock, what defence had the Minister? The Minister had spent £80,000 on the work, which was far more than he had expended.

The Minister for Works: I got down to prove it a failure where you should have got years ago.

Hon. FRANK WILSON: The Minister had never been in the dock in his life. The engineer in charge had proved it a failure. That official doubted the stability of the foundations when he first came out, and was afraid it would be too expensive an undertaking and recommended a floating dock. He (Mr. Wilson) had recommended a floating dock years before, and had been pilloried for it; leading articles had been written against him for advocating a floating dock: every other day almost there was an article about Wilson's toy dock, and the people and Parliament would not have it. He had no objection to a graving dock, but considered the proposition difficult and costly. However, he was outvoted by his own side and by a majority of the members who at that time sat in Opposition. The Minister for Works said a committee would have prevented the dock work from going on. The Minister had not stopped

it, and he was going to be the committee. The Minister had spent £80,000 on it to do what he had expended a few thousand pounds in doing, namely, to prove whether the dock could be constructed.

The Minister for Works: You did not expedite it in any way.

Hon. FRANK WILSON: The Minister went about it exactly as he had done. The Minister merely continued the work he had been doing when he left the Works Department.

The Minister for Works: With greater expedition.

Hon. FRANK WILSON: What nonsense! All the steel sheathing had to be manufactured and brought over before coffer dams could be constructed. The steel work came to hand just before he left office--£20,000 worth of it. The first section was in place when the Minister took office, and then only could the work be expedited. The Minister was not taking a fair view of the facts; he ought not to try to enhance his own glorification by depreciating the efforts of others, because he knew that he could not throw mud at his (Mr. Wilson's) administration. As far as his judgment went, he had expedited the public works of the State and as fearlessly as the present Minister had done, and had never been short of funds notwithstanding the bad times which were passed through. That being the position, it was not right for the Minister on a side issue to throw mud, some of which might stick on him, because he thought he had done something better than he (Mr. Wilson) had done in the time. It was only imagination on the Minister's part. If the Minister had any doubt about the dry dock, we should have a royal commission to inquire into it properly. No matter what action of his it was, if an inquiry was desirable and good would come from it, he would welcome it, but there should be no further throwing of charges across the Chamber during a discussion.

The CHAIRMAN: The hon. member was getting away from the clause.

Hon. FRANK WILSON: The Minister had said that a committee would have prevented these things and he was showing that a committee could not have prevented the construction of the dry dock.

Hon. W. C. Angwin (Honorary Minister): No person who read the papers could have approved of that site.

Hon. FRANK WILSON: The hon. member had the recommendation of Sir Whately Elliot and approved of it.

The CHAIRMAN: The hon. member should discuss the clause.

Hon. FRANK WILSON: It had been argued that a committee would save money on works already proceeding. It was difficult to understand such logic.

The Minister for Works: Who said that?

Hon. FRANK WILSON: The Minister said so. How could a committee save money or keep Parliament on the right track in regard to public works that the Government anticipated carrying out, or put before the country as their public works policy? The Minister said the committee would inquire into work which the Government had previously advanced as their public works policy, that the Government would propose certain works, and Parliament would instruct the committee to inquire into that policy. The Minister was wrong. The committee, if established under statute, as proposed, would automatically act, and would receive no instructions from Parliament.

The Attorney General: You can remit.

Hon. FRANK WILSON: The Minister could also remit, and nine-tenths of the propositions would be remitted in Cabinet, and not in Parliament.

The CHAIRMAN: The hon. member was getting away from the subject, and was making practically a second reading speech.

Hon. FRANK WILSON: It was his intention to show that a committee would not achieve the desired results.

The CHAIRMAN: The hon. member was soaring beyond that.

Hon. FRANK WILSON: But on every occasion he managed to come back. He would not care if an outside committee were appointed, one altogether beyond political control, if we must have such a committee. We might have a mixed committee with some of the permanent officers on it.

The Attorney General: You want your officers as witnesses.

Hon. FRANK WILSON: Exactly. Why not get the recommendation of the officers direct? If we were going to have a committee simply to cross-examine officers, why not have a committee of officers the same as the Advisory Board, and send the recommendations direct to the Government, and let the Government stand by and take the responsibility for the works they announced as their policy? If the committee were constituted as he had indicated, and the policy of the Government was to construct certain works announced on the hustings, would the committee condemn that policy? Was there a hope of getting proper criticism and a proper report for or against? There might be a minority report which might easily be produced by party feeling, but a committee of this description would not condemn the Government policy. The very fact of the Minister presiding, and more especially the fact that the Government were responsible to caucus for their public works to be carried out would prevent the committee condemning any proposition put before it. Under these circumstances if the Bill must be passed, and he hoped it would not, we should alter the personnel of the committee, we should make it a committee constituted entirely of people outside the political arena and we should have independent expert advice rather than the advice of all those who must of necessity be biassed to some extent towards the policy of their party. If the Liberals were in power, and if he (Mr. Wilson) were in power with a majority behind him, he would be sore if he could not convince the committee over which he was presiding that the policy he proposed to put before the country was the right one.

The Attorney General: This committee will be for the taking of complete evidence.

Hon. FRANK WILSON: The committee was not wanted and if it was he protested again that such a committee should not be presided over by the Minister, and, secondly, it should not be constituted by members of Parliament who always had a party leaning no matter to what side of the House they belonged.

The ATTORNEY GENERAL: Having had some experience of the working of the public works committee and the composition of that committee in the mother State of New South Wales——

Hon. Frank Wilson: Does the Minister preside over that?

The ATTORNEY GENERAL: No. This, he admitted, was an innovation but it did not affect the main question, whether it was wise for the Minister to preside. The hon. member had argued that we ought not to have a member of the House sitting upon a committee of this kind, that if we wanted an honest opinion we must go outside the two Chambers. What a reflection! It was inferred from that that we had not an honest man amongst us on either side, a man who was qualified or who was honest enough to investigate evidence and see the merits of any question which might be submitted. From one who had been Premier and was now the leader of the Opposition nothing more condemnatory of Parliamentary life could have been uttered.

Hon. Frank Wilson: You had better retire.

The ATTORNEY GENERAL: If the hon. member had that opinion of members of Parliament it was his bounden duty, unless he wanted to be considered incapable and dishonest, to retire. He (the Attorney General) did not have that opinion, he did not have that conception of the character of parliamentarians.

Hon. Frank Wilson: Unfortunately for the Attorney General I have not expressed the opinion that members of Parliament are dishonest.

The ATTORNEY GENERAL: Undoubtedly the inference was that.

Hon. Frank Wilson: Oh no.

The ATTORNEY GENERAL: What was the inference?

Hon. Frank Wilson: Bias.

The ATTORNEY GENERAL: What was the object of pointing out that the combination of the Minister and two of his supporters were having a seat on the committee except to say that we could not get from them an honest judgment?

Hon. Frank Wilson: Oh no, you get bias.

The ATTORNEY GENERAL: Well what is bias?

Hon. Frank Wilson: It is not dishonesty.

The ATTORNEY GENERAL: Would an upright man allow bias to decide?

Hon. Frank Wilson: The hon. member is biassed as far as his own policy is concerned.

The ATTORNEY GENERAL: No.

Hon. Frank Wilson: Of course you are.

The ATTORNEY GENERAL: I am stuck firm on the rock of truth.

Hon. Frank Wilson: Since when?

The ATTORNEY GENERAL: That was the only bias he had. If that was the inference of the hon. member then we were not capable because our bias was of that character which would not permit us to give a right and truthful judgment. If that was the case it was a slur upon every member of Parliament. But what was the experience of all Parliaments of the world? The great mother of Parliaments delegated her duties to committees, and perhaps there was no Parliament in the world where committees were so numerous and at the same time so useful as the British House of Commons.

Mr. Male: You argued differently the other night when I wanted a committee.

The ATTORNEY GENERAL: What kind of committee?

Mr. Male: A select committee.

The ATTORNEY GENERAL: It was against that kind of committee that he had argued. That was unnecessary because of its expenditure. Now he was speaking of the permanent committees of the British House of Commons and the permanent work of those committees, and especially work of an intricate character was committed to them, and we were only following that example and the example that had already been set us as Commonwealth States by New South Wales. The Public Works Committee of New South Wales had saved that State hundreds of thousands of pounds. The purpose of that committee was to prepare a brief, if he might so express it, to obtain all the essential and relevant facts concerning any public undertaking, to eliminate the irrelevant and to concentrate the facts which might guide the judgment not only of Cabinet but Parliament itself. What political opinions then could there be in a report which might be presented by a committee of that kind? Every member would be able to read the evidence and would be able to see whether the committee had called all available evidence or not. The object was solely to facilitate decisions by preparing material for sound judgment. What was there of a political character about that? He had seen the same committee appointed by one Government serving in the same capacity under their successors. The committee would always be non-political. It was a parliamentary committee and its purpose was only to obtain, to sift and present evidence. He had seen it worked and he knew its value.

Hon. Frank Wilson: I have been assured by a member of that committee that it was no good.

The ATTORNEY GENERAL: Who was he? Let us have his name.

Hon. Frank Wilson: Oh no you don't.

The ATTORNEY GENERAL: This vague bogey again. This, somebody whispered in the dark in a back street that he was dissatisfied. Let him be brought out into the light.

Hon. Frank Wilson: It was not in the dark; it was in Parliament House.

The ATTORNEY GENERAL: Well no doubt the individual and the hon. member were having wine together, or there was some nightmare about it. Let the hon. member trot out this man who said that the committee was no good. There was the testimony of Parliament of the committee's work; there was the fact that both so-called Liberals and Conservatives and the Labour party had adhered to the system, and though the Act in New South Wales had been submitted for amendment it had been continued and it existed to-day.

Sitting suspended from 6.15 to 7.30 p.m.

The ATTORNEY GENERAL: Both sides of the House were agreed that a committee was a necessity, the only question being what should be the composi-

tion of that committee. The leader of the Opposition contended that it should not be the composition proposed in the Bill, but preferably a committee of experts or a committee of government officers. Surely the hon. member knew from his experience that if there was any body of men likely to oblige the Government it was the officers of the public service.

Hon. Frank Wilson: They would not oblige me always.

The ATTORNEY GENERAL: The experience invariably was that if the officers could serve the Government, without any violation of conscience, of course, if they could go a step towards acceding to the Government's wishes they would do it, and very naturally. The Government had to work with them, they had to carry out the functions delegated to them by the Government, and they were by nature courteous and obliging, and as far as practicable, yielding to the wishes of the Government. Even if they were not, they would be the wrong persons to put on a committee of this kind, because it would be a perversion of their functions. They would not then place at the disposal of the Ministry all the details of their knowledge, but they would be placed in the capacity of judges. Parliament would get their verdict without their evidence, and the essential thing in connection with such a committee was the evidence that was submitted and the number of facts that would enlighten the minds of hon. members prior to a decision. If on the other hand, the officers were called to give evidence before a committee as proposed in the Bill, they would not only give the State the advantage of all they knew but each member of the committee could ask questions. Witnesses could be cross-examined, and would therefore, give evidence under what might be called test conditions.

Mr. Underwood: Can the Minister not cross-examine?

The ATTORNEY GENERAL: The relationship between a Minister and his officers was not such as to enable him to have placed in black and white the information that was required for the House. In the confidential talks between a Minister and his officers, it was rather a matter of getting the best knowledge from each in camera, as it were, and all that Parliament obtained as a result was the information put up in minute form.

Mr. Underwood: You think members of Parliament could get more from an officer than a Minister can?

The ATTORNEY GENERAL: A committee by question and answer in public examination could get more material evidence than a Minister. What was omitted by one member of the committee was thought of by another, and in that way the most complete information was obtained from the witness. That was the object of the committee, and it was the universal experience of mankind that that form of examination elicited the best form of evidence. An outside committee as was suggested by one hon. member, would be worse; it would be an irresponsible committee, a committee that might be approached to affect their judgment or cause them to lackadaisically conduct their inquiries. That of course was most undesirable. A committee of members of Parliament was the best possible committee obtainable, first of all, because members of Parliament were returned to either House because of their supposed interest in the welfare of the country, and secondly because in theory, if not in practice, once members of Parliament sat in this Chamber they no longer represented simply their own constituency, but were trustees for the whole State. The members of a committee as proposed would have to furnish a report to the public as the trusted representatives of the country, and if they did wrong to the people they served, they could be brought to task. Moreover, their report was submitted to the House, of which they were members, and that was important, because, if there were points in the report which were obscure, there were members of the committee present to throw further light on it, and give more information if it was necessary. They were responsible for their conduct, not only to the House, but also to the country? They stood in the full glare of public criticism, and were hemmed in by the highest mo-

tives of honour, and the highest safeguards that constitutional life could provide. For that reason, they were the best possible persons to constitute a public works committee. Further than that, where the experiment had been tried, it had been found to be eminently successful, and the most economical way of directing public expenditure in the furtherance of public works.

Clause put and passed.

Clauses 3 to 26—agreed to.

Schedules, Title—agreed to.

[*The Deputy Speaker* (*Mr. Holman*) *took the Chair.*]

Bill reported without amendment, and the report adopted.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

Hon. W. C. ANGWIN (Honorary Minister) in moving the second reading said: I wish to point out that it was our intention to deal more fully with the amending of the Municipal Corporations Act than is embodied in this Bill, but owing to it being so late in the session it is considered to be almost impossible at this juncture to deal with such a measure, and it is the intention of the Government early next session to bring in a comprehensive measure. In connection with this Bill, the Government thought it advisable to introduce only a small measure confined to two clauses, covering matters of importance to some of the municipalities. If members look at the Bill they will see that it speaks for itself, and very few words will be necessary to explain it. The first clause deals with the sinking-funds which are provided by the various municipalities. Under the law as it stands to-day a municipality can borrow ten times the amount of its average revenue based on the previous two years, that is, the average ordinary revenue, and it has been found by some municipalities that these powers are not sufficient to enable them to carry on the works of their districts. In some of the States, permission has been given to allow municipalities to take into consideration the amount of the sinking fund as part of the payment of loan moneys, but in Western Australia this has not been permissible, and this Bill, if approved of, will grant that permission to the municipalities which desire to avail themselves of it. I would like to point out that in some places the municipalities are not only allowed to take the amount deposited as sinking fund for the repayment of loans into consideration, but are given permission to borrow the sinking fund moneys. I may say this is a system which prevails in England and in some other places. The local authorities can use the sinking funds which they have deposited and save not only the cost of the flotation of new loans, but a very large amount by way of interest. In this State, there are several municipalities which have borrowed up to the limit. A municipality with power to borrow to the extent of £30,000 may have paid a considerable sum into a sinking fund, but it is a matter of impossibility for it to go any further until it has paid the whole £30,000 into the sinking fund. In other words, if it borrowed to the full amount of £30,000, and has deposited with the Colonial Treasurer a sum of £29,900 as sinking fund, it must pay off the balance of £100 before it can raise any further loans. The municipality of Fremantle has borrowed up to the limit provided by the Act, which in its case, means a little over £100,000, but there has been deposited with the Colonial Treasurer a sum of £41,000 towards the repayment of this loan, and yet that municipality is placed in the position that, while it has paid this large amount off the loan, so to speak, by paying it to the Colonial Treasurer for the express purpose of redeeming the loan, it cannot raise any further money until it has paid into the sinking fund the full amount of the indebtedness for the loan. While a municipality such as this would be given powers to borrow extra money, its indebtedness would not be increased, because, if the limit is £100,000 and

£41,000 has been deposited with the Colonial Treasurer by way of sinking fund, and it borrows again another £41,000, the municipality is indebted only for the £100,000. It is not provided that the municipalities should be exempt from the obligation of providing a sinking fund for the additional money, and paying interest on the money raised; and as a further safeguard members should bear in mind that, before any moneys can be raised by way of loan, the local authorities have to take a poll of the property owners, if demanded, so that property owners are thus safeguarded. That being so, I think I can reasonably ask members to agree to municipalities having the power to raise money to the extent of the amount which they have deposited with the Colonial Treasurer for the redemption of loans. I do not want members to run away with the idea that the municipalities will take away the amount of the sinking fund. It must be an additional loan, and interest and sinking fund must be provided. That is the principal clause in this small measure, but there is another provision. If a person has a large area of land and wants to subdivide it, it is necessary, in the first place, to deposit with the council a subdivision plan. That plan must be approved of by the local authority before it is registered at the Lands Titles office. Once that approval is given, the land may be sold and the transfer completed, but there is nothing to prevent the Lands Titles Office from granting a transfer for any small block of land without particulars first beng submitted to the local authority. If a block of land with sixty feet frontage and a depth of 120 feet is sold out of a subdivided block there is nothing to prevent the Lands Titles Office from granting a transfer to any person if the land was divided into two blocks with 30 feet frontage, even though the municipality had agreed to the subdivision plan, and had virtually stated that the frontage of 60 feet shown on the plan was quite small enough. Members will agree that it should be necessary, before small blocks of land can be sold after the subdivision plan has been approved by the local authority, to again submit the plan to the Council prior to the transfer being allowed. This is really the effect of the provision of the Bill which I am now presenting to the House. I think members realise the position clearly, and it is not necessary to occupy the time of the House because the Bill speaks for itself. I beg to move—

That the Bill be now read a second time.

Mr. DWYER (Perth): I have very much pleasure in supporting the second reading of this small amending Bill, because I think the third clause will go some way towards preventing the creation of slums in our cities and towns. I think it is a pity that, in this session of Parliament a comprehensive measure could not have been introduced to make it impossible for the creation in any of our cities and towns of slums such as exist in cities and towns in the old country, and have become a disgrace to civilisation. By putting in the hands of the municipal authorities the power to control the subdivision of land, and the power also contained in a section of the principal Act to inspect plans of proposed dwellings, and approve of them before the building is started, something might be done, but there is even in this a certain element of weakness, for while no transfer, conveyance or lease can be received in the Land Titles Office unless approved, it may be possible for buildings to be erected on subdivisions by other means which would take from the municipal corporation the power of supervision. Very often these things are done through trust instruments, but I wish to direct the attention of the Minister to this point that, when the comprehensive Bill is introduced particular attention should be paid to this matter, and I hope that he will instruct the draftsman to insert clauses which will render it impossible for the creation of slums in Perth or in any other city in the State. I hope too that, when the comprehensive Bill is introduced, we will have a measure which has been promised, and which I believe has existed in draft form for a

considerable time, but has not yet been placed before the Chamber—I refer to a Bill to allow of the creation of a Greater Perth. At the present time we have a lot of small municipalities each having its own separate municipal staff, and its own separate municipal offices, which means the creation of a great deal of expense without concentration of effort and business. There is no reason why we should not have that concentration which would lead to considerable economy. I support the second reading as an instalment of a measure of reform which I hope to see carried next session.

Hon. J. MITCHELL (Northam): I think, so far as the Bill gives power to borrow against the amount of the sinking funds, the Minister's proposal is all right, and it is well that such power should be given to the municipalities. It is wrong that the power of borrowing should be reduced when a considerable amount is provided by way of sinking fund as is the experience of a considerable number of municipalities at the present time. I have no objection to that provision, but I think the Minister has gone a little too far in regard to subdivisions. While I agree that land should not be cut up into small pieces, I cannot see why a man should not be allowed to lease a small piece of his block. If he has a 66ft. frontage and erects three shops, he will not be able to lease one of these shops without going to the municipality for written permission.

The Attorney General: No, he shall not get another subdivision without referring it to the council if he has lodged his approved subdivision at the Titles Office.

Hon. J. MITCHELL: It goes further than the transfer. The clause says that "no transfer, conveyance, or lease shall be registered unless such transfer, conveyance, or lease is approved in writing by the council. Hon. members know that more than one shop is generally erected on each block. There are few shops in the metropolitan area, except the big premises, that cover the whole of one block. Why should the council be troubled with giving a written permission for every lease of a shop, and why should the property owners be subject to the will of the council in this way?

Mr. Heitmann: They cannot build without permission.

Hon. J. MITCHELL: In this case the shops are already built. If the Honorary Minister desires to prevent the erection of two cottages on a small block of land, he should tell us, but the clause goes further than that. If we are to make a law to prevent a man leasing one of the shops on his block of land, we should be told; but according to the clause, a man will not be able to lease any portion of a block without the permission of the municipal council. The provision seems altogether unnecessary, and I doubt if the Honorary Minister, when drafting the Bill, knew that it was provided.

The Attorney General: It does not provide it.

Hon. J. MITCHELL: I will give the Attorney General the opportunity to tell us what the clause does mean. It certainly seems to apply to leases, although the Honorary Minister told us that it applies to transfers. It is here where danger will arise, and I shall be pleased to hear from the Attorney General just what the clause does mean.

Hon. W. C. ANGWIN (Honorary Minister—in reply): The clause provides very clearly that the council shall have the right to say if a block of land shall be subdivided or not. The hon. member referred to shops. He must be aware that a person cannot build shops without the council having first approved of the plans, and if the council have approved of a certain number of shops being built on one block, is it reasonable to think that they will block the leasing of these shops when they have first given the power to build them? To-day, in a wider sense, persons can sell portions of blocks of land and go to the Lands Titles Office and get transfers without any reference to the council. In many instances corner blocks with, say, 100ft. frontage to one street and 200ft. frontage to another street have been subdivided into four or five small blocks without reference to councils who have approved of the first subdivision. If this Bill becomes law, the

Titles Office can refuse to register such further subdivisions unless the municipal council has given consent to the cutting up of the blocks.

Question put and passed.

Bill read a second time.

In Committee.

Mr. McDowall in the chair. the Hon. W. C. Angwin (Honorary Minister) in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 497:

Mr. DWYER: Any objection taken to the clause for the reasons suggested by the member for Northam could be removed by the addition of a proviso putting leases on the same footing as transfers and conveyances. It should not be necessary to insist that every renewal of a lease should require the written consent of a council. A conveyance once approved was approved for ever, and a transfer once approved was approved for ever, and the principle of transfers and conveyances should be extended to leases. If in the clause the reference to leases was deleted, the object of the clause could be defeated by giving leases for long periods of small portions of a block of land without the necessity to get the consent of the council.

Hon. W. C. ANGWIN: There was no proviso needed. Once a council approved of a subdivision the approval held good. A lease did not affect the subdivision of the land.

Hon. J. MITCHELL: It was obvious to a layman that every time a lease was granted the council would have to be approached. If the Honorary Minister did not add words to meet the suggestion of the member for Perth, it would be necessary to move to strike out the words "or lease."

The ATTORNEY GENERAL: The object of the clause was to prevent plans lodged in the first instance being altered without the cognizance of the municipal council authorising the lodging of such plans. At the present time the land owner could show the council a plan of a subdivision clearly marked, and that subdivision was lodged in the Titles Office, but in the very next hour after registration anyone could take up a corner of a block, or divide what was one subdivision into three, four, five or six lots, and the council would have no voice in the matter, because the law permitted this further subdivision to be delineated on the plan originally approved. If that was objectionable in the case of a transfer, it was objectionable in the case of a lease. If the boundaries of a lease were delineated on the orginal plan, making as it were, another subdivision, the same objection arose. It was to prevent that further subdivision and the delineation, behind the back of the council so to speak, on the plan first approved by the council, that this clause was necessary. If a lease be delineated with the consent of the council, that delineation on the plan would stand until the boundaries covered by the lease were altered. There was nothing whatever in this clause to say that the lease of that property should be in each instance submitted to the council. What the clause prevented was the alteration of those boundaries as delineated on the plan without submission to the council, but as long as the delineation was once there it could stand until it was altered, whoever was the owner of the land. That was clearly expressed.

Mr. Hudson: No other lease than a three years' lease need be registered.

The ATTORNEY GENERAL: Precisely. This did not do with the council having to inspect the terms of the lease or the names of the lessor or the lessee. It meant that the council was safeguarded against further subdivision being delineated on the original plan. When a plan of the subdivision of any land had been deposited at the office of Land Titles, or of the registrar of deeds and transfers, no transfer, conveyance or lease of a portion of any lot delineated on such plan could be registered unless such transfer or lease was approved in writing by the council.

Mr. HUDSON: The expression used in the clause did not appear to convey the intention desired by the Honorary Minister. The Honorary Minister desired that the delineations on the original

plan should not be altered without the consent of the council. He would suggest to the Minister the insertion of words by way of amendment which would clear up the position, and he would move as an amendment —

That in line 7, after the word "unless" the following words be added, "the plan of the land included in."

Then the clause would read ". . . No transfer, conveyance, or lease of a portion of any lot delineated on such plan shall be registered unless the plan of the lease included in such transfer, conveyance or lease is in writing by, or on behalf of the council." It was the desire of the Honorary Minister that the council should approve of the plan of the land, not the instrument.

Hon. W. C. ANGWIN: The amendment would be accepted by him, although the clause as it was appeared to be quite clear. To satisfy members, however, he would offer no objection to the amendment.

Hon. J. Mitchell: Would it be necessary to submit the lease to the council if we accepted the amendment?

The Attorney General: It only deals with the plan.

Hon. J. MITCHELL: The Committee should be sure that trouble would not be occasioned by repeated applications having to be made to the municipalities, whenever a person desired to lease a small shop. If the Attorney General, however said that the amendment would make it quite clear that the lease need not be submitted, he would be satisfied.

Hon. W. C. ANGWIN: It was a pity that some hon. members had not served some time on municipal councils. If the member for Northam, for instance, had put in some years of apprenticeship on the Northam municipal council he would have realised the advantage of having a clause such as this in the Bill. He (Mr. Angwin) attended a council meeting only last week when this very question came up. A small portion of land had been subdivided and sold for building purposes, and this, no doubt, was detrimental to the municipality, and particularly to the street in which the land was subdivided. This was one of the things that municipal councils had for years past endeavoured to stop, and there was no doubt about it that the Bill was a step in the right direction.

Amendment put and passed.

Hon. J. MITCHELL moved a further amendment—

That the following proviso be added to the clause:—"Provided that in cases where several buildings have been erected on one lot, the lease of the land on which any one or more of these buildings are erected shall not require the approval of the council."

Mr. DWYER: The amendment was wholly unnecessary. The clause in its amended form met all requirements. It provided that in the case of a transfer or lease of portion of a subdivision the plan showing the portion transferred or leased should be submitted to the municipal authorities for approval before the transfer or lease could be registered. Once it was lodged in the Titles Office, of course, it could be transferred or leased for all time without further reference to the municipal authority. The object of the clause was to see that plans of transfers or leases of portions of land were approved. The amendment was meaningless and unintelligible, and for that reason he would oppose it.

Hon. W. C. ANGWIN: The amendment would not be acceptable, because there was already in the Municipalities Act a provision protecting those already in existence. Apparently the hon. member's intention was not to provide for those already in existence but for future operations, and if that was so it would defeat the real intention of the clause. There was no necessity for the amendment.

The ATTORNEY GENERAL: The proposed amendment would take us right back to the original form of the clause. The hon. member held that in the case of several shops built on one block it should not be necessary to submit the lease to the council. The object of the clause was, not that the lease but the plan, should be submitted. The amendment would mean that although in those cases the lease

should not be submitted, in all other instances it would have to be submitted. The clause as already amended meant that the lease need never be submitted, but that the plans of subdivisions had to be submitted. In other words, the amendment would absolutely go back upon the amendment we had just passed and make confusion worse confounded.

Amendment put and negatived.

Clause as previously amended put and passed.

Title—agreed to.

Bill reported with an amendment.

BILL—LAND ACT AMENDMENT.

In Committee.

Resumed from the previous day; Mr. Holman in the Chair, the Minister for Lands in charge of the Bill.

Clause 8—Area of agricultural holdings:

Mr. A. E. PIESSE: Was it the intention of the Minister to accept two acres of second-class land as being the equivalent of one acre of first-class land? The clause seemed to mean that no person would be allowed to hold in his own name more than 1,000 acres of first-class land, or 2,000 acres of second-class land, or a mixed area of 500 acres of first-class and 1,000 acres of second-class land.

The Minister for Lands: Yes, that is the intention.

Mr. DWYER: Was it intended to make it clear in the clause that no person should acquire or hold the area mentioned through any other person, or, to use a common phrase, by dummying; because, if so, something should be added to the clause expressly prohibiting dummying, and providing a penalty. Apparently there was nothing in the clause to prevent one person taking up land for another. These transactions had occurred in the past, and without some special prohibition they might be expected to continue.

The MINISTER FOR LANDS: The provision was not expressly made in this clause, but if the hon. member would take into consideration later clauses which provided for the terms of residence by the lessee or by an agent to be approved by the Minister, or an officer duly authorised on that behalf, he would see that those conditions would effectually prevent any position arising such as that feared by the hon. member, in that it was not apparent what advantage would be gained by the constitution of a trust in view of the conditions which had to be fulfilled. Under Clause 14 provision was made in regard to the limitation as to those who could obtain areas of land under the Bill, and this in itself would be a safeguard against the setting-up of a position such as the hon. member had outlined.

Clause put and passed.

Clause 9—Conditions of lease.

Hon. J. MITCHELL: Why had the Minister reduced the value of the improvements to be done? Only 50 per cent. of the value of the land had to be expended in improvements during the first ten years. Under the existing Act the full value of the land had to be expended in improvements in the case of a residence lease, and the full value with 50 per cent. added in the case of non-residence.

The MINISTER FOR LANDS: The conditions had been made somewhat lighter in regard to leases under the Bill in comparison with the conditions obtaining under the existing system of conditional purchase; but the clause prescribed that a proportionate amount of expenditure had to be expended during the first year of the lease, whereas under the existing conditions of applying to conditional purchase, under non-residence and grazing leases, a higher rate of improvements was prescribed, but within the first two years of the lease; and, as a result of practical experience it had been found that in many instances leases under Section 56, and also under conditions obtaining in regard to grazing leases, were unobserved until within a short period of the expiry of the two years. Then the lessees would make a start to effect the improvements, and, although the full value prescribed in the Act might not have been carried out, they would make representations that the improvements were in course of progress.

and use this as an argument in favour of consideration being extended to them. It made it very difficult to discriminate, because, while the Minister did not wish to inflict any hardship, he did not know whether it was the result of wilful neglect or due entirely to circumstances over which the selector had no control, and he thought it preferable to impose lighter conditions and insist on them being carried out during the first year, rather than prescribe harder conditions and give the selectors two years in which to defy the department, if they so willed. In those circumstances, taking into consideration the prescribed improvements, and the fact that if they wished to take advantage of the rebate of rent during the first three years, the amount of that rent had to be spent in additional improvements, he thought the terms were encouraging and at the same time sufficient to secure legitimate occupation of the land. The Bill provided a happy medium, and he urged members to support it.

Hon. J. MITCHELL: The Minister had just halved the improvements and residential conditions. It was provided that the rent might be rebated so long as the amount of the rent was spent in additional improvements, but two per cent. was very small and still left a comparison in favour of the holder under this Bill. Under the present Act the leaseholder had to pay five per cent. per annum by way of rent and do twice as much improvements as the Minister provided for. It would be interesting to know if the Minister considered that it would be wise to relieve those, who now held land, of doing the improvements prescribed by the present Act. Would the Minister make the Bill retrospective so as to extend to present holders? He did not see how the Minister could keep the present lessees up to the improvement conditions required by the existing Act if he thought they were too high.

The MINISTER FOR LANDS: One certainly would like to be able to substitute the scale of improvements contained in the Bill for the conditions prescribed in the section dealing with grazing leases, because he thought these conditions would be infinitely preferable inasmuch as during the first 12 months we would be able to determine whether a selector had taken up land for legitimate occupation, or merely with the desire to dispose of it to somebody else. It was awkward, when some of these areas were held unimproved, to be obliged to wait two years before any action could be taken. Complaint was frequently made in regard to the non-improvement of areas held under Section 56, and the only answer that could be given was that no action could be taken until the first two years of the lease had expired. In such cases he would like to substitute the conditions of improvement mentioned in this Bill.

Mr. UNDERWOOD: There was a provision in the Bill that the holder must reside on the land, and if that could be put into operation in connection with land sold in the past he would be pleased. So far as improvements were concerned, it did not matter a great deal what improvements were stipulated, for, after all, when a man was compelled to reside on his land for seven months in the year he must be doing something. He was not likely to take up 1,000 acres of land, particularly in the wheat belt, simply for the purpose of building a residence; he would select it for the purpose of earning a living, and, if he desired to do that, he had to make improvements. Therefore, it did not matter a great deal what improvements were specified, so long as the selector was compelled to reside on the land.

Mr. A. E. PIESSE: Paragraph (d) provided that the lessee should take possession of his land within one year. Under the existing Act the lessee had to take possession within six months. Would the Minister explain why he had extended the time to one year?

The MINISTER FOR LANDS: Our protection was in the fact that a certain value of improvements had to be effected within the first twelve months. Whilst under the existing Act provision was made for taking up residence within six months, the same provison in regard to improvements applied as in the case of Section

56, namely, it could not be determined whether the improvement conditions had been fulfilled until the two years had expired. The Bill provided that certain improvements must be made within 12 months, and this, taken in conjunction with the residence conditions, was a reasonable protection to the settler on the land, and it also protected the State in that it made provision for adequate improvements, thus ensuring that legitimate occupation took place. Under existing circumstances the department received repeated applications for extensions of time. Very often a selector would apply for land with the full intention of taking up his residence within the specified term of six months, but perhaps he had to dispose of property, or arrange his affairs in such a way that he was prevented from fulfilling the residence conditions within the prescribed term and he applied to the Minister for an extension of time. The Bill represented an attempt to provide a reasonable compromise.

Mr. A. E. PIESSE: It was understood that no land was to be granted under the provisions of this Bill without residence.

The Minister for Lands: There is another proviso which meets that case.

Mr. A. E. PIESSE: The proviso said that residence might be fulfilled by an agent, or exemption might be granted by the Minister. A lessee might take up a certain area in two or three different blocks, but he could only reside on one. If, for instance, he selected 500 acres of first class land in the Katanning district and 500 acres in the Narrogin district, how was he to fulfil his residence conditions? Did the Minister propose to allow the lessee the same privilege as under the existing Act, namely, that residence on one block would be sufficient so long as it was within 20 miles of the other portion of his holding?

The MINISTER FOR LANDS: This amending Bill did not abrogate the provisions of the existing Act except where it was expressly provided. One of the greatest difficulties, under the existing Act and also under this measure, was to provide for the selector who at the outset was unable to fulfil the residence conditions, but at the same time was desirous of taking up an area of land and improving it for a term of years, so that he might later on establish himself upon it; and to discriminate between that class of selector and the selector who would take up land for dummying purposes. He had never been opposed to allowing individuals in the community to acquire land for purposes of legitimate improvement, who might wish to remain at their business or calling for a number of years and later on, when things were placed on a satisfactory basis, take up residence on the land. But the difficulty had been that the non-residence sections lent themselves to the acquirement of land with a view to disposing of it to somebody else. He had sought to meet that situation by this provision for residence by agent. It was an experiment, he admitted, and only time would tell whether it would be successful and whether the evils he had mentioned could be prevented under that provision. It was placed there with the idea of enabling non-residential selectors to take up land and fulfil the residential qualification by agent instead of personally.

Mr. A. E. PIESSE: The Minister evidently did not grasp the point. If the holder of 500 acres under conditional purchase wished to take up to the maximum quantity of land provided under this Bill would the condition of residence be fulfilled on the other land which might be in a separate block, so long as it was within 20 miles of the original holding?

The MINISTER FOR LANDS: The provisions of the existing Act would apply and under this Bill there would be nothing to prevent him from securing the balance to make up the maximum, and take advantage of residence by agent. It was not desirable for a farmer to have areas of land in different parts of the State.

Mr. A. E. Piesse: He may be forced to do it; the land may not be available.

The MINISTER FOR LANDS: There was provision for him to obtain the land. Where it was possible to obtain the land in one area it was preferable to the man and the community that his efforts should be devoted to one compact area.

Hon. J. MITCHELL: The Minister was making it easier for the selector all

along the line. Not only was provision made for less improvements but cropping and cultivating might be considered to be improvements. That was not in the existing Act. The Bill would relieve the selector of considerable work. If he was allowed 10s. an acre for cultivating his land it would be a considerable help towards fulfilling the improvement conditions imposed. The improvements under this measure would be infinitesimal, and whereas the Act compelled a man to take up residence in six months, the Bill allowed him a year. Further than this, an agent might fulfil the residence conditions for him and the Minister might exempt the holder from residence altogether. The Minister would have the power to decide. If one holder was entitled to live off his block all should be entitled to do the same thing unless some good reason had to be advanced before the Minister would give permission.

Mr. Heitmann: It is because of the possibility of that very good reason being advanced that provision is made.

The Minister for Lands: I do not propose to make it entirely determinable by the Minister as the hon. member will notice.

Hon. J. MITCHELL: It was entirely optional with the Minister. The great need of the country was work upon the land more than residence. The man who took up land under non-residence conditions had to effect fifty per cent. more improvements than the man who resided on the land.

Mr. E. B. Johnston: He need not for a year and nine months.

Hon. J. MITCHELL: It would be impossible to carry out the necessary improvements in the last three months unless considerable labour was employed. Improvements had been well carried out during the last five or six years.

The Minister for Lands: You make me tired when you talk about your Act.

Hon. J. MITCHELL: It was not his Act. The Bill made the improvement conditions easier all along the line. The penalty for non-residence was waived. A man might take a lease and never reside on it and never be penalised in the direction of having to carry out additional improvements. The Minister's desire to induce people to select under the leasehold system would result in a considerable set back to the country. The class of man who would select land would not be the class who would be likely to actively enter upon the work of improvements. They would take full advantage of the Minister's generosity. The Minister should agree to insist on residence in six months and on the imposition of a penalty. Where residence was done by an agent or waived, a penalty should be imposed as under the present Act.

Mr. E. B. JOHNSTON: This clause would result in far more work being done on the land than existing legislation had brought about. Under Section 55 although a selector had to take up his residence within six months, the requisite amount of improvements did not have to be done for two years. The inspection was necessarily somewhat lax. There was no one to tell whether the settler took up his residence within six months, and it seemed an absurdity that if the settler had to take possession within six months he should not have to show any results of work done for two years. The Bill required improvements to the extent of 5 per cent. of the value of the land each year for the first ten years, and the inspector at any time could tell easily whether the conditions were being carried out. The Minister had done well in extending the time for taking possession personally to one year. That would allow a man to get his trees ringbarked and a portion burnt and to go away for a few months. It would not be necessary for him to remain on the land for that period. Under the Bill the improvements had to be maintained for ever. In the old days a man after five years could pay up and get his freehold and there was nothing to prevent him from turning his land into a sheep run. That had been done and he was glad that it would be stopped in future.

Mr. UNDERWOOD: The arguments of members of the Opposition were peculiar. We had been told that the conditions under the Bill were so adverse that no one

would think of taking up land, and as soon as this clause came to be discussed members of the Opposition argued that the conditions were too liberal. The member for Northam (Hon. J. Mitchell) said we would get a different class of men under this Bill from those under the existing Act.

Mr. Green: That will be an improvement.

Mr. UNDERWOOD: We would get, not a different class of settler, but a different class of holder of the land. We would get a class who would go on the land and work it. In the past newspaper proprietors, all the publicans, most of the lawyers, stockbrokers, members of Parliament, and others, had taken up land.

Mr. Green: Who are the others?

Mr. UNDERWOOD: Ministers.

The Minister for Mines: Ministers of religion?

Mr. UNDERWOOD: Yes, ministers of religion also. We would get people who would take up the land with a view of earning a living on it.

Hon. J. Mitchell: Do not they do it now?

Mr. UNDERWOOD: No. Did the hon. member think that Lady Hackett, Lady James, Mr. Schruth, Mr. Lovekin, the manager for Boan Bros., or the various civil servants had any intention of residing on their blocks to make a living?

Hon. J. Mitchell: I hope so.

Mr. Male: How about the Attorney General?

Mr. UNDERWOOD: It was wise to allow 12 months in which to take up residence. It required about a year to kill salmon gum. The most economical way was to ringbark and wait until the timber was dead, and then burn it down.

Mr. A. E. Piesse: It is totally the reverse down our way.

Mr. UNDERWOOD: That was a very small part of the country and he was speaking of the State generally. The whole of the land down the hon. member's way was disposed of and would not come under the measure. It was advisable that the Minister should be able to waive the conditions, because with a large number of settlers there would be special circumstances which would justify some relief being given. The Opposition in Committee had not a fault to find with the Bill. It was far too liberal. The only fault they could find was that it would give a man without any great capital a chance of going on the land and earning his living as a farmer, and not as a wage slave for another person.

Mr. A. E. PIESSE: Under Subclause (e) provision was made whereby the consent of the Minister had to be obtained for a transfer, but a transfer could not be given within three yerrs. Further on it was provided that the Minister could pay for improvements effected by the lessee. The Minister should have discretion to agree to a transfer earlier than three years if a lessee through no fault of his own had to give up his holding.

The MINISTER FOR LANDS: In comparison with the provisions applicable to transferring or subletting in all the other States the provision was very liberal and took into consideration possibilities mentioned by the hon. member. In New South Wales, under non-residence no transfer was permitted within the first ten years, and under residence within five years. The term was even longer in Victoria and South Australia. And in regard to land repurchased and made available for closer settlement there was no opportunity for transfer in Victoria even for a period after the title was registered. As we provided that the rent was not to be paid for three years, we should not give the selector the right to traffic in the area in that period, but for selectors who could not carry on power was taken to reimburse them for the value of improvements already effected, a value to be repaid by the succeeding selectors. Under the existing Act there were cases where holdings were forfeited or surrendered and improvements not paid for.

Hon. J. MITCHELL: The provision was very good. It would not be reasonable to give a man the right to demand payment for his improvements. Under existing conditions the man who improved

his land and forfeited was protected, because the new valuation set on his land would include the improvements, though under free selection before survey improvements went to the new applicant without payment at all. Men were now doing far more on the land than they would do under the Bill. The member for Pilbara (Mr. Underwood) never failed to make reference to those holding land under non-residence conditions, but such a man was penalised by having to do far more improvements than the man holding under Section 55. As the hon. member held land under non-residence conditions he should know. Under the Bill there should be a penalty on the man not residing on his land.

Mr. UNDERWOOD: The block of land he held under non-residence conditions was cleared right up to the requirements of the Act. All he did was to put an application into the Agricultural Bank under contract and the work was done.

Hon. J. Mitchell: You know the tricks.

Mr. UNDERWOOD: It would be a very poor man who could not get through the hon. member's tricks. It was a provision made by the past Government obviously for the purpose of being evaded, to enable people to take up land with no intention of working it and hold it for gambling purposes.

Clause put and passed.

Clauses 10, 11—agreed to.

Clause 12—Leases of poison land:

Mr. A. E. PIESSE: The Minister must be congratulated upon the consideration given to the vexed question of poison lands. It was only to be regretted that some amendment had not been made to the parent Act to give some of the liberal provisions contained in this clause to those who had already taken up poison land to the west of the Great Southern railway where the settlers were suffering very great hardships in their endeavour to eradicate the thick poison. It was not likely these persons would desire to come under the leasehold system, and some steps should be taken to reduce the price of their land. The Minister had before him the result of the inquiry board, and had promised to visit this district to study the special difficulties of these people, who were in a very bad way. To limit the area to 2,000 acres was a mistake. Such an area would not enable a man in the poorest parts of the poison land to make a living. That land would not carry one sheep to five or six acres.

The Minister for Lands: Is that land entirely unsuited for cultivation?

Mr. A. E. PIESSE: It was gravelly, stony country, carrying very little feed and a considerable amount of poison. One would hardly have it at a gift. It was in the district to the west of the Great Southern railway. There were patches of this country. Many thousands of acres were poor poison country, but there was some poison land which was really first-class after the poison was taken out of it. He took it that the Minister did not intend to class as poison country land that had a sprinkling of poison, but the clause led one to believe that he did. The area should be increased to 3,000 acres. It was already provided in Clause 8 that any one person could take up 1,000 acres of first-class land or 2,000 acres of second-class, and, if he was married, he could take up a further 1,000 acres of second-class land. In regard to poison land which was supposed to be inferior to the other agricultural land, a man was only permitted to take up 2,000 acres and there was no provision for taking up more if he happened to be married.

The MINISTER FOR LANDS: The Minister would have to be satisfied that it was the class of land that should be brought under the benefits of the clause. In regard to his own holding he had a considerable amount of box poison on his area, so much that it would be useless for him to think of depasturing sheep on it until such time as by cultivation and crop growing, the poison was eradicated. No one would claim that such land should be brought under the provisions of this measure. In regard to the area, he recognised that some members would hold that in view of the class of land that was being brought under this provision the maximum was sufficient. He believed there would need to be a considerable evolution in farming methods in

Western Australia if we were to make that progress we ought to do in view of the light that experiments and science were shedding on agriculture in all parts of the world. There were many holders in Western Australia who were trying to grapple with a large area whon they would be able to do much better by concentrating their efforts on smaller areas and avoiding the payments they had to make in conditional purchase instalments which considerably handicapped them. Their idea of course was that they might be able to sell out a portion of their land and thus secure some of the unearned increment from the other fellow. If we were to hold our own with the other communities of the world we should have more intense methods of culture and continuous improvements, and we should take advantage of what science and experimental work was teaching us. The same thing obtained in regard to these areas which were classed as poison land. If they were to be cleared of poison and then used as grazing areas on the natural grasses, they would not be the success we hoped to see them become, but if the poison was cleared and there followed cultivation, then he believed the area provided in the Bill would be sufficient. All our efforts should be concentrated towards getting as large a population as possible on the agricultural land consistent with the provision of the opportunity for the individual to make a comfortable living off his area. With the area provided for, if anything like adequate attention was given to it, and up to date methods were adopted, it would be sufficient to maintain a holder and his family in comfort. / / / / / / /

/ Hon. J. MITCHELL: There was no doubt about it that the area was too small, and up to the present time we had not settled these poison lands under reasonable conditions. Just before the last election he was in the district where the poison land was situated, and he found that men there were asked to do too much with their small holdings. It was necessary that something should be done for these people.

Mr. E. B. Johnston: It took you a long time to find it out.

Hon. J. MITCHELL: The member for Narrogin was land agent in the district for years.

Mr. A. A. Wilson: And you were the Minister?

Mr. E. B. Johnston: I never saw you in the district while I was there.

Hon. J. MITCHELL: The member for Narrogin did not make any special representation about these leases while he was land agent. The Minister for Lands should amend the parent Act in the direction that would make it possible to reduce considerably the price to be paid by holders of conditional purchase leases containing poison, and also increase the area held by the people in that western country. Subclause (*a*) might be amended by making it read that the maximum area to be held should be twice the area that might be held under first and second class conditions. He suggested that, with every desire to improve the measure, which, by the way, he hoped would never become law. / /

Mr. UNDERWOOD: The Minister for Lands should not agree to make the amendment suggested. The position he took up was that if we had first-class land and if it was cleared, 1,000 acres would be sufficient. It did not matter what it was cleared of, so long as it was cleared.

Hon. J. Mitchell: The hon. member does not suppose that all first-class land is equal. / / / / / / / / / / / / /

Mr. UNDERWOOD: It seemed to him that first-class land would be number one. Did the hon. member mean that there was some first-class second-class land? What was classified as first-class agricultural land by the officers of the department should be and would be land upon which the man could get a living from 1,000 acres. If they could not do that it would not be classified as first-class land. He knew of some excellent first-class wheat land that had been given in very large areas.

Hon. J. Mitchell: Years ago.

Mr. UNDERWOOD: It might be done again. He know of some estates taken up originally as poison land which had

since been offered for repurchase as agricultural land. This class of land was as good as any wheat land in the State, and to say that because there was poison on it a man should be allowed to have twice the area he could otherwise take was to defeat the objects of the Bill.

Mr. E. B. JOHNSTON: In the districts west of the Great Southern the settlers were rejoicing that at last practical proposals for dealing with the poison lands had been brought forward. It was proposed that the selectors should have the land for ten years rent free. Nothing could be more generous or better calculated to encourage the selection of those lands by people who would improve them.

Mr. A. E. Piesse: That provision should have been made in connection with our conditional purchase system.

Mr. E. B. JOHNSTON: That was so, and it was to be regretted that the hon. member had never been able to get the late Liberal Government to adopt his views on the question. If the late Minister for Lands had visited those districts earlier something might have been done; but the Minister had been unable to go down there until on the eve of the last elections, when he had appointed a body known as the poison commission, to go into the question. It was significant that of nine meetings held by that poison commission six had been held in his (Mr. E. B. Johnston's) electorate. He was very glad that the Government had brought forward this practical proposal of ten years rent free, instead of adopting the suggestions of the poison commission. On the question of area he sympathised with the member for Katanning (Mr. A. E. Piesse) to some extent, but he thought it would be far better in the interests of the people who would take up this land not to allow them to take up more than 2,000 acres. This going on land thickly overrun with poison was a very dangerous proposal to handle, and hitherto only the small settler who had himself attended to the work of eradication had made a success of it.

Clause put and passed.

Clause 13—Power to grant grazing leases:

Hon. J. MITCHELL: Would the Minister state his intention in regard to this new form of land tenure? It should be made clear that it would not be possible for an individual to secure a grazing lease over an area that might be required for closer settlement. There was a good deal of land in the light rainfall which could best be dealt with under some form of a grazing farm, while other, remote lands were better fitted for occupation under a pastoral lease.

The MINISTER FOR LANDS: This new form of tenure, which it was hoped would provide for a class of small graziers was intended mainly to apply to the far eastern areas, beyond the confines of the area within which the Agricultural Bank was prepared to lend money. We could safely allow leases of this character to be issued beyond those limits with a view to encouraging settlers to take up those areas for grazing purposes, and it would be safe also to give them a measure of security so as to encourage improvements, at the same time taking care that we did not make the term so long that it would handicap the Government or Parliament in the future in dealing with these lands, should the progress of agriculture be such as to bring them within the region of successful cultivation. The object of the clause was mainly to carry out the idea for providing for these grazing lands on the far eastern areas, which to-day it was unsafe for an agricultural settler to go upon. If we could settle a class of small graziers on that area we would be doing a good thing for the community by bringing the area into use, and at the same time we would not be limiting our opportunity at the termination of the lease to provide for closer cultivation, should it be found desirable.

Hon. J. Mitchell: They would not be allowed to cultivate?

The MINISTER FOR LANDS: No objection would be offered to their cultivating; in fact it was hoped that they would experiment in this direction. Of course in doing so, they would be taking a risk, but in any case by that means they

would increase the number of sheep they could carry on their property.

Hon. J. MITCHELL: The Minister would have to pay for improvements at the expiration of the lease, and if money were allowed to be expended on land unsuitable for cultivation the Minister might be running the country into considerable expenditure.

THE MINISTER FOR LANDS: We would only be paying for improvements. Suppose it were found that the land could be farmed successfully, the improvements would be worth whatever was paid for them; we would get a return, because the incoming settler would have to pay for the improvements, and if, on the other hand, the grazier farmed successfully, we could allow him a further term.

Hon. J. MITCHELL: But if the lessee decided to relinquish, could the amount of the improvements be collected from the incoming tenant, and would the Minister consider it reasonable to pay for the clearing of the land? Under the proposal, if the land was used for grazing purposes alone, the rent would be fairly high at, say, 5s. To-day pastoral land paid £1 per thousand acres, but under the proposed system the land to be leased would probably be valued at 5s. Would the rents be deferred for a year or two while fencing and other improvements were being carried out?

The Minister for Lands: That is provided for in Subclause 6.

Hon. J. MITCHELL: If the lands were to be settled solely for grazing purposes the conditions would require to be very liberal. It would be wrong to apply to a 21 years lease the conditions and rental applied to a perpetual lease. Admittedly the idea of the Minister was entirely right, and would do much to increase the stock in those districts. Still the rental might be made a good deal easier than two per cent. The question was worthy of consideration, because the Minister would agree that even a lease of 21 years was only a temporary one.

The MINISTER FOR LANDS: The reason for fixing the same rental was that it was found that the bulk of cultivation took place during the time the holder of the conditional purchase was subject to the regulations and the prescribed conditions, as to improvements, residence, etcetra, contained in the principal Act. It was a continuous tendency in Western Australia, as it was elsewhere, that after the freehold title was procured land that had previously been cultivated was converted into pasture.

Hon. J. Mitchell: Oh no.

The MINISTER FOR LANDS: That was a fact that could be verified by anyone who traversed the country and by the statistics relating to cultivation, contained in the annual issue of the Commonwealth *Year Book*. About Katanning or Broomehill, for instance, it was found that on the freehold areas, taking the cultivation in proportion to the area, there was less cultivation going on in those areas than would be found in the newer settled portions of the eastern districts.

Hon. J. Mitchell: One is suited to pasture and the other is not.

Mr. A. E. Piesse: That might be accounted for temporarily during those very wet seasons.

The MINISTER FOR LANDS: It was a continuous tendency and was not confined to certain years. It was true of Western Australia, and of America, and had been true of the United Kingdom for hundreds of years. Here was an illustration of what had occurred in England in the sixteenth century. It was pointed out in Froude's *History of England* that—

> The city merchants were becoming landowners, and some of them attempted to apply to rules of trade to the management of landed estates. While wages were ruled so high, it answered better as a speculation to convert arable land into pasture; but the law immediately stepped in to prevent a proceeding which it regarded as petty treason to the Commonwealth. Self protection is the first law of life; and the country relying for its defence on an able-bodied population evenly distributed, ready at any moment to be called into action, either against foreign invasion or civil disturbance,

it could not permit the owners of land to pursue for their own benefit a course of action which threatened to weaken its garrison. It is not often that we are able to test the wisdom of legislation by specific results so clearly as in the present instance.

Then Froude went on to quote the Act that was pased at the time in consequence of that tendency for agricultural land which had carried small holders, when purchased by the rich traders of London and other large cities to be converted into pasture land. The Act read as follows—

Forasmuch as it is to the surety of the Realm of England that the Isle of Wight, in the County of Southampton, be well inhabited with English people, for the defence as well of our antient enemies of the Realm of France as of other parties; the which Isle is late decayed of people by reason that many towns and villages have been let down and the fields dyked and made pasture for beasts and cattle, and also many dwelling places, farms and farmholds have of late times used to be taken into one man's hold and hands that of old time were wont to be in many several persons' holds and hands, and many several households kept in them; and thereby much people multiplied and the same Isle well inhabited, which now by the occasion aforesaid is desolate and not inhabited, but occupied with beasts and cattle, so that if hasty remedy be not provided, that Isle cannot long be kept and defended, but open and ready to the King's enemies which, God forbid. For remedy hereof, it is ordained and enacted that no manner of person, of what estate, degree, or condition whatsoever shall take any several farms more than one whereof the yearly value shall not exceed the sum of ten marks; and if any several leases afore this time have been made to any person or persons of divers and sundry farmholds, whereof the yearly value shall exceed that sum, then the said person or persons shall choose one farmhold at his pleasure, and the remnant of his leases shall be utterly void.

What had been the result of that legislation? Froude went on to say—

An Act, tyrannical in form, was singularly justified by its consequence. The farms were rebuilt, the land reploughed, the Island re-peopled; and in 1546 when the French army of sixty thousand men attempted to effect a landing at St. Helens they were defeated and driven off by the militia of the island, and a few levies transported from Hampshire and the adjoining counties.

That was the provision that had to be made then, and which had been defeated by the same tendency towards the accumulation of those areas into the hands of rich traders after that date. That tendency was being repeated in the United Kingdom at the present time, and had necessitated the repurchase of those lands in order to provide for an increase of yeomanry on the soil—a policy which would have to be repeated in the future history of the United Kingdom, and which had to be adopted in New Zealand, Victoria, and Western Australia. It seemed to him that if those people found it remunerative to put land out of cultivation for the purpose of pasture no argument could be adduced why they should be charged a lower rental. That was the motive which had prompted him in fixing the rental, even for a shorter term, at the same percentage as was fixed for the perpetual lease of agricultural land. If the member for Northam would give the matter consideration he would agree that those people would be well able to bear the impost, which he had said was altogether too low as applied to agricultural land under this Bill.

Hon. J. MITCHELL: This land was not cleared, fenced, stocked, or improved for agriculture or anything else. The Minister could find no parallel in English history that could fit this argument.

The Minister for Lands: I can find a parallel in Victorian history.

Hon. J. MITCHELL: This land was not improved, and in the short term of a 21 years' lease the Minister desired that the rent he would apply should be equal to the rent that would be applied under

the perpetual lease system. A man could improve to a much greater extent land which he held for a hundred years than land he held for only 21 years. It was because he had a keen desire to see land which could not be used for wheat growing utilised for stock that he suggested the Minister should make an amendment. The persons in the North-West who had the best pastoral lands in Western Australia paid only 10s. per thousand acres, and the Minister would require people to pay ten times as much for land that required considerable improvement.

The Minister for Lands: The advice everybody gives is to go in for sheep, and not wheat. There is more money to be made out of sheep.

Hon. J. MITCHELL: As it was unlikely this Bill would ever see the light of day it was not worth bothering about this provision.

Mr. Underwood: Have you got the fossils fixed up?

Hon. J. MITCHELL: There were no fossils that he was aware of. The Minister surely knew that the stock carrying capacity of most of this land would be very light indeed until it was considerably improved, which was not the case with the North-West areas. Did the Minister propose to impose improvement conditions under the agricultural clauses?

The Minister for Lands: Oh no.

Hon. J. MITCHELL: The Minister certainly had it in mind that some improvements should be made, and it would be better that they should be definitely fixed than that they should be left to the varying whim of the Minister.

The MINISTER FOR LANDS: The matter would not be left to the whim of the Minister. It would be a matter for consideration with the advice of the departmental officers as to what the improvement conditions should be, and then to have them fixed and promulgated by means of regulations which the House would have an opportunity of dealing with. Amongst the improvements would be fencing, stocking, and water supply, but those conditions could be better prescribed by regulation because the alterations that might be found necessary could be better made in regulations than if we made a hard and fast rule under the Act.

Clause put and passed.

Clauses 14 to 17—agreed to.

Clause 18—Amendment of Section 21 of principal Act:

Hon. J. MITCHELL: Would the Minister explain why he was amending Section 21 of the principal Act? Evidently the Minister could refuse any application and the only appeal was to the Governor which meant the Governor-in-Council and in turn the Minister by whom Cabinet would be guided. The Minister was taking extensive powers.

Mr. UNDERWOOD: The Minister, as representing the people should have the right to refuse applications which might be made by people to whom it was advisable to grant land.

Hon. J. Mitchell: They can be refused.

Mr. UNDERWOOD: The experience of the Law Courts was that unless it was set out in black and white in the Act no one could tell how the judge would decide, and one could take a shade of odds even when provision was made.

The MINISTER FOR LANDS: The alteration consisted of the omission of the words "have power in the public interests," and the reason was that where the Minister's exercise of discretionary power was challenged, there was considerable doubt as to what was meant by the term "in the public interest." His idea was that there might be power to refuse the application of an Asiatic. In one instance one or two valuable blocks in the centre of a sub-divided area were applied for by Asiatics and it was undesirable that they should be established in the midst of a white community.

Hon. J. MITCHELL: While undesirable people sometimes got land, the Minister was taking extensive power.

The Minister for Lands: Sir Newton Moore intended to have that power.

Hon. J. MITCHELL: And if he had suggested it the Minister would have opposed it.

Clause put and passed.

Clause 19—agreed to.

Clause 20—Exemption from Land tax:

Hon. J. MITCHELL: Why should leased land be exempted from land tax? The Minister could not exempt it for all time as no Parliament had a right to make such a provision. The Minister was providing specially easy terms to lure people to his way of thinking. The rent would be very low, improvements would be hardly necessary and the Minister would have the power to say whether holders should reside on the land. The conditions were much easier than under freehold, and supporters of the Government had objected that freehold conditions were too easy. It was not fair to attempt to saddle the people already settled on the land with the whole of the land tax for the future. If the provision for the conversion of conditional purchase into perpetual leases was availed of to any extent, very few people would be left to pay the land tax. There was no better way to compel people to surrender their land to the Crown than by holding out the promise of heavy taxation in future. Would the Minister explain why leased land should be exempted from land taxation? If he insisted on the clause, he should amend it to include any amendment of the Land and Income Tax Assessment Act, 1907.

The MINISTER FOR LANDS: Never had he witnessed such industry as had been evidenced by members of the Opposition in building up a bogey for the joy of knocking it down again. It reminded him of the boyish pleasure of building a snow man for the fun of seeing it melt away.

Hon. J. Mitchell: I hope you will enjoy the pleasure of seeing this Bill melt away.

The MINISTER FOR LANDS: There was a good deal of inconsistency in the arguments. First there was the complaint that there was a vague proposition to place the land tax in future on existing holders, and in the next place every member of the Opposition had opposed the one remedy for the evil which grew up under the freehold system—the aggregation of the land in the hands of a few.

Mr. A. E. Piesse: When it becomes an evil.

The MINISTER FOR LANDS: The evil was here.

Hon. J. Mitchell: Nonsense!

The MINISTER FOR LANDS: What objection could there be to the exercise of a remedy which members of the Opposition had so emphatically urged during the discussion on the Bill. It was a grave inconsistency. The land tax was an attempt on the part of the community to secure the economic rental of land, and the economic rental was a return in greater or less proportion of what might be termed the communal value of land, that was the value imparted by the growth and activity of the community apart from any effort on the part of the owner. If we secured that economic value, as would be the case by an annual rental based on the unimproved value, we would secure what previously in regard to the land alienated had been secured in greater or less degree through the medium of the land tax on the unimproved capital value of the land. That being so, it would be unjust for us, having secured that economic rental by the annual percentage on the unimproved value, to superimpose an additional burden in the shape of taxation under the provisions of any land tax measure, because, as the increment of value grew, namely the unimproved value apart from any improvement effected by the holder, the two per cent. was based on that increment of value. If there was a decline on that unimproved value owing to circumstances occurring in the State, famine, pestilence, or anything of that kind, the two per cent. would be based on the decreased value; but it would be always the economic rental, and, having fixed the economic rental, it was, of course, unjust to superimpose a land tax.

Hon. J. Mitchell: If you sell land at value the same argument applies.

The MINISTER FOR LANDS: That undoubtedly was a defect in the existing form of taxation it was difficult to get

over. The land system of the past was responsible for creating all these difficulties. First we took a course of creating these evils, and then it was necessary to legislate to obviate them. As it was, while we held the estate in our hands at the outset, we were now taking the direct course of not creating these evils, and were starting off where we would have to start off years hence if we persisted in the course of legislation hitherto followed in Western Australia. In prescribing the rental we were securing the economic rental which, under a land tax Act, was said to be secured in land which was alienated or in process of alienation. The percentage was a reasonable regard for the interests of the community, and at the same time fulfilled the objects of the measure, namely, the settlement of the land. This was said in another part of Australia in regard to the same proposal—

> When it is taken into consideration that, with few exceptions, the Crown lands are, in their prairie condition, incapable of immediate profitable use, the advantage to the settler of setting free his capital to develop the capabilities of the soil, rather than having to expend it in the purchase of a freehold, is very apparent. The values placed on the Crown lands are, as a rule, low, for the State does not so much seek to raise a revenue directly therefrom as to encourage the occupation of the lands by the people; this occupation secures an indirect increased revenue, besides the other advantages resulting from a numerous rural population.

We desired to secure the productive occupation by the people, but it must be borne in mind that the rental, while it represented only two-fifths of the payments made under the conditional purchase, at the same time in reality represented revenue in the form of economic rental. The payment for conditional purchase represented the expenditure of so much of the farmers' capital. There was an entire difference between the two payments. The rental was a fair one bearing in mind the two objects, first, the securing to the community of their right in the shape of direct access to the land or participation in the unearned increment, and securing that to the community in the future, while not fixing the rental so high as to militate against the productive occupation of the land; and it was perfectly equitable to refrain from superimposing taxation when we were already getting the same object in the annual rental.

Mr. E. B. JOHNSTON: As this exemption applied only to lands leased in perpetuity, it would not apply to town lots which were leased for 99 years. Surely the argument of the Minister would apply equally to town and suburban lots leased from the Crown.

The Minister for Lands: Yes, it should.

Hon. J. MITCHELL: The proposal was an attempt to gull people to take up leaseholds. It would not fulfil the object of bringing about the improvement of land, because the improvement conditions were to be very much lighter. The cost of running the Lands Department was about two-fifths of the 5 per cent. now received. We would probably not get enough to pay for working the Lands Department by the two per cent rental, and we should lose something like £200,000 now going into the Treasury. The man who paid two per cent. should pay as much by way of taxation as the man buying the land at the value the Minister set on it. Why did the Minister make a distinction in favour of the man taking up the lease? The man taking up the freehold would pay more than the man taking up leasehold.

The Minister for Lands: But the man buying the freehold pays for 20 years only.

Hon. J. MITCHELL: If the Minister worked out what the five per cent. meant as compared with the two per cent., he would find that the five per cent. for 20 years would provide two per cent. for a great many more years than he imagined. It was unfair to say that the man who dared to hold a freehold was to become the only taxpayer.

The Minister for Lands: He is not. These people are paying two per cent. in perpetuity.

Hon. J. MITCHELL: The two per cent. was for the right to occupy the land, just as people paid the value of the land to-day for the right to occupy it and work it. It appeared that the provisions of the Bill were made specially liberal in order to induce people to lease land, and quite apart from the fact that the leaseholders would pay an especially light rental for the right to occupy their land there was a duty cast upon them to contribute to the cost of Government. This duty should be shared by the leaseholders just as it was now provided by the freeholder. The Minister's Federal friends realised that the Federal land tax would have the effect of cutting up large estates and that Act had done all that was expected of it.

The MINISTER FOR LANDS moved an amendment—

That in line 1, "after "perpetuity," the words "or under Section 3 of this Act" be inserted.

Amendment passed, the clause as amended agreed to.

Clauses 21, 22—agreed to.

First Schedule—agreed to.

Second Schedule:

Mr. A. E. PIESSE: The wording of the lease in the second schedule was somewhat different from that of Form B. in the first schedule. On page 13 of the Bill it was provided, "That no such resumption be made without compensation of any part of the said land upon which any expenditure or improvements may have been made by the lessee." A similar provision should have been made in the lease as contained in the second schedule. There was a growing tendency on the part of Parliament to overlook the fact that fair compensation was due to those people whose property was often interfered with by the construction of railways or other public works. We had found out quite recently, where new railways had been constructed, that no compensation had been paid for taking cleared or improved land, or for the removal of fences. He could quote one instance where a railway ran four or five miles alongside a fence and that fence was, in consequence, resumed with the land which had been taken for railway purposes. The Public Works Department ruled that the occupier or the owner had the right to remove the fence, but there was no power to provide payment for compensation.

Mr. E. B. Johnston: What railway is that?

Mr. A. E. PIESSE: The Katanning-Nampup. It was only right that where improvements were resumed reasonable compensation should be paid. The rents that had been paid should also be refunded to the lessee. Why should any owner of land who might not reap any advantage from the construction of a railway be made to suffer? It very often happened that a railway was of no advantage. It was his intention to move an amendment and he hoped he would have the support of the Minister. The words he would ask the Committee to insert were similar to those which were contained in the previous schedule dealing with the lease of town and suburban lots. He moved an amendment—

That in line 4 on page 15, after the word "buildings," the following words be added, "or upon which any expenditure or improvements may have been made by the lessee."

The MINISTER FOR LANDS: It was to be feared the amendment would make it appear that the compensation would be for the value of the land, and not for the actual improvements effected. He was not prepared to accept it at this juncture, but at the same time he would not deny that there was some reason in what the hon. member had stated. He would inquire into the matter in the meantime, and would give the hon. member a promise to recommit the Bill on this schedule.

Mr. MONGER: It was not desirable that the Bill should be rushed through at so late an hour. He moved—

That progress be reported.

Motion put and negatived.

Mr. Monger drew attention to the state of the House; bells rung, quorum formed.

Mr. A. E. PIESSE: Upon the assurance of the Minister that the Bill would be recommitted on this schedule he would withdraw the amendment.

Amendment by leave withdrawn.

Hon. J. MITCHELL: The concluding paragraph in the schedule provided for

forfeiture for non-payment of rent. In the case of a well improved property forfeiture was altogether wrong. When the Minister recommitted the Bill on the schedule it would be well to amend this part of it.

The MINISTER FOR LANDS: Under the existing Act we had a provision which was not repealed in this measure, in regard to the waiving of forfeiture. That provision would apply equally under this schedule. The administration of these matters was tempered with great mercy to the holders. At the same time it was necessary that we should have a provision like this, or some might be disposed to take advantage of the consideration extended to them. Under the circumstances it would not be advisable to eliminate the forfeiture provision.

Schedule put and passed.

Third and Fourth Schedules—agreed to.

Title—agreed to.

Bill reported with an amendment.

House adjourned at 10.59 p.m.

Legislative Assembly,

Friday, 15th November, 1912.

The SPEAKER took the Chair at 3.30 p.m., and read prayers.

MINISTERIAL STATEMENT — REPORT ON CROP PROSPECTS.

The MINISTER FOR LANDS (Hon. T. H. Bath): With your permission, Sir, I should like to read a report from the managing trustee of the Agricultural Bank as to a trip he recently made through the Eastern agricultural areas.

Mr. SPEAKER: If the House is willing to hear the report, I have no objection.

The MINISTER FOR LANDS: The report is as follows:—

I have the honour to report having made a tour of inspection lasting eight days through the wheat areas, and feel sure that more frequent periodical visits would be beneficial both to the management and the numerous clients who are dealing with the Agricultural Bank. We started from Perth on Thursday early, with a very capable driver in a motor provided by the Government, and took the Toodyay road for preference as I wished to see the young crops on the rich Avon valley and compare them with the crops on the first and second class land right through to Mount Marshall. Taking the season as a whole, as applied to the country 40 miles north and east of the Avon, it has been very suitable for wheat-growing (only with one exception in August); the rain fell in sufficient quantities to permit of no check that would be hurtful to the maturity of the crops. When such a propitious season strikes the Avon valley proper the crops are always good, and this is no exception as we saw many that would cut two tons of hay to the acre or strip anything between 20 and 30 bushels. A good farmer in a good season will always come out on top, but I am sorry to say that there are many who have magnificent land who are not good farmers and will not reap two tons or strip 25 bushels per acre. Therefore, the average will be much lower than it should be in this magnificent wheat area. We arrived at Dowerin at 4 p.m. and left next morning early for the west side of Cowcowing Lake, going north as far as Badgerin Rock, thence eastward on the Mount Marshall road for several miles and on down south on the east of the lakes to Hall's. From Dowerin to Badgerin Rock the crops are better than those on the east of